

Marchington Neighbourhood Plan *Consultation Report*



Submission version *(as required by Regulation 15.1.d
of the Neighbourhood Planning (General) Regulations 2012)*



March 2016

Contents	Page
1 Introduction	3
2 Designation of the Neighbourhood Area.....	4
3 Summary of further consultation	5
4 Early engagement - June 2014.....	6 - 9
5 Issues and option - December 2014	10
6 Housing sites assessment and character study - March 2015.....	11 - 12
7 First Consultation on Draft Neighbourhood Plan - Sept. to Nov 2015	13 - 22
8 Second Consultation on Draft Neighbourhood Plan - Jan. to Feb. 2016.....	23 - 46
Appendix 1 - Designation process and letter	49
Appendix 2 - Newsletter No. 1 June 2014 – Initial engagement.....	50 – 52
Appendix 3 - Newsletter No. 2 November/December 2014 Issues & Options Consultation.....	53 - 56
Appendix 4 - Flyer for Sites Assessment and Character Exhibition March 2015	57
Appendix 5 - Newsletter No. 3 (Draft plan summary & consultation) September 2015.....	58 – 61
Appendix 6 - Statutory Consultee email and list for draft plan	61 – 63
Appendix 7 - Statutory Consultee responses	64 -93
Appendix 8 - ESBC Comments on draft neighbourhood Plan	94 - 97
Appendix 9 - Record of correspondence with ESBC on Draft Plan comments	98 - 102
Appendix 10 - Statutory Consultee email. Second Consultation on (revised) Draft Jan. 2016.....	103 - 104
Appendix 11 - Newsletter No. 4 - Second Consultation on (revised) Draft Plan January 2016.....	105 - 106

Related Documents

- 1** Marchington Neighbourhood Plan Policy Document
- 2** Basic Conditions Statement
- 3** Determination Statement

1. Introduction

1.1 The Neighbourhood Plan Steering Group (SG) identified consultation as the key to successfully developing a Neighbourhood Plan (NP) for Marchington. In doing so, it has recognised the need for consultation with local residents and businesses and statutory consultation with prescribed bodies.

1.2 This Statement describes the approach to consultation, the stages undertaken and explains how the Plan has been amended in relation to comments received. It is set out according to the requirements in Regulation 15.1.b of the Neighbourhood Planning (General) Regulations 2012):

(a) It contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;

(b) It explains how they were consulted;

(c) It summarises the main issues and concerns raised by the persons consulted; and

(d) It describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.

1.3 Andrew Mann is the Chair of the Neighbourhood Plan Steering Group (SG), which has a mix of parish councillors and non-councillors. The SG recognised the importance of community engagement throughout the process and there have been several stages of consultation:

- Advertising the request for the designation of a Neighbourhood Plan area (organised by East Staffordshire Borough Council in early 2014.

- Initial public engagement and awareness raising.

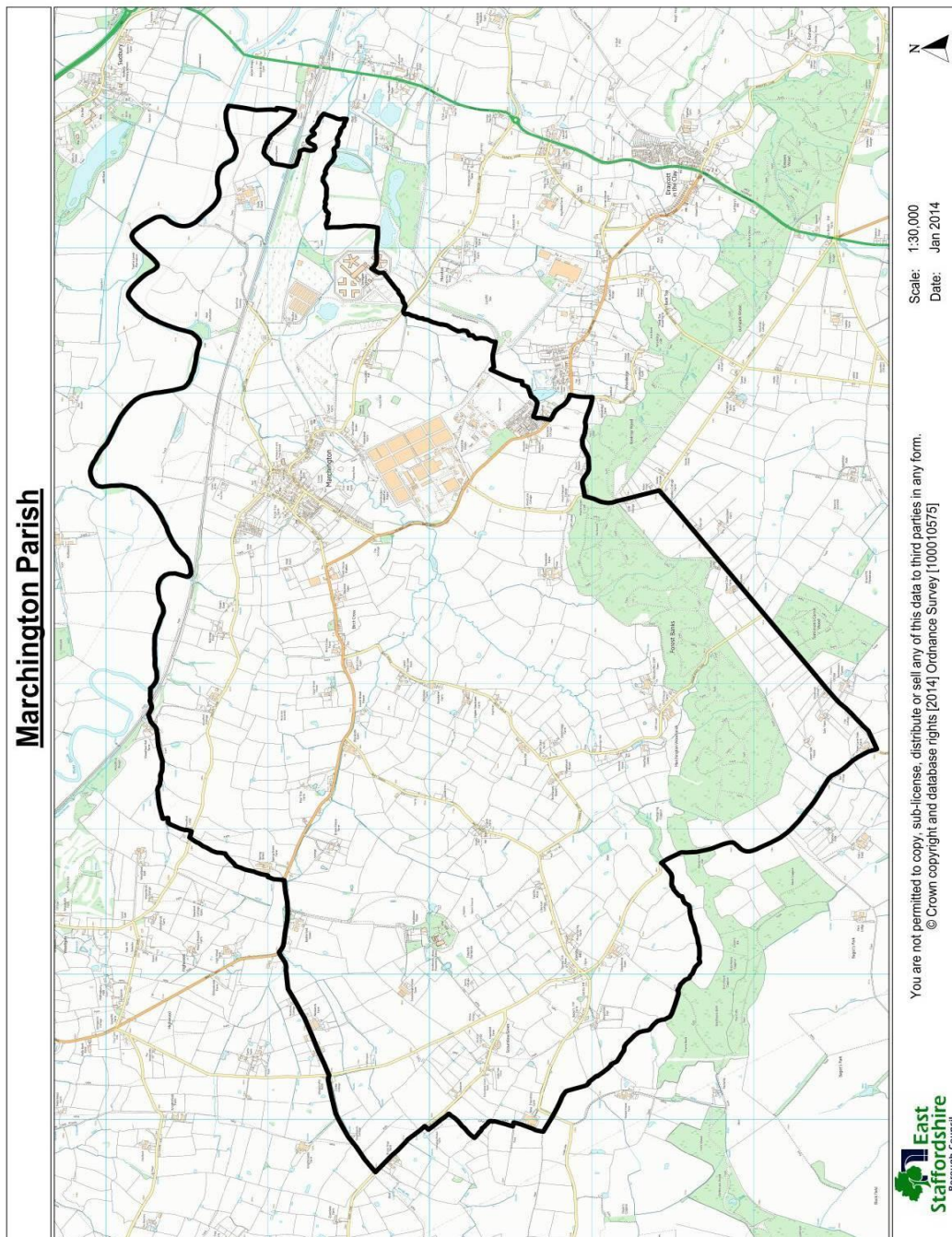
- Issues and options consultation.

- Two stages of Public and Statutory consultation, on the Draft Neighbourhood Plan and on a second (revised) version following substantive comments (including the final Strategic Environmental Assessment – SEA - screening)

1.4 This will be followed in mid-2016 with the promotion of the final plan and awareness raising for the local referendum.

2. Designation of Neighbourhood Area

2.1 The request was made for Marchington to be designated as a Neighbourhood Area by the Parish Council in 5th Feb. 2014. There was a 6-week advertisement period, up to 24th March. The approval decision was made by the Borough Council on 7th April 2014. The application was publicised via emails and letters, a dedicated section on the website (under the planning policy consultation area) and “Deposit” copies for inspection were made available at Borough Council offices. The Neighbourhood Area is shown on the map below :



3. Further stages of Consultation

3.1 Designation was followed by five further stages of consultation and engagement.

June 2014 Initial newsletter and questionnaire for local residents and notification of the preparation of the NP to businesses, landowners and outside bodies.

December 2014 Newsletter and questionnaire for local people on draft issues, vision, objectives & options.

January to March 2015 – direct consultation with landowners and developers on a sites assessment exercise and a public exhibition & questionnaire on the landscape character study and sites assessment.

September to November 2015 – Consultation on the draft Neighbourhood Plan in accordance with Regulation 14.

January to February 2016 - A second consultation on the draft Neighbourhood Plan in accordance with Regulation 14 and advice from East Staffordshire Borough Council.

4. Initial Questionnaire (June 2014)

4.1 The first consultation exercise was undertaken in June 2014 and comprised a household questionnaire through the newsletter. There were 70 responses. From this exercise the following key issues were identified:

- **Housing** – the scale, location and type of new housing enabling choice and development in preferred locations.
- **Community facilities** – retain the community spirit of the parish and protect local facilities.
- **Natural environment** – protect the landscape but enable agricultural change and access to the countryside.
- **Transport** – manage traffic but retain rural character.
- **Built environment** – protect the character of Marchington village and other heritage assets.
- **Employment** – enable successful operation of the industrial estate but minimise adverse environmental impacts.

4.2 The future of the former Barracks site was also raised as an issue and its possible development in the future. However, this redundant brownfield site adjoins the Forestside residential area, for which there had unfortunately been a relatively poor response to the initial questionnaire.

4.3 It was therefore decided to target another round of consultation specifically on Forestside, which was undertaken in November 2014. An additional 9 responses were generated. This confirmed an interest in the neighbourhood plan being pro-active as far as the potential development of the former Barracks site is concerned.

Consultation with Outside Bodies

4.4 A wide range of outside organisations were notified of the intention to prepare the Marchington Neighbourhood Plan. A list of those contacted and a copy of the letter/email is set out in the **Appendix 3**

Consultees Responses (June 2014 onwards).

4.5 In addition to the public consultation, statutory consultees and other interested parties were given an early opportunity to engage in the Neighbourhood Plan process.

4.6 **Highways Agency** - We note the current consultation relates to gathering evidence to inform the development of the plan. The Highways Agency has no comments to offer at this stage. However, in light of the potential impact on the A50 we request to be kept informed of the development of the plan. The HA looks forward to working with the Council as the plan develops.

4.7 **Draycott in the Clay Parish Council** - My Cllrs have asked me to pass on their thanks to your Cllrs for forwarding the details of the Marchington Neighbourhood Plan. At this point in time my Cllrs have no comment to make.

- 4.8 **National Trust** - Our property at Sudbury nearby is within Derbyshire Dales district but is very close to the boundary with East Staffordshire and particularly Marchington Parish. For reasons which are set out below we feel that there are benefits to a cross-boundary approach which reflects the visual and functional relationship of Marchington Parish with Sudbury Conservation Area.....In order to protect the environment, landscape and heritage of Marchington Parish, the National Trust recommends that the Marchington Neighbourhood Plan identifies locally important environmental and historic features and provides policies to protect and enhance these features.
- 4.9 Recognising that there are visual and functional relationships with other districts we recommend that cross-boundary issues are also considered. Specifically we ask the Marchington Neighbourhood Planning Forum to consider including in the plan a policy to ensure that the setting of Sudbury Conservation Area is protected from inappropriate development. To frame this in a more positive way, we propose a policy to ensure that development affecting the setting will respect the character of the Conservation Area and key views into and out of the Conservation Area.
- 4.10 To support this policy, the Neighbourhood Plan policies/proposals map could potentially incorporate the established setting boundary as a land designation. However, it should be recognised that setting does not have a definitive boundary and that tall structures beyond this boundary may have impacts which, under the National Planning Policy Framework, will need to be considered in planning decisions.
- 4.11 **Uttoxeter Town Council** - Sorry for the delay in responding. I wish to inform you that Council gave consideration to your correspondence received on 2 June 2014 and resolved the following: "that the Clerk writes to the Clerk of Marchington Parish Council to inform that Council welcomes its communication and requests that the Council continues to be kept informed on the Plan and receives a copy of the draft plan when available."
- 4.12 **Environment Agency** - I'm sorry we haven't replied to your consultation sent 2 June 2014. Having reviewed the information, we would welcome being consulted at the draft Plan stage later in the year.
- 4.13 **ESBC** – Local Plan - Following various meetings over the last 6 weeks please find below a response setting out our position and advice regarding the former barracks site and neighbourhood plan for Marchington.
- 4.14 Should the redevelopment of the former barracks site for housing, open space and community facilities be proposed as either a planning application or through the neighbourhood plan process, there would need to a full assessment of alternative sites in close proximity to Marchington village and its associated settlement boundary.
- 4.15 We would consider that redrawing of a new additional settlement boundary away from the settlement would set a precedent for other Tier 2 settlements and would not be in conformity with the emerging Local Plan. The development strategy set out in the Local Plan aims to focus most development at Burton and Uttoxeter with smaller

settlements such as Marchington receiving some development over the plan period. Settlement boundaries have been redrawn to cater for limited development and the proposed amendments to the Marchington settlement boundary are considered to be the most logical and sustainable. Neighbourhood Plans can of course redraw settlement boundaries, however, we would expect any amendments to focus on sustainable locations in close proximity to the settlement. It is considered that the barracks site is detached from both Marchington and Draycott and redevelopment would provide substantially more development than that set out in the emerging Local Plan.

- 4.16 We also do not consider redevelopment of the site, whilst involving the development of a brownfield site would be in conformity with the NPPF which states that authorities should avoid new isolated homes in the countryside unless there are special circumstances.
- 4.17 Conservation - Please see the draft conservation appraisal for Marchington attached. I agree that it is normally desirable to try and align consultations as and when possible where that is a good strategy to decrease the likelihood of consultation fatigue. (The new appraisal has now been adopted and form part of the evidence background for the Neighbourhood Plan).
- 4.18 **Duchy of Lancaster** (Through Savills) - It appears that there is relatively little development proposed. The Duchy carries out active management of the woodland areas within this part of the Estate and there may be works associated with that although no development per-se is anticipated. There are also a number of operational farm tenancies in place on the edge of the Parish which are expected to remain operational and will need to be able to respond to changing business requirements over time.
- 4.19 We do not anticipate the need for any site specific policies, but we would wish to ensure that the general policies of the Neighbourhood Plan remain as open and permissive as possible in accordance with National Policy to allow flexibility for the operation of these rural businesses and appropriate re-use of buildings and land should there be a need to change use for any reason. We would therefore like to see policies positively embracing and permitting the re-use of agricultural buildings in accordance with permitted development rights (if it is felt necessary to repeat these) and carrying forward the permissive themes of the permitted rights to any proposals that may be beyond the scope of the specific rights.
- 4.20 It is also important that rural business can develop its technology and diversify to help future business viability and to further the principles of sustainable development. To that extent we would welcome a permissive policy towards renewable energy proposals.
- 4.21 We would be pleased to discuss draft policies in further detail if helpful. Please do keep us informed about progress on the Neighbourhood Plan and any consultation there on.

- 4.22 **Evans of Leeds & Barton Willmore** (Marchington Barracks) - Generally, it is our intention to continue with our assessment work and refining the proposals so that we are ready for a public consultation in the Autumn, which would seem to fit with the timings of the NP. We can keep in touch about the precise timings in this regard. It is unlikely that we would make any commitment to the submission of the planning application until after the public consultation. Again, this is something we are happy to discuss with the NP Steering Group nearer the time.
- 4.23 We have read your written statement on behalf of the Parish Council for the EIP session which includes the summary of the Neighbourhood Plan work to date. We are pleased the community and Steering Group have supported the logic of utilising the Barracks site to provide some housing and offer environmental and community benefits. In accordance with our previous discussions, we confirm the intention to move forward with proposals to redevelop the site in consultation with the Parish Council/Steering Group and community. We can also confirm that a scheme of around 40 dwellings (we previously indicated 50) would be viable to deliver the emerging preferred option from the Neighbourhood Plan work.
- 4.24 **Hortons** (Marchington Industrial Estate) - Thank you for the invitation to the Steering Group Meeting. I hope that I helped paint a picture of the Estate. As things stand at the moment, at say the 31/12/2014, we had 30 occupiers. Employment figures are not easy to calculate I am afraid, but from what I can work out from what I have been advised, it is well over 200 people. As I mentioned this figure fluctuates.
- 4.25 I was asked about the strategy going forward at the meeting. As I mentioned the intention is to continue the Estate as it is, with flexible and competitive terms to attract occupiers. The main focus for 2015, is not only to maintain occupation on the Estate, but also to refurbish two of the units on the Estate to bring them back into use. The units in question have been vacant for some considerable time and so we are to spend upwards of £1m on those. As I mentioned we do want to invest in the site and therefore would hope that the Council would be supportive of that.
- 4.26 As I mentioned I will listen to concerns, but we do need to be mindful that the estate needs to work commercially, therefore having restrictions imposed will reduce the attraction of the Estate, and the uses. Therefore, I would hope for the ongoing support of the Steering Group to its use as an employment site.

5. Second Newsletter & Questionnaire - Issues and Options (November 2014)

- 5.1 A second newsletter was distributed in November 2014. This summarised progress and outlined issues, options and a draft vision. It included a questionnaire for people to complete and return before Christmas. The response was pleasing with over 60 returns. *A short analysis of the results is attached as Appendix 1.* In general, the responses show a high degree of support for the treatment of the identified issues by a comprehensive neighbourhood plan rather than reliance on the Local Plan. In addition, the draft vision was fully supported. Most policy options were supported but in housing (other than a majority in favour of policies to address housing needs and provide a mix of housing) the results were less conclusive with smaller majorities supporting each policy option. It was thereby concluded that it was reasonable to look at other options as part of the impending housing assessment provided that there is further consultation on the outcomes.
- 5.2 As part of this next consultation two drop in sessions were held on 11 December (3 - 5 pm at Marchington Village Hall and 5 - 7pm at Woodlands Village Hall). These were attended by 25 and 7 people respectively, despite very poor weather.
- 5.3 Meetings have also been held with St Peters First School in Marchington and Denstone Preparatory School (formerly Smallwood Manor). Both saw possible benefit from more carefully planned development. St Peters has spare capacity with 63 pupils attending at present (including 27 out of the catchment area) out of a possible 100 places. Smallwood may be subject to future development plans.

6. Landscape Character Study & Sites Assessment (Dec. 2014 to Mar. 2015)

- 6.1 These studies included specific consultation with other appropriate agencies:
- Environment Agency (EA) and Staffordshire County Council (SCC) on flooding matters.
 - SCC on Historic Environment Character Assessment (HECA).
 - ESBC on Conservation Area matters.
 - Severn Trent Water (STW) on drainage matters.
 - Staffordshire Wildlife Trust (SWT) for nature conservation data.

Details of information obtained are contained in the Sites Assessment report.

- 6.2 The SG also agreed that it would be necessary to engage landowners, developers, local people and other businesses/organisations in this process and that this should be achieved through the following means:

- A letter/email to landowners and developers already engaged in the SHLAA, the emerging LP and the NP, outlining the process and the timetable.
- Notifications to businesses or other non-residential landowners adjoining sites being assessed (especially important in relation to the industrial estate).
- A consultation session (with timed appointments) for landowners and developers, (this was held on Monday 23/02/2015).
- A public exhibition on the draft outcomes of the assessment to gauge the views of the local community, (this was held on Saturday 28/03/2015).

- 6.3 Over 100 people attended the exhibition on 28th March 2015 and 102 questionnaires were returned. A summary of the responses to each of the questions is given below:

Q1 Housing Numbers. Do you agree that 20 new houses is the right amount in Marchington? **84 (82%) agree** (4% disagree and 11% neutral & 3% blanks).

Q2 The Characterisation Study. Do you agree or disagree with how the village and its setting have been divided up and with the early conclusions on the key characteristics of each area? **88 agree (86%)** for each of the 9 areas. A maximum 5 disagreed on any site and there were 12 to 14 blanks.

Q3 Which sites do you think might be suitable for new housing? If you think that sites are suitable, how many houses may be appropriate on them?

Jacks Lane	22 (23%) suitable	56 (55%) unsuitable	12 (11%) neutral	(12 N/R)
Jacks Lane (W)	11 (11%) suitable	66 (65%) unsuitable	10 (10%) neutral	(15 N/R)
Jacks Lane(B5017)	9 (9%) suitable	67 (67%) unsuitable	11 (10%) neutral	(15 N/R)
Thorn Tree Farm	9 (9%) suitable	54 (53%) disagree	25 (25%) neutral	(14 N/R)
Silver Lane	2 (2%) suitable	77 (76%) unsuitable	11 (11%) neutral	(12 N/R)

The Bagshaws	51 (50%) suitable	19 (19%) unsuitable	26 (25%) neutral	(6 N/R)
The Barracks	94 (92%) suitable	5 (5%) unsuitable	1 (1%) neutral	(2 N/R)

Q4 Other sites. In addition, houses have been proposed (conversion & new build) on sites away from the village, e.g. former Blacksmiths PH (Birch Cross) & The Riddings (Moisty Lane). Do you agree or disagree with development on this type of site, outside the village? **68 (67%) agree** 15 (15%) disagree, 14 (15%) neutral (5 N/R)

6.4 Many of the other comments received showed a strong preference for the development of brownfield land and underused buildings, rather than Greenfield sites, for new housing. The results show a very high level of community support for NP policies which will:

- Protect the village and its setting, taking into account the Conservation Area and the wider, highly valued Needwood landscape.
- Enable the redevelopment of the former military zone on the Barracks site, using brown field land to meet housing requirements, addressing environmental problems and providing benefits to the existing community at Forestside.
- Enable limited infill development in the village with houses of an appropriate size and designed to a high standard to reflect the surroundings, e.g. by building a small scheme on The Bagshaws within or adjoining the existing settlement boundary.

6.5 The owners/developers associated with the Jacks Lane, Silver Lane and Barracks sites attended the appointment sessions and there has been subsequent contact with other landowners. The current situation is that:

- The owners of **Jacks Lane** were actively promoting it (through developers) as a new housing site with a (subsequently refused) planning application for 16 dwellings. This is not favoured by the local community.
- The owners of the **Silver Lane** sites acknowledge that it has significant infrastructure constraints at present. This site is not favoured in principle by the local community.
- The owner of the **western Jacks Lane** sites acknowledge that they are interested in longer term potential and they are not promoting development at present. (The owner of the central Jacks Lane site has subsequently confirmed that it is **not** available for development). These sites are not favoured in by the local community.
- The owners of **The Barracks** site consider that it is available and viable and a scheme is being developed at present which may result in a planning application in the autumn. The local community supports this development in principle.
- The owners of **The Bagshaws** site consider that it is available and viable and a small scale scheme of up to 10 dwellings could be developed. There is in principle support for this development from the local community.
- The owners of **Thorn Tree Farm** site consider that a small area of land is available and viable. A small scale scheme of up to 5 dwellings could be developed around the farmhouse. There is in principle support for this site from the local community.

7. Outcomes of the first Regulation 14 Consultation (September to November 2015).

The outcomes are summarised below:

- 7.1 The 6 week (Regulation 14) Consultation ran from Monday 28th September to Tuesday 10th November. A newsletter was delivered to all households and businesses in the Parish which summarised the draft plan and included a questionnaire. In addition, documents were available on the Parish website and in hard copy at the Community Shop and the village hall.
- 7.2 A two-part exhibition was held on Saturday 10th at Marchington Village Hall from 10:00 to 12:30 and at Woodlands Village Hall from 13:00 to 15:00. A further exhibition was held at The Barn (Indian restaurant) on Wednesday 14th October, focused on Forestside residents. The total attendance was 71 people, broken down as follows;
- Saturday morning - 41 people
 - Saturday afternoon - 5 people
 - Wednesday evening- 25 people
- 7.3 The sessions proved very useful for people to ask questions, find out more about the Draft Plan and to discuss any concerns in detail with SG members and the planning advisor. 61 questionnaires were returned and 2 individual letters submitted. The number and percentage of responses is listed below. (Two percentage figures are presented, the first covering the total responses and the second just showing those for agree and disagree).

The Vision: Agree 39 (64% or 97 %) Neutral/Blank 21 (34%) Disagree 1 (2%)

- 7.4 This shows a high level of satisfaction with the vision, especially when the simple percentage of agree and disagree are expressed. The higher level of neutral or blank boxes recorded may reflect that the Vision is slightly less tangible than the objectives and policies.

The objectives

Objective 1:	Agree 57 (93% or 98 %)	Neutral/Blank 3 (5%)	Disagree 1 (2%)
Objective 2:	Agree 54 (89% or 95 %)	Neutral/Blank 5 (6%)	Disagree 2 (5%)
Objective 3:	Agree 60 (98% or 100 %)	Neutral/Blank 1 (2%)	Disagree 0 (0%)
Objective 4:	Agree 59 (97% or 100 %)	Neutral/Blank 2 (3%)	Disagree 0 (0%)
Objective 5:	Agree 59 (97% or 100 %)	Neutral/Blank 2 (3%)	Disagree 0 (0%)
Objective 6:	Agree 57 (93% or 100 %)	Neutral/Blank 4 (7%)	Disagree 0 (0%)
Objective 7:	Agree 58 (95% or 100 %)	Neutral/Blank 3 (5%)	Disagree 0 (0%)

- 7.5 This shows a high level of support for the Neighbourhood Plan objectives, especially when the simple percentage of agree and disagree are expressed. No changes are required.

Neighbourhood Plan Policies

Policy DP1:	Agree 58 (95%)	Neutral/Blank 1 (2%)	Disagree 2 (3%)
Policy SB1:	Agree 55 (90% or 94 %)	Neutral/Blank 3 (5%)	Disagree 3 (5%)
Policy SB2:	Agree 55 (90% or 98 %)	Neutral/Blank 4 (7%)	Disagree 3 (3%)
Policy SB3:	Agree 46 (75% or 81 %)	Neutral/Blank 2 (4%)	Disagree 13 (21%)
Policy SB4:	Agree 50 (82% or 98 %)	Neutral/Blank 9 (15%)	Disagree 2 (3%)
Policy SB5:	Agree 60 (98% or 100 %)	Neutral/Blank 1 (2%)	Disagree 0 (0%)
Policy H1:	Agree 53 (87% or 92 %)	Neutral/Blank 4 (6.5%)	Disagree 4 (6.5%)
Policy H2:	Agree 58 (95%)	Neutral/Blank 1 (2%)	Disagree 2 (3%)
Policy H3:	Agree 55 (90% or 100 %)	Neutral/Blank 6 (10%)	Disagree 0 (0%)
Policy BE1:	Agree 56 (92% or 100 %)	Neutral/Blank 5 (8%)	Disagree 0 (0%)
Policy BE2:	Agree 59 (97% or 100 %)	Neutral/Blank 2 (3%)	Disagree 0 (0%)
Policy BE3:	Agree 57 (93% or 100 %)	Neutral/Blank 4 (7%)	Disagree 0 (0%)
Policy NE1:	Agree 59 (97% or 100 %)	Neutral/Blank 2 (3%)	Disagree 0 (2%)
Policy NE2:	Agree 61 (100 %)	Neutral/Blank 0 (0%)	Disagree 0 (0%)
Policy T1:	Agree 55 (90% or 96 %)	Neutral/Blank 4 (7%)	Disagree 2 (3%)
Policy CFOS1:	Agree 58 (95% or 98 %)	Neutral/Blank 2 (3%)	Disagree 1 (2%)
Policy CFOS2*:	Agree 29 (48% or 100 %)	Neutral/Blank 32 (52%)	Disagree 0 (0%)
Policy CFOS3:	Agree 59 (97% or 100 %)	Neutral/Blank 2 (3%)	Disagree 0 (0%)
Policy LE1:	Agree 54 (89% or 96 %)	Neutral/Blank 5 (8%)	Disagree 2 (3%)
Policy RE1:	Agree 51 (84% or 87 %)	Neutral/Blank 3 (5%)	Disagree 7 (11%)
Policy RE2:	Agree 53 (87% or 96 %)	Neutral/Blank 6 (10%)	Disagree 2 (3%)

7.6 This shows a generally high level of support for each of the Neighbourhood Plan Policies, especially when the simple percentages of agree and disagree are expressed. (*Policy CFOS2 was missed off the original questionnaire, a correction/addendum sheet was issued at the exhibitions. This affected responses but no-one disagreed with the policy). The only figures to fall below 90% (agree and neutral/blank) concern:

- **Policy SB3 – Development Outside Settlement and Development Boundaries**
- **Policy RE1 – Renewable Energy**

7.7 Planning applications concerned with these matters have proved locally contentious and this probably lies behind the slightly higher levels of disagreement. The respondents are possibly seeking stricter controls, but these may extend beyond what is reasonable in terms of the NPPF and the Local Plan. Taking this into account and the

fact that the support remains at a high level for both policies, no changes to policy wording are required.

Community Proposals

Community Proposal SB1: Agree 59 (96 %) Neutral/Blank 1 (2%) Disagree 1 (2%)
Community Proposal T1: Agree 53 (87% or 98 %) Neutral/Blank 7 (11%) Disagree 1 (2%)

7.8 This shows a high level of support for the two Neighbourhood Plan Community proposals and no changes are required.

Other comments

7.9 Seven respondents added further comments to their questionnaire and two people submitted letters. The additional points raised are summarised below and suggested responses are outlined *in italics*.

- Concerns about the definition of what constitutes “Renewable Energy” i.e. a solar park should not be seen as a justification for the installation of standby diesel generation plants. *This could justify additional consideration/wording in Policy RE1.*
- The extensive roof area of the industrial estate are a preferable location for solar panels to green field sites and farmland. *This cannot be a policy requirement, but it could be encouraged in the policy covering the Industrial Estate*
- All aspects of the drainage implications of new development should be considered carefully. *This reflects the points made by SCC and the EA which will result in additional policy wording.*
- The NP should promote improved broadband across the Parish. *Already covered in policy RE2.*
- Any development Thorntree Farm should be restricted to in and around existing buildings. *To be considered alongside the other responses on new housing.*
- There is some individual support for a small scale infill development on the Jacks Lane frontage. *To be considered alongside the other responses on new housing.*
- Improved access and links to the village are important. *Agreed, but this already covered by a range of policies and Community Proposal T1.*
- The creation of a cycle route alongside the B5017 could be dangerous. *Noted and the advice of Staffordshire County Council (the Highway Authority) will be taken.*
- Tree Preservation Orders (TPO) should be considered on identified open spaces and propose local green spaces. *Noted but TPO procedures are legally separate from Neighbourhood Plans.*

7.10 One of the separate letters was from the owner of land at Jacks Lane (SHLAA Ref. 115, not the site of the recent planning application) who has confirmed that this site is **not available** for development. It is valued as agricultural land and is part of the setting of the village. *A helpful factual update on landowner attitudes, but it does not require any changes to the policy content of the Plan because development is not favoured in that location.*

7.11 The other letter outlines several separate points.

- The dwelling requirement should be met within or adjoining the village. *This reflects the strategy of the NP.*

- Objection to that part of policy SB2 to re-use part of the military camp for housing. A better solution for the barracks would be the demolition of the buildings and the incorporation of the land as an enhanced recreational amenity asset including national forest planting. A recreation/tourist/ leisure facility /educational building could be incorporated to assist overall viability. This type of use would be an asset to the area and improve the leisure offer. *Noted and this will be considered alongside ESBC and other comments. However, as a matter of fact, Marchington is outside the National Forest area and cannot benefit for the planting schemes therein.*
- Object to any further development at the prison site... The Policy SB4 is not clear what is meant by the “prison complex” does this mean the land ownership or the existing building compound. There should be no further building outside the existing compound area. Are the Plan makers satisfied that the NP can control development proposals by HM Prisons? We are not clear how you would test the policy in any event, how do you measure a “reduction in security” *Noted, clarification will be added to refer to the existing compound.*
- Many of the other policies in the plan relating to design, built heritage etc. are simply a reiteration of National Planning Policy, and ESBC adopted policy is it necessary that they are included in the Plan, more policies saying the same thing does not improve clarity. *Disagree these policies add a specific local dimension based on the local character survey and locally identified issues.*
- In the event that this plan becomes adopted one day who will monitor the large number of policies and tests that are being set out. The plan is long and rather complicated for ease of use, will the Parish Council have to retain their own planning expert to advise on applications and will this increase the Parish precept? *PC to respond, but this is not a planning policy matter.*

Statutory Consultees

- 7.12 The meeting on 25th November considered the responses to the recent consultation on the draft Neighbourhood Plan (NP), noting that the public had expressed support for it and little change was required and that the majority of the comments received from consultees were positive and that that any changes arising would actually improve the NP. The SG agreed an extensive set of detailed minor changes to the NP, with many from SCC and the EA relating to flooding and drainage matters and a number from ESBC to reflect the adoption of the Local plan in October 15th All of these amendments are being incorporated into a revised version of the document.
- 7.13 At the same time, it was acknowledged that comments from ESBC, William Davis, the Environment Agency (EA) and Hortons raised complex and potentially contentious issues, including:
- proposed housing sites in the village,
 - the overall treatment of the former military area and the specific proposals for the industrial estate and the former barracks site,
 - the possible need for a Strategic Environmental Assessment (SEA) to be carried out.

7.14 It was agreed to defer decisions on these matters until a planned meeting with ESBC on 24th November had taken place. The meeting resulted in a series of (in some cases reluctant, but necessary and pragmatic) agreements on the way forward in order to enable submission of the NP early in 2016 in anticipation of a satisfactory examination, with the referendum in the early summer.

7.15 The actions agreed upon were as follows:

- 1 Confirming, but with amended site boundaries, housing numbers and design requirements, with The Bagshaws, Thorn Tree Farm and Jacks Lane (frontage only), as locations for new housing.
- 2 Collating and making clearer the local justification for policy coverage of separate components of the former military area, **but without** an overall development boundary and any reference to the possibility of new housing there.

7.16 Based on 1 and 2 above, it is anticipated that ESBC will no longer regard the NP as failing to satisfy the Basic Conditions and that, subject to a re-screening of the revised of the NP, the EA will withdraw their requirement for an SEA to be carried out. However, given the nature of the changes that are to be made to the NP, ESBC has strongly recommended that it is subject to a second (but targeted and simplified) 6 week consultation so as to explicitly satisfy the Neighbourhood Planning Regulations.

7.17 If agreed, this could result in a revised programme for submission, as set out below.

- Commence Reg.14 (2) on Friday 11th December, complete on Monday 25th January.
- ESBC re-screen SEA commencing on Mon. 7th Dec. to complete on Monday 11th January.
- Revise Plan and complete other submission documents (Consultation Report and Basic Conditions Statement – both of which can be drafted in the interim) by Friday 19th February.
- Assume examination during April and referendum in early July.
- Approve approach to revised policies at SG on Wednesday 2nd December.

7.18 In the meantime in order to achieve the above, it will be necessary to complete the revision of the draft plan during w/c Monday 8th December, to be available in electronic and hard copy form by the end of that week for copying and uploading onto the website by 5 pm on Friday 11th It will also be necessary to produce and circulate an explanatory newsletter by that date (or at the latest over that weekend) and to set a date for an open public meeting for people to hear about the changes, why they have been made and to ask any questions. These matters are also covered in this report.

Satisfying the Local Plan development requirement and the village settlement boundary

7.19 ESBC made it clear that the new Local Plan settlement boundaries must remain. They could be extended by the NP, but not reduced or deleted. This means that the Jacks Lane frontage remains effectively allocated for new housing. It also mean that The Bagshaws settlement boundary extension is fixed as a minimum. The Council is taking a firm line because, in terms of Marchington, they consider that the matter has been

examined by the Local Plan Inspector, who chose not to direct any alterations. They consider, in principle, that such a recently adopted Local Plan should not be changed and there is a (reasonable) desire to avoid a precedent for other tier 2 settlements and NPs.

- 7.20 William Davis (related to but separate to the above) have commented that the Jacks Lane (Local Plan) site should be retained and suggested a development of 5 dwellings. They also again refer to the potential of the larger site, but unless the settlement boundary in this location was extended by the NP there are very strong policy reasons for this to be resisted and successfully defended in the longer term. It is assumed that the smaller scale development could proceed in the near future
- 7.21 Agents acting on behalf of the owners of Thorntree Farm have confirmed that the general location is suitable for development but have stated that this should be on land adjoining the farm buildings, with around 10 dwellings involved. This has implications which need to be considered:
- The loss of greenfield land
 - The impact on the Conservation Area
 - The impact on the character of the village and the loss of a typical high bank/hedgerow
 - Access and traffic implications
 - Drainage implications, given known problems on Bag Lane and Jacks Lane.
- 7.22 However, subsequently the owner of the property has confirmed that they would accept some development in the orchard and conversion of existing buildings, for example 2 or 3 dwellings, but not in the short term i.e. less than 10 years, because it would affect the working of the farm. Access would be from an improved drive on the current farm access.
- 7.23 ESBC has confirmed that as long as housing sites can be developed within the 16 year plan period, there is no need for all to be delivered in the first five years
- 7.24 Agents and a developer acting on behalf of the owners of The Bagshaws confirmed that the land is suitable for development, but have stated that for viability reasons a scheme of 13 houses, with some larger units, on an extended site is needed which is not strictly in accordance with the Local Plan settlement boundary and would need to be considered in terms of:
- The impact on the Conservation Area and Listed Buildings
 - The impact of an enlarged site on nearby properties and the setting of the village.
 - Drainage and flooding implications.
- 7.25 The extended site would encroach into the open land of the valley of the Marchington Brook and could have an adverse impact on existing houses on Church Lane and increased numbers could lead to highway safety issues or require engineered solutions that detract from the Conservation area and Listed Buildings. For these reasons and taking account of a clear community preference (from the consultation) for a smaller scheme, it is not considered appropriate to increase the site area but the

sites would be retained, with an allocation for 10 new dwellings, in accordance with the Local Plan.

Proposed actions agreed by the Steering Group

- 1 To accept the Jacks Lane frontage site (strictly within the extended settlement boundary in the Local Plan) as a location for up to 5 new dwellings, subject to design (in particular the height of new dwellings), the retention of the hedge, measures to ensure that the land to the rear remains open and that drainage matters are addressed. **Agreed**
 - 2 To confirm The Bagshaws as a preferred location for new housing, including conversions, with up to 10 units in the extended settlement boundary/site as proposed in the Local Plan and the Draft NP. House type size and design would need careful consideration, to reflect local character and safeguard the setting of the Listed Buildings and the Conservation Area. In recognition of the need for financial viability, subject to a demonstration of proven and reasonable costs, there may be some flexibility on the provision of a small proportion of larger houses **or** additional smaller houses/flats. **Agreed.**
 - 3 To confirm Thorntree Farm as a location for 2 to 3 dwellings, including conversions, within a revised amended settlement boundary including the farmhouse and the orchard, with a requirement that the length of the high bank and hedgerow along Allens Lane is not substantially reduced. **Agreed.**
- 7.26 It was noted that this would result in the following change to the draft plan. A revised and extended Policy SB 1 confirming the village settlement boundary in the adopted Local plan, adding Thorntree Farm and establishing criteria (within sub policies SB1 A, B & C) for the sites at The Bagshaws, Thorntree Farm and Jacks Lane to provide for 17 to 18 dwellings.

Setting a locally based and justifiable policy framework for the former military area

- 7.27 ESBC was concerned over the treatment of the military area and barracks, especially;
- An inferred promotion of housing on the Barracks in the draft NP,
 - A feeling that the local justification for specific policies in the NP (in addition to the strategic policies in the Local Plan) was not clear,
 - The use of the term “Development Boundary” and how it is shown on the inset.
- 7.28 Related to the above Hortons (through agents) commented that it is not necessary to have a policy covering the industrial estate and suggesting that the NP will not meet the Basic Conditions if it is retained. They also opposed housing on the former barracks site.
- 7.29 Barton Willmore, on behalf of Evans of Leeds, were generally supportive of the approach to the former Barracks site, but are concerned over the extent of the proposed LGS and suggested that a partnership approach involving other landowners and the PC may be necessary in terms of future ownership and management. It was agreed at the last SG meeting that, whilst it is reasonable to consider operational issues, they are not really relevant to the planning principle of LGS designation. They

were also concerned over the criteria relating to “an innovative approach to sustainable design and construction” noting that this runs counter to recently issued government advice. This point will no longer be relevant if references to potential housing are removed.

Proposed actions agreed by the Steering Group

7.30 The Overall Area

- 1 To show the areas that are subject to policies on the NP Proposal Map and Inset, (including the industrial estate, the former barracks, open space & woodland (the proposed Local Green Space) and the existing housing at Forestside, but without defining an overall development boundary. **Agreed**

7.31 Industrial Estate

- 1 To confirm the extent to which the consultation at all stages of the NP has shown that local people support a more detailed, locally based, planning framework for the former military depot. **Agreed**
- 2 To demonstrate, with reference to the, geography and topography of the Parish, how dominant the former military depot is and the public support that was expressed for it to be recognised in the local character study. The issues involved include; **Agreed**
 - The 1.26 million sq. ft. Industrial Estate; buildings that may be replaced over the NP period.
 - The issues that arise through the flexibility (use & operating hours) of existing buildings
 - Surface water drainage and flooding issues.
 - Traffic generation
 - Poor connectivity (pedestrians and cyclists) from the village and Forestside.
- 3 To explain how past planning decisions affecting the area, including HMP Dovegate and the approved solar park, have been taken in a strategic rather than local context. **Agreed**
- 4 To acknowledge (but avoid duplicating) the Local Plan framework provided by Policy SP14 (see Appendix 1). This refers to Marchington as a one of three rural industrial estates, but also covers other sites, farm diversification, small scale development outside settlements and the National Forest woodland economy and is therefore inevitably high level and strategic in nature. Based on local issues, it is considered that following matters should be taken into account in an NP policy. **Agreed**
 - Local flooding and drainage concerns and the limited capacity of the Marchington Brook, as identified by SCC and the EA.
 - The lack of effective planning control over changes of use and hours of operation on the estate because of historic, military related, established use rights
 - The lack of connectivity (pedestrian & cyclists) between the estate and the village and Forestside which reduces the potential of the estate to be a sustainable employment location
 - Traffic issues
 - Light pollution and the impact on views for Marchington Cliff.

- Trespass and public safety issues connected with the former barrack buildings.
- The lack of formal public access for the residents of Forestside to the open space and recreation grounds.
- Lack of joint working
- Parking and highway safety issues in Forestside

7.32 Former Barracks site

This site has been the subject of several speculative proposals in the recent past, including as an outdoor activity/games area and a solar park, which have been considered at the strategic rather than local level. There is known interest from the owner in a residential development and whilst this will need to be considered by ESBC in the context of the Local Plan policies, there is always a possibility that development might ultimately be decided through the appeal system. Neighbourhood Plan criteria relating to the character of the area and any impact on (or benefits to) Forestside, the Industrial Estate and the village, against which future proposals for development may be considered could reasonably include the following locally based matters, but **not** promoting new housing: **Agreed**

- The need to a satisfactory relationship with the industrial estate.
- The need to achieve a satisfactory relationship with Forestside, if possible, providing benefits, including access, parking, open space and community buildings or facilities.
- Woodland and wildlife habitats should be retained and integrated into an overall plan.
- Improved connectivity (pedestrian/cycle links) to Forestside, industrial estate and village.
- Guarantees that run off and drainage will not add to flooding and foul drainage problems.
- The need for ground condition and/or pollution issues to be dealt with satisfactorily.
- Reference to the former military use and local heritage value of the site.

The recreation ground and woodland (to the rear and side of Forestside) require policy coverage. It is a well-used (by virtue of a short term lease) and much valued open space asset and it reflects some of the heritage of the formal military use. It was for this reason that Local Green Space designation was proposed in the Draft Plan and it will be kept, albeit outside the framework of the development boundary concept. **Agreed**

7.33 Forestside Residential Area

The Local Plan policy SP 14, which would otherwise be used to consider proposals on Marchington industrial estate, refers to impact on “the settlement” (i.e. Marchington village). The Local Plan does not recognise Forestside as a settlement or a part of Marchington village. It is reasonable, therefore, that the NP includes locally based and justified proposals to protect and seek improvement to the residential environment of the area. The options set out above will go a considerable way towards achieving this aim, but a further site specific reference may be justified, as set out below.

1 That development proposals within or adjoining the existing housing at Forestside should not adversely affect the residential amenity and, where possible, provide benefits in terms of additional parking, improved traffic circulation and access to the industrial estate and open space. **Agreed**

7.34 It was noted that the above would result in the following changes to the draft plan.

- Removal of references to the potential of the Barracks for new housing, in the text and policy content, with the exception of actual comments submitted made by the public and by consultees.
- Removal of references to the definition of a development boundary around the former military area with coverage of the separate components in existing policy chapters (Housing, Local Employment & Open Space) with a new “Area Based” policy section including HMP Dovegate & the former barracks.
- The deletion of Policy SB 2
- Move Policy SB 5 (Infrastructure & Flooding) to the Development principles section as DP2
- The inclusion of new policies covering;
 - The Industrial estate (new Policy LE2) – in Local Employment
 - Rename and move Policy SB4 (HMP Dovegate) as Policy AB (Area Based) 1
 - Rename and move Policy SB 5 (Infrastructure as DP2 (Development Principles)
 - The former Barracks – criteria for any development – (new Policy AB2)
 - Forestside - new Policy H4

Confirming that an SEA will not be required

7.35 ESBC commented that the Council, in consultation with the Environment Agency (EA), has undertaken a Strategic Environmental Assessment (SEA) screening of the NP in accordance with the NP regulations. Most NPs do not require a full SEA to be undertaken, but in the case of Marchington, the EA has advised ESBC (who agree) that because they regard Policy SB2 (D) as being tantamount to a housing allocation, an SEA will be necessary. If this position is maintained and an SEA is not undertaken, the Basic Conditions cannot be met and so the NP would stall. An SEA is a complex technical piece of work and would delay completion of the submission version until later in the winter/early spring of 2016.

7.36 It is anticipated that the changes outlined in Section 3 will enable a re-screening of the plan by ESBC (consulting the EA, NE and HE) which should conclude that an SEA is not required. This will take up to 5 weeks, as outlined in Section 1.

The need for additional consultation with the local community & statutory organisations.

7.37 ESBC has suggested that in the light of the detailed nature of the changes to the NP, it is desirable for the (6 week) Regulation 14 Consultation to be repeated. On consideration, although this will take additional time and resources, it is recommended that the PC and SG agree to this. **Agreed**

7.38 As outlined in Section 1, a full 6 weeks will be required for the consultation, but given that the majority of the content will not be substantially changed and the recent full consultation, it can be relatively simple in terms of approach and content, as set out below.

- The production/distribution of a newsletter explaining why changes were needed, what they are and giving an opportunity for comments to be made using a tear off form or by email/letter. **Agreed**
- All documents to be placed on the village website and hard copies to be made available for the duration of the consultation at the Community Shop and the Village Hall. **Agreed**
- Statutory consultees to be notified of the consultation by email/letter, with a copy of the newsletter, and information on where electronic/hard copies of the NP can be examined. **Agreed**
- An open meeting, in the Village Hall with a presentation from the SG/planning adviser explaining why changes were made and what they are, followed by a question and answer session. This might be held on the morning of Sat. 19th December. **Agreed**

7.39 **NB** The approach to the decision to hold a second consultation and the details of how policies were revised was influenced by discussions and meeting with ESBC, these are detailed in Appendix 9 to this statement.

8. Second regulation 14 Consultation (January to February 2016)

- 8.1 A second consultation was held on the draft Neighbourhood Plan in accordance with Regulation 14 and advice from East Staffordshire Borough Council.
- 8.2 The second Consultation ran from Monday 4th January to Tuesday 16th February. Two separate reports cover the public response and the responses from statutory and other consultees. These summarise the outcomes and comments and outline suggested amendments to the Draft Plan or explain when and why amendments are not necessary. At the submission stage, a Consultation Report will need to be produced which shows what consultation has been carried out, the responses made, changes (or not) to the Plan and the reasoning of the Steering Group/Parish Council in making these decisions. This is an important stage in the NP and the meeting tonight will need to consider the reports carefully.

Public comments

- 8.3 In terms of public response, the revised draft plan enjoyed wide support as evidenced by the questionnaire responses (47). There is no need for significant changes to the document.
- 8.4 The second 6 week (Regulation 14) Consultation ran from Monday 4th January to Tuesday 16th February. A newsletter was delivered to all households and businesses in the Parish which summarized the changes to draft plan as a result of the first Consultation (Oct. to Nov. 2016) and included a questionnaire. In addition, documents were available on the Parish website and in hard copy at the Community Shop and the village hall. A public meeting was held on Saturday 12th January at Marchington Village Hall, from 2pm to 4pm, which was attended by 49 people. 47 questionnaires were returned and the number and percentage of responses is listed in the table below.

Amendment 1 To include the Local Plan designation of the Jacks Lane site as a location for 5 dwellings

Agree 42 – 89%	Disagree 3 – 7%	Neutral 2 – 4%
----------------	-----------------	----------------

Amendment 2 To confirm the Local Plan designation of The Bagshaws as a location for 10 dwellings

Agree 40 – 85%	Disagree 4 – 9%	Neutral 3 – 6%
----------------	-----------------	----------------

Amendment 3 To confirm Thorntree Farm as an additional location for 2 to 3 dwellings

Agree 43 – 92%	Disagree 2 – 4%	Neutral 2 – 4%
----------------	-----------------	----------------

Amendment 4 No Development Boundary on the former military depot; reliance on individual policies

Agree 32 – 68%	Disagree 2 – 4%	Neutral 13 – 28%
----------------	-----------------	------------------

Amendment 5 The Industrial Estate – A locally based policy to enable development subject to criteria

Agree 45 – 96%	Disagree 0 – 0%	Neutral 2 – 4%
----------------	-----------------	----------------

Amendment 6 The Barracks – A locally based policy for development but with **no reference** to new housing

Agree 39 – 83%	Disagree 1 – 2%	Neutral 7 – 15%
----------------	-----------------	-----------------

Amendment 7 Forestside - criteria for new development to meet; recognising the established residential area

Agree 44 – 94%	Disagree 0 – 0%	Neutral 3 – 6%
----------------	-----------------	----------------

Amendment 8 The proposed designation of open space woodland as Local Green Space is retained.

Agree 44 – 94%	Disagree 1 – 2%	Neutral 2 – 4%
----------------	-----------------	----------------

8.5 This shows a high level of support for the amendments, albeit that results for the former military depot (amendment 4) show the disappointment (mentioned at the meeting and perhaps represented by pragmatic neutral responses) with the loss of the policy coverage of this area. There is **no need to make changes** to the Neighbourhood Plan based on these responses.

Other comments

8.6 Seventeen further comments were added to questionnaires. These are summarised below and responses agreed by the Steering Group are given *in italics*.

- Bagshaws - agree with conversions but could be a problem with access out onto the road with so many houses, also when the brook floods it does go into lower field do these extra houses mean they are going to be built in this field. *Access has been accepted in principle by SCC and the site does not extend into the flood zone*
- The Plan makes a good balance for development in Marchington. *Noted, thank you*
- Very disappointed the ESBC is against housing development on the Barracks site which continues to be an eyesore in the area. *The PC is also disappointed but the Neighbourhood Plan needs to conform with the Local Plan.*
- If Jacks Lane designated in Local Plan then 5 dwellings subject to height (Bungalows in keeping with No.33. and drainage issues would be acceptable - also to retain the hedge (privacy). *Noted.*
- Amendment 3. Concerned regarding access to possible new dwellings Mrs Thompson (previous owner) applied to build a bungalow but it was refused for this reason. *Noted.*
- Well done to the Committee. Thank you for all your hard work. *Noted, thank you.*
- The Bagshaws is in a conservation area. Conversion of existing buildings should be allowed, but no new builds, why should they be allowed here when the Jacks Lane site has been limited to 5 houses. The same objections in terms of flooding and access apply. *Noted, but the principle has been accepted by the Borough Council.*
- Done reluctantly as I do not fully support all these proposals but it's the best option that can be achieved. *Noted.*

- I anticipate additional infill houses to be built within the settlement boundary. *Correct.*
- What plans are there for the empty property with an acre of land on Allens Lane? *Not known at present.*
- To ensure that any development does not worsen the drainage and flooding of the village. This is mentioned but needs to be more forceful. *Noted, but the plan addresses flooding and is supported by SCC and the EA.*
- Jacks Lane should be 7 dwellings. Disagree with amendment 3 as 1/2 would meet the 17 dwellings, why propose to extend the village boundary into Thorntree Farm which is a Conservation Area? *Noted, but public opinion favoured both small sites.*
- Amendment 1 agree but 7 houses are possible in that space which would appease ESBC. Amendment 3. 1/2 dwellings are sufficient. Thorntree Farm only providing that their access is not sited opposite Allens Croft allowing for future development as the national housing targets increase up to Windmill Drive. *Noted, but public opinion favoured both sites.*
- Jacks Lane housing should take into consideration bungalows to reduce intrusion to houses opposite and to prevent the blocking of light. *Noted; covered in the policy.*
- Something needs to be done about Heavy Traffic along B5017 between Uttoxeter and Draycott and pedestrian safety. *Agreed but outside the scope of a Neighbourhood Plan.*
- Amendment 3. 2 houses sufficient. Amendment 7. development of housing - not industrial. *Noted (see comments above).*
- A big mistake not to allow some housing on a brownfield site. *Noted. The PC is also disappointed but the Neighbourhood Plan needs to conform with the Local Plan.*

Statutory and other consultees

8.7 Each of the statutory and other consultees (especially landowners and developers) affected by the changes to the first draft plan has offered comments. Some comments will require further, albeit minor changes to the Plan before submission, but in other cases, it is considered that the issues raised do not justify changes from the second draft. Details are given in the separate report. Minor changes and typing/grammatical errors have also been incorporated. The organisation which comments are listed below:

- National Trust
- East Staffordshire Borough Council (ESBC)
- Mobile Operators (Mono Consultants)
- Staffordshire County Council
- Barton Wilmore (for Evans of Leeds)
- William Davis
- GVA Bilfinger (for Hortons)
- Mr Clarke (Landowner)
- Gladman

8.8 In addition, ESBC undertook an SEA screening of the revised plan and submitted a report to Natural England (NE), The Environment Agency (EA) and Historic England (HE) on 4th December 2015. The Screening Report is attached in Appendix 1.

On 22nd January 2014, ESBC confirmed that it had been concluded that the Marchington Neighbourhood Plan **does not require** an SEA to be undertaken. In comments to ESBC, the EA noted the desirability of changes being made to the wording of Policy DP 1 of the revised draft plan. ESBC has requested that this matter is considered. The comment is detailed overleaf.

“We note that that draft Policy DP1 requires *‘The potential for ground pollution should be taken into account and, where necessary, measures taken to manage this through a pollution prevention plan’* however we do not consider that this suitably assesses this specific risk to the water environment or demonstrates that this risk can be managed.

Adopted Detailed Policy 7: Pollution and Contamination (in the ESBC Local Plan) also states that: *Development proposals will only be granted planning permission where they will not give rise to, or be likely to suffer from, land instability and/or unacceptable levels of pollution in respect of noise or light, or contamination of ground, air or water.*”

It is recommended that the text quoted above for the Local plan policy DP7 is added to clause A4 of Policy DP1 in the Marchington Neighbourhood Plan prior to submission.

Detailed responses

8.9 The responses and how they have been addressed is summarised in the table below:

Statutory Consultee Responses – Draft Marchington Neighbourhood Plan (compiled 17/02/16)

Date and Organisation	Comments	Agreed Actions (Red)
04/01/16 National Trust Kim Miller	<p>Thank you for consulting the National Trust on the Marchington Neighbourhood Plan. We are pleased to see that the plan includes protection of the setting of Sudbury. In order to reflect recently published planning guidance, we would like to request some minor amendments/clarifications in relation to the setting of Sudbury. These are firstly to confirm that (in accordance with the NPPF) the settings of all designated heritage assets, including conservation areas, are protected. And secondly to confirm that the extent of setting ‘is not fixed’ (see NPPF definition of the setting of heritage assets). Historic England expand on this in their recently published guidance: GPA3 (https://content.historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/gpa3.pdf/) in which paragraph 4 states the following:</p> <p>‘While setting can be mapped in the context of an individual application or proposal, it does not have a fixed boundary and cannot be definitively and permanently described for all time as a spatially bounded area or as lying within a set distance of a heritage asset because what comprises a heritage asset’s setting may change as the asset and its surroundings evolve or as the asset becomes better understood’</p>	

	<p>We therefore request the following changes to ensure that the plan is consistent with national policy and can be found sound. We consider that these are minor:</p> <p>Proposed change to policy BE1:</p> <p>‘C - All new development affecting the setting of Sudbury Hall, Registered Parkland, Conservation Area and associated heritage assets (see Proposals Map) will be required to demonstrate that the setting of Sudbury, including longer views, will not be adversely affected.’</p> <p>Comments: We suggest that the location/boundary of Sudbury Conservation Area is added to the map for ease of reference. While it may be helpful to continue showing the label ‘BE1(c)’ to denote the setting of Sudbury within Marchington Parish, we do not suggest that a southern boundary for this area is shown on the map (at present there does not appear to be a boundary shown).</p> <p>Proposed changes to BE1 supporting text, p56, para 3 ‘ The National Trust requested policy coverage to ensure that the setting of Sudbury Conservation Area, which contains the Grade I Listed Building Sudbury Hall and a Registered Park & Garden, is protected from inappropriate development which would affect key views into and out of it. In the 2006 Conservation Area Appraisal by Derbyshire Dales District Council, the southern boundary of the setting is defined by the Derby to Crewe railway line. However, it should be noted that setting does not have a fixed boundary. In particular, the National Trust considers that tall structures within beyond this boundary may have impacts which, under the National Planning Policy Framework, will need to be considered in planning decisions.’ I have copied this response to a contact at Historic England – Claire Searson – for her attention.</p>	<p>Agreed</p> <p>Disagree. It is not legally possible to show the Conservation area which is in a different parish/NP area on the Marchington NP Proposals Map</p> <p>Agreed</p>
<p>11/02/16 East Staffs. BC 2.1</p> <p>3.6 and 3.7</p> <p>3.26</p> <p>3.36 – 3.84</p> <p>6.1 vision</p> <p>DP1</p>	<p>Para 2.1 duplicates para 1.21</p> <p>Looking at stats it would be helpful to compare Marchington, borough and UK figures as percentages, possibly in a table.</p> <p>Burton college is ‘Burton and South Derbyshire College’</p> <p>This is a lengthy section and may be better summarised in the main body of the Plan and then detailed in an appendix.</p> <p>Consider deleting ‘will have been’ in the last sentence of Vision.</p> <p>This policy may not be needed as detailed policies later in the</p>	<p>Disagree. The paragraphs are different Paragraph amended to be general rather than specific</p> <p>Agreed</p> <p>Possible. Editing of the policy document will be undertaken for Submission. Disagree. Majority of local people support the Vision Disagree. Policy sets out general principles and is</p>

	plan repeat it.	supported by local people Agree
DP1 justification	1. Add 'approximately' before '20' as the figure in the Local Plan is not a ceiling. 2. Possibly don't need a reference to location here as it is mainly looking at design. Justification would benefit from being re-ordered with national and Local Plan policies first then specifics about issues in Marchington second, with justification for the policy that goes over and above NPPF and LP.	Disagree. the policy also considers of location as specified in section A Agree – local factors to be put at the end of the justification.
CPDP1		
7.6	Last sentence of this proposal is more of a policy than proposal.	Disagree. It reflects local opinion and intent. Agree. Deleted
SB1, SB1A	Take out 'emerging' before Local Plan.	Agreed.
SB1 B	4th bullet point – does 80% small units need to go in here, as it is in the justification? 5th bullet point re flooding – this is covered in DP2	Agree. There is a reference to DP at the foot of SB1 Disagree. It is a small site. Design & layout are critical.
SB1C	Extra bullet point for mix of house types? Like SB1A above?	Agree. It is a small site housing mix does not apply
SB1 justification	Take out 5th bullet as covered in DP2 and text at bottom of policy. Consider adding % for mix of house types. First sentence is negative as NPs are not supposed to be setting 'limits' on development but directing it to the most sustainable and appropriate locations. 5th paragraph: 'tall bulking and overbearing' are subjective. Could be better to say 'fit in with the local character (i.e. no more than 2 storeys).'	Agree. Delete "Limit" and replace with "Direct" Disagree, Wording is clear and single storey dwellings may be sought. All Agreed
SB2	Take out 'New' - to reflect the fact that replacement dwellings or subdivisions could come forward. First sentence: Proposals for housing development outside the Settlement Boundary will only be permitted if it is demonstrated that: Add in 'and' after bullet points one and two.	
SB2 justification		Agreed, but not necessary to delete all the paragraph. Delete "emerging"
AB2	Delete second paragraph as it relates to emerging LP. 1st bullet - explain what 'satisfactory relationship' would be	Agreed. Add "in terms of impact on business operations and residential amenity". Agreed. A map of key views will be included
H1	3rd bullet – it would be useful to map these key views so they could be assessed. Now the majority of the development is through SB extension sites is this policy still necessary – could result in over development of the village with lots of new houses crammed	Disagree. The policy gives local influence on infill schemes through specific criteria and provides flexibility in terms of the housing requirement. SCC

H3 justification	<p>into gardens. Policy does not address intensification. Look at LP policy DP3 which addresses it. Consider deleting policy as many of the criteria are in DP1. Have Highways commented on this re increased driveways onto highway?</p> <p>Are people in the village happy that potentially every decent sized garden will be built on eventually?</p>	<p>have commented on the Plan. The policy was supported by xx% of people. "so that the over-intensive development of gardens does not occur" to be added to the end of the justification.</p> <p>Agreed. References to red brick and Staffordshire blue tiles to be added</p>
H4	<p>Re choice of materials – could some justification be made i.e. what is the typical local material in Marchington? Also what is the typical roofing material/roof height in the village?</p>	<p>Disagree. It is necessary to recognise Forestside as a distinct residential area with different character.</p>
BE1	<p>Consider deleting second part of the policy as it is repetitive.</p>	<p>Agree. A map showing key view will be included in the Plan</p>
BE3 justification	<p>Consider mapping views in d) so developers can how any development will affect them specifically</p>	<p>Yes. The policy has been requested and supported by SCC comments.</p>
NE1 and NE2	<p>Is there any other evidence/justification for this policy?</p>	<p>Disagree. The policies are on separate but related subjects and are supported by SWT, NE and the EA.</p>
CFOS1	<p>Could be combined</p>	<p>Agree "CFOS 1 & CFOS2" will be put on the Proposal Map. Wording added to CFOS1 justification to cover future buildings .</p>
CFOS2	<p>Could the facilities that require protecting now be mapped plus some text to protect any future ones?</p>	
CFOS3	<p>Again could the existing open spaces be mapped so developers and public know which ones the plan refers to.</p>	<p>Disagree. Retain policy as worded but agree to create table and give more detail on the justification for each LGS.</p>
RE1	<p>Consider deleting second half of policy as designation of LGS's & what can and can't be built on an LGS is covered in the NPPF.</p> <p>Consider putting detailed justification in a table with different headings for the criteria laid down in the NPPF i.e. close proximity to community it serves, demonstrably special to community and local in character (and not an extensive tract of land). This would help the examiner.</p> <p>Bullet 1 – consider mapping Bullet 2 – use word 'residents' rather than 'houses'</p>	<p>Agree Agree</p>
08/01/16 Mobile Operators Julie Murray	<p>We would like to advise you that Mono Consultants Limited will no longer be acting on behalf of the Mobile Operators in relation to Development Plan monitoring in the UK. We</p>	<p>Noted, the individual operators will be contacted at the time of submission</p>

<p>Mono Consultants</p>	<p>therefore request that you remove Mono Consultants Limited and the Mobile Operators Association from your contacts database and forward details of all future Development Plan Consultations to Mobile Operators as follows: Vodafone and O2 EMF Enquires Building 1330 – The Exchange, Arlington Business Park, Theale, RG7 4SA Email: EMF.Enquiries@ctil.co.uk EE Alex Jackman Corporate and Financial Affairs Department The Point 37 North Wharf Road, London W2 1AG Email: public.affairs@ee.co.uk Three Jane Evans Great Brighams Mead Vastern Road Reading RG1 8DJ Email: jane.evans@three.co.uk</p>	<p>and advised to make any representation to ESBC when the Submitted Plan is advertised.</p>
<p>11/02/16 Staffordshire County Council James Chadwick Spatial Planning</p>	<p>Further to our response to the original Regulation 14 consultation, attached for ease of reference please find below additional comments related to the revised plan. Historic Environment S3.78. we acknowledge the view in the Neighbourhood Plan that there could be scope for the Thorn Tree Farm site to accommodate a small, well designed scheme and I also note that the plan highlights the importance of the Conservation Area and Listed Buildings in this area. However, while the plan identifies the presence of the medieval moated site (PRN 00174) which lies within Uttoxeter Rural parish (typo 'inin' here) it does not highlight that this heritage asset is designated a Scheduled Monument. Such monuments are considered to be of national importance and are a material consideration in the planning process, indeed applications affecting the setting of such heritage assets may require Scheduled Monument Consent (SMC). It is suggested that the significance of this heritage asset be clearly identified so that, should development at Thorn Tree Farm be proposed, the importance of the moated site, the listed buildings and the Conservation Area be fully considered at an early stage. Policy BE1 B. Where development is proposed within a historic farmstead complex, the Neighbourhood Plan might wish to draw the applicants attention to the Historic Farmsteads Guidance and assessment sheets on the SCC web pages (http://www.staffordshire.gov.uk/environment/eLand/planners-developers/HistoricEnvironment/Projects/Historic-Farmsteads.aspx).</p>	<p>Disagree. This is a different property (Thorntree Farm) which is 4.5kms west of the site in Marchington village referred to in the Neighbourhood Plan.</p> <p>Typo corrected</p> <p>Agreed. The reference has been included in the justification.</p>

	<p>Changes to BE3 (Archaeology) where historic landscape character is concerned are to be welcomed.</p> <p>Glossary Bearing in mind the Plans reference to ‘Heritage Statement’s’ it is advised that a definition be included within this section.</p> <p>Appendix 1 It is unclear what this local list of heritage assets is. East Staffordshire Borough Council do not maintain a local list of historic buildings and structures at present. As identified in our previous consultation, this appendix should include a full table listing all designated heritage assets (i.e. Conservation Areas, Scheduled Monuments, Listed Buildings). This should be supported by a map (or maps) clearly identifying the location of all heritage assets within the Neighbourhood Plan Area.</p> <p>Flood Risk As the Plan refers to development proposals being expected to incorporate Rural Sustainable Drainage (RSuDS) it may be worth adding into the glossary a definition of rural SuDS and what is expected from new development proposals i.e. above ground features with added amenity, water quantity and quality benefits which help manage rates and volumes and also detrimental impact of rainfall on fields where run-off is a major threat to the flora, fauna and chemical status of watercourses and controlled waters.</p>	<p>Noted</p> <p>Agreed. Definition included in Glossary.</p> <p>Agreed A full schedule and map will be added.</p> <p>Agreed. Definition included in Glossary.</p>
--	--	---

Landowners and Developers

<p>9/2/16 Former Barracks Barton Willmore For Evans Neil Holly Senior Planner Georgina Tibbs Associate Planner</p>	<p>This letter provides comments on the version 2 pre-submission draft Neighbourhood Plan on behalf of our clients Evans Property Group who own the former Marchington Barracks site.</p> <p>We have set out our comments on the changes to draft Neighbourhood Plan Policies SB2 and COFS3 in turn.</p> <p>Policy SB2 – Marchington Barracks</p> <p>We are, of course, disappointed that this policy in the September 2015 pre-submission draft has been deleted. I imagine our disappointment is shared by members of the Steering Group and by many local people; as the September 2015 draft plan identified, those returning questionnaires in March 2015 overwhelmingly supported the Barracks as the most suitable site for new housing.</p> <p>We understand the reasons that the Steering Group has felt it necessary to drop the policy. However, for the reasons identified below, we do not consider that the issues raised by East Staffordshire Borough Council with the policy necessitate its removal.</p>	<p>Noted</p> <p>The extent and detail of this submission is noted, but the relationship between the Borough Council as the Local Planning Authority and the Parish council as the Responsible Body for the NP is critical. It has been made clear to the PC that if the previous policy treatment of the Barracks site had been maintained, ESBC would have deemed</p>
--	--	---

	<p>We address those reasons below.</p> <p>The Need for Strategic Environmental Assessment (SEA)</p> <p>We have received a copy of the SEA screening opinion of ESBC dated October 2015. ESBC states that an SEA would be required if policy SB2 were to be retained because of Environment Agency comments that:</p> <p>“any environmental impacts associated with the historic land use and any risks to groundwater from the remobilisation of underlying contamination of the soil.”</p> <p>The potential for significant environmental effects is identified as arising because of the specific environmental conditions pertaining at the Barracks site (i.e. risk of contamination) and the decision to set policies for the development of this site in the plan. The scope of the necessary Environmental Report would therefore be relatively limited, with the potential significant environment effects limited to those on soil and water.</p> <p>We appreciate that the identified need for SEA is a major deterrent to the Screening Group in continuing with its previously proposed policy for the Barracks site. However, we believe that the requirement for SEA should not act as a barrier to bringing forward an ambitious neighbourhood plan which has the support of the local community. Technical regulations should not stifle localism in this way.</p> <p>With that in mind, were the Steering Group minded to proceed with policy SB2 in a form substantially similar to that proposed in the September 2015 draft, then Evans Property Group would be willing to fund the preparation of an SEA by an independent specialist consultant.</p> <p>Evans Property Group would wish to ensure that the consultant instructed was suitably experienced and well-regarded to prepare a robust report. However, the consultant would be engaged by the Parish Council directly and it would clearly be inappropriate for Evans Property Group to have any contact with that consultant.</p> <p>We would encourage the Steering Group to consider this proposal which is made in good faith. The offer to fund the SEA would not be contingent upon the outcome of that process.</p> <p>Alleged Conflict with Policies of the Local Plan</p> <p>East Staffordshire Borough Council states that Policy SB2, as</p>	<p>the NP as failing to meet the Basic Conditions. This would have threatened the progress of the NP through submission & examination and the delay may have opened the way for planning applications on other sites in the village which were clearly against the wishes of local people and the principles on which the NP is based.</p> <p>The arguments with regard to the need for an SEA are noted and the offer to fund such work is appreciated. However, this could indicate interdependency between the PC and the landowner, in terms of the NP, that it is undesirable.</p> <p>The arguments against the interpretation of policies by ESBC are noted. However, the PC believes that the NP, as currently drafted, sets reasonable parameters for the consideration of any proposals for future development at the Barracks site.</p> <p>It is not, therefore, proposed to amend the current wording in relation to the comments submitted. However, this position is without prejudice to any response that may be made by the PC to any future applications on the Barrack site. It is recognised that the arguments made by Barton Willmore on behalf of Evans of Leeds, can then be (reasonably) reiterated</p>
--	---	--

	<p>previously drafted, did not meet basic condition (e), the requirement for general conformity with the strategic policies of the Local Plan.</p> <p>ESBC Local Plan 2012-2031 Policy NP1 outlines what are considered by ESBC to be the strategic policies. Draft Policy SB2 is argued by ESBC to not be in general conformity with three of those strategic policies:</p> <ul style="list-style-type: none"> • Strategic Policy 2 (SP2) (Settlement Hierarchy) • Strategic Policy 8 (SP8) (Development outside Settlement Boundaries) and • Strategic Policy 18 (SP18) (Residential Development on Exception Sites). <p>Strategic Policy 2 states that new development should be concentrated within the settlement boundaries of defined settlements. Outside of settlement boundaries “development will be permitted only in exceptional circumstances as set out in NP1 and Strategic Policies 8, 14, 15, 18, 20 and 21”.</p> <p>Strategic Policy 8 adds to this policy by identifying exceptions to the general prohibition on development outside of settlement boundaries. Among those exceptions are developments that are “in accordance with a ‘made’ (i.e. legally in force) Neighbourhood Plan”.</p> <p>ESBC’s statement that “the site does not meet any of the criteria in Policy SP8 for uses acceptable in the countryside” is therefore straightforwardly and inarguably incorrect. It is absolutely clear from policy SP8 that a neighbourhood plan can, through its policies, support development outside of the settlement boundaries set in the Local Plan. This must, logically, be the case, since a prohibition on the identification through neighbourhood plans of new sites outside of settlement boundaries would be in clear conflict with national policy.</p> <p>The second part of Policy SP8 lists criteria against which “proposals falling within one of these categories [i.e. the categories of development listed in the first part of the policy – which include development in accordance with a made neighbourhood plan] will be judged”. This part of the policy is a development management policy, to be applied in the determination of planning applications. This is clear from how detailed the criteria are, for example those relating to the detailed siting of the proposed development and design and materials.</p> <p>The second part of Policy SP8 is, accordingly, irrelevant to the assessment of the general conformity of neighbourhood plan policies. However, even if it were relevant, there is no conflict</p>	<p>as part of a planning application of in evidence related to any future planning appeals on the site.</p> <p>See above</p> <p>See above</p>
--	---	---

	<p>between Policy SB2 and its criteria. One of the criteria against which planning applications are to be judged is “Proximity to settlements where there are advantages of sustainable linkages, but this should not create unacceptable urban extensions or create the opportunity for unacceptable backfill between the development and the urban area”. This criterion is ambivalent about whether or not development should be located in “proximity to settlements” and seeks to balance the advantages of sustainable linkages with the disbenefits of urban extension. Policy SB2 proposed the creation of sustainable linkages by pedestrian/cycle links and avoided the adverse impacts of an urban extension to Marchington, it was hence in accordance with this criterion. Certainly the criterion cannot, on any sensible reading, be regarded as establishing a strategic policy that no development should take place other than immediately adjacent to settlement boundaries.</p> <p>The final basis for ESBC’s argument that proposed policy SB2 was not in general conformity with the strategic policies of the Local Plan is that “The site does not meet any of the criteria in Policy SP18 for Exception Sites outside settlement boundaries to provide housing to meet evidenced need for affordable housing or traveller pitches”. Strategic Policy 18 is a policy for the determination of planning applications for affordable housing or traveller pitches outside of settlement boundaries. It is completely irrelevant to the assessment of the general conformity of a neighbourhood plan policy which is in accordance with Strategic Policy 8.</p> <p>In summary, therefore, policy SB2 was in accordance with the strategic policies of the Local Plan because policies SP2 and SP8 permit, as an exception to the general restraint on development outside of settlement boundaries, development which is in accordance with a made neighbourhood plan. There is accordingly and quite clearly no conflict between policy SB2 and those strategic policies.</p> <p>The remainder of ESBC’s objection criticises policy SB2 on the basis of the Barracks site’s alleged remoteness from facilities. These are criticisms of the planning merits of the policy, not its compliance with the basic conditions. It is clear that officer at ESBC would prefer a different approach to that the community had chosen to advance, but this is not relevant to an assessment of compliance with the basic conditions.</p> <p>There is, for these reasons, no conflict between policy SB2 (as previously drafted) and basic condition (e).</p> <p>Policy CFOS3 – Designation of Local Green Spaces</p> <p>This policy continues to propose that the former sports field</p>	<p>Disagree. The proposed</p>
--	---	--------------------------------------

<p>behind Forestside and an area of woodland at the front of the Barracks site are designated as a Local Green Space.</p> <p>It should be noted that the labelling of this land as a sports field on Ordnance Survey mapping reflects its historic use when the barracks were in operation. It has not been used as a sports field for around 50 years. There is no public access to the land, save for a small area behind the Forestside houses which has been leased to the local community as a football pitch/play area.</p> <p>The designation of the land as Local Green Space would do nothing to secure future public access. Instead, the fields would remain in private ownership with no public access. It is not considered that this large area of land meets the criteria (in NPPF paragraph 77) for Local Green Space designation which require that it is demonstrably special to the local community and of particular local significance. The land has limited current recreational value, limited wildlife value and is not considered to be beautiful.</p> <p>Nonetheless, Evans Property Group is very keen to provide genuinely public recreational open space (not private land designated as Local Green Space) as part of a comprehensive scheme for redevelopment of the Barracks site. All evidence so far is that there is strong local support for that proposition. However, designating land as Local Green Space alone and not as part of a comprehensive redevelopment will simply undermine the future prospects of comprehensive redevelopment and public access to the land.</p> <p>We would therefore suggest that this proposed designation is deleted, or, at least, substantially reduced to incorporate only the area currently leased for recreational use (as shown on the enclosed plan).</p> <p>Conclusion It is disappointing but understandable that the Steering Group, under pressure from officers at ESBC, have felt it necessary to remove policy SB2 from the plan.</p> <p>However, for the reasons we have outlined in this letter, the objections of ESBC to the policy are ill-founded and the requirement for SEA is not as onerous as it might seem.</p> <p>It would seem a shame to miss the opportunity that the Neighbourhood Plan creates for a community-led and supported redevelopment of the Barracks site. We remain of the view that the Barracks, as previously developed land, can deliver sustainable residential development with good links to the village and substantial public open space. In that regard, we are encouraged by central Government proposals to</p>	<p>designation fulfils the criteria set out in the NPPF and it enjoys widespread support, especially for residents of Forestside.</p> <p>At the time that the whole site was used by the military, this included then residents of Forestside. Present day residents enjoy the heritage value, visual amenity and informal access upon the land in question and have done so for a period of over 20 years since the depot closed.</p> <p>The current objection to LGS designation for the landowner represents a new attitude which is designed to be part of a negotiation on planning gain associated with potential future development proposals. Conversely the proposed LGS designation reflects the actual value of the land to the local community in terms of heritage, landscape, wildlife and amenity. As such, it is intended to relate to the land as it is rather than attempting to create a bargaining position in what is an as yet undefined and uncertain planning context/</p>
---	--

	<p>introduce a planning presumption in favour of the redevelopment of brownfield sites.</p> <p>We hope that the above comments are helpful. We would be pleased to discuss the proposals we have made with the Steering Group in more detail.</p>	
<p>09/02/16 Jacks Lane John Coleman Planning Manager (William Davis)</p>	<p>Thank you for providing me with a copy of the revised draft Neighbourhood Plan. This representation is submitted jointly on behalf of William Davis Ltd, and the landowners (C.K. Marshall, L.V. Smith and others)</p> <p>Policy SB1 We support the change made to the policy to make provision for development on the Jacks Lane frontage which brings the Plan into general conformity with the provisions of Strategic Policy 2 of the East Staffordshire Local Plan.</p> <p>Objection is raised to the terms of the third criterion, however, set out as follows: <i>If practicable in terms of the depth of the proposed site, access is taken from a single point of access and the existing hedgerow is retained.</i></p> <p>It will not be practicable to develop the site in this manner from a single point of access, and with retention of the existing frontage hedgerow as the depth of the site, within the identified settlement boundary, is not sufficient to achieve this arrangement. The terms of this criterion are therefore unreasonable and should be deleted. It must be accepted, if the development limits are not to be enlarged further, that the land will be required to be developed with individual private drives to proposed dwellings. The existing frontage hedgerow will also be lost, although a replacement hedgerow could be re-planted if this was deemed to be the most appropriate boundary treatment in consideration of any future planning application.</p> <p>If the Parish Council wishes to restrict points of access to this frontage to Jacks Lane this can only effectively be achieved by more substantial development of the site by further enlargement of the settlement limits.</p> <p>Notwithstanding the support set out above, we remain of the view that the enlarged site at Jacks Lane (as promoted for development under planning application Reference P/2015/00266) constitutes a more suitable option for allocation in this area of the village and we therefore maintain our objection to the Plan on this basis. This site represents a more appropriate means of meeting the entirety of the development requirement for the village. It is important to note that although this planning application was refused planning permission by ESBC only one policy based reason was given for the refusal (relating to conflict with the Countryside policy</p>	<p>Noted and welcomed</p> <p>Disagree. The policy is worded “<i>If practicable in terms of the depth of the proposed site...</i>” It is not, therefore, unreasonable. However, if detailed design and measurement, taking account of costs, shows that it is not feasible to retain the hedge and stay within the settlement boundary extension, alternative approaches using individual drives may be considered.</p> <p>Disagree. This site is contrary to the recently adopted Local Plan. In addition, and of equal importance, the preparation of the NP has clearly shown that local people do not wish to see all of the development requirement taken up on one site, it is considered</p>

	<p>boundaries in the Local Plan). The application was not deemed to be unacceptable in respect of other technical matters (highways/drainage) or environmental matters (including landscape, heritage and ecology). Contrary to what is noted at paragraph 3.77 of the Neighbourhood Plan the Planning Officer's report did not advance any concerns regarding impact on the character or setting of the village. We maintain our position that application site ref P/2015/00266, as shown in black on the plan below, should be allocated for residential development under Policy SB1.</p>	<p>that the land in it's open state is important to the setting of the Conservation Area and to the character of the village. The detailed polices of the NP will reflect these factors, based on strong evidence, and will become material planning consideration once the NP has been submitted, undergone examination and becomes Made.</p>
<p>29/01/16 Industrial Estate Catherine Mumby, Senior Planner, Bilfinger GVA For Hortons</p>	<p>Bilfinger GVA is instructed by Hortons' Estate Ltd ("Hortons") to provide town planning advice in respect of the Marchington Industrial Estate ("the Estate") and submit representations to the draft Neighbourhood Plan. We submitted representations to the original draft in November 2015. This letter provides comments on the revised draft (Version 2). Hortons continues to be concerned by the draft policies.</p> <p>We note that Policy SB2 which dealt with the Estate and the wider Former Military Depot Area in the original draft has been deleted in the light of our comments and those submitted by the Borough Council. Instead, the revised draft includes a new policy (LE2) which deals specifically with the Estate. The policy states:</p> <p>"Development for employment uses will be permitted within Marchington Industrial Estate where it is related to the continued successful operation of the estate and will not lead to problems in terms of:</p> <ul style="list-style-type: none"> • Increased traffic beyond the capacity of local roads; • Adverse impact on nearby housing; • Increase risk in terms of flooding from surface water run-off. <p>Where necessary, operating hours and other planning conditions will be applied to limit the adverse impact of otherwise acceptable development."</p> <p>Hortons remains of the view that a policy of this nature is unnecessary because existing policies in the adopted Local Plan already deal specifically with the Estate, amenity, transport and drainage issues. The text that supports the policy is also misleading in some respects. We consider this in more detail below.</p> <p>Unnecessary Duplication of Local Plan Policies</p> <p>The supporting text suggests on page 66 that Neighbourhood Plan Policy LE2 avoids duplicating policies in the adopted Local Plan. However, we would disagree for the following reasons. Policy 35 in the Local Plan deals specifically with traffic. It already requires that proposals for development do not unacceptably increase traffic beyond the capacity of local roads.</p>	<p>Noted</p> <p>Disagree for the reasons stated in relation to the comments/objections made during the first Reg. 14 Consultation and the justification for the new Policy LE2.</p>

	<p>It advises that developments that are likely to have an impact on the highway network should be accompanied by a transport assessment which clearly sets out how the likely impacts of the development will be addressed.</p> <p>Policy 14 in the Local Plan deals specifically with the Estate and it already requires that proposals for development do not adversely impact on nearby housing (“employment development....will be approved if the development does not unduly affect the character of the settlement, amenity of neighbouring properties, and will not detract from the environment”).</p> <p>Policy 27 in the Local Plan deals specifically with flooding / drainage. It already requires that new development does not increase the risk of flooding. It advises that proposals will only be permitted where they do not cause unacceptable harm to areas at risk from flooding / drainage issues.</p> <p>Hortons recognises that technical matters such as residential amenity, traffic and flooding may need to be addressed in some future scenarios, e.g. if a proposal were of such a scale / nature that it may have an impact on the local area. There are also likely to be scenarios where proposals are so minor in nature (e.g. minor extensions, changes of use etc) that the impact of development is negligible and it will be unnecessary to consider these matters in great detail.</p> <p>In any event, the safeguards within the existing Local Plan are robust. Any future development at the Estate will need to comply with Local Plan policies which already ensure that residential amenity, flood risk and traffic will not be unacceptably affected.</p> <p>Misleading Information in Policy LE2 Supporting Text</p> <p>The supporting text recognises that the Estate fulfils an important local and strategic role in providing employment. It also recognises that the Estate demonstrates the beneficial and effective use of older buildings and that a positive framework is required to enable this role to continue.</p> <p>However, we consider that, rather than being positive, some of the text is unduly negative and misleading in some respects.</p> <p>Firstly, it states: “it is important that proper planning controls are in place to protect the amenity of nearby houses, prevent encroachment into the open countryside, avoid traffic and environmental problems, minimise flood risk and improve connectivity for pedestrians and cyclists.”</p> <p>The text appears to imply that “proper” planning controls are not already in place. This is misleading because, as discussed above, there are existing policies in the Local Plan that will robustly control any future development.</p> <p>The text also lists a number of considerations which are said to justify a Neighbourhood Plan policy that deals specifically with</p>	<p>Noted, the word “proper” will be replaced with “detailed locally based”</p>
--	--	---

	<p>the Estate. We explain why we consider this list to be misleading by referring to each point in turn.</p> <p>Local flooding and drainage concerns and the limited capacity of the Marchington Brook, as identified by SCC and the EA – this might imply that the Estate currently contributes to local flooding and drainage concerns. However, the site is not within a flood zone (Zone 2 or 3). It is separated from the flood zone by several hundred metres and it is unlikely that development on the site would have an impact on land within the flood zone. The Estate is largely developed with buildings and hard standing and therefore new development on the site is unlikely to make it any less permeable / increase the surface run-off. If any future proposals for development at the Estate are of such a size or nature that they require a Flood Risk Assessment (FRA), one will be prepared in accordance with Local Plan Policy 27.</p> <p>The lack of effective planning control over changes of use and hours of operation estate [sic] because of historic, military related, established use rights – it is correct to say that the Estate can operate, to a large extent, without restrictions on outside storage of materials and goods; outside working and 24 hour operation of units and deliveries. This is a legacy of the past and it is one of the key reasons that the Estate continues to attract occupiers and contributes to the local economy. If the LPA considers that a future proposal may generate adverse impacts, it can control future operations by attaching conditions to a consent.</p> <p>The lack of connectivity for pedestrians and cyclists between the estate and houses in the village and Forestside – Hortons does not control the land between the Estate and houses in the village and Forestside. It is misleading for the Neighbourhood Plan to refer to the Estate in this context as it suggests that the Estate is responsible for the lack of connectivity. In reality, the Estate is unlikely to be able to remedy any existing deficiencies in connectivity if it does not own the land which connects it to the village.</p> <p>Traffic issues – since Hortons acquired the Estate, the company has not been made aware of any significant concerns from residents or local authority officers in respect of highways matters. It is unduly negative for the text to refer to traffic issues. We conclude that the current operation appears to be satisfactory and that if Officers of the LPA are concerned by any future proposals, they can request that concerns are addressed in accordance with Local Plan Policy 35.</p> <p>Light pollution and the impact on views for Marchington Cliff – Hortons has not been made aware of any significant concerns</p>	<p>Disagree. The extent of roofs, hard surfacing and the condition of existing drains, which causes run-off into the Marchington Brook is a legitimate concern to be brought under planning control. The policy approach is supported by the County Council and the Environment Agency</p> <p>Disagree. The detailed criteria set out in the NP will enable planning considerations and where appropriate planning conditions to be framed to reflect local circumstances.</p> <p>Disagree. The owners of the industrial estate could work in partnership with adjoining landowners to improve accessibility to mutual benefit and to that of the local community.</p> <p>Disagree. The owners of the industrial estate should recognise the extent to which it generates traffic (servicing, employees and visitors) and that this could increase as a result of future development.</p> <p>Disagree. The owners of the industrial estate should</p>
--	---	--

	<p>from residents or local authority officers in respect of light pollution or landscape matters. It is unduly negative for the text to refer to these issues. We conclude that the current operation appears to be satisfactory and that if Officers of the LPA are concerned by any future proposals, they can request that concerns are addressed in accordance with Local Plan Policy 14.</p> <p>Trespass and public safety issues around the former barracks buildings / Lack of formal public access for the residents of Forestside to the open space and recreation grounds / Parking and highway safety issues in Forestside - Hortons does not control the former barracks buildings, Forestside or any other land outside of the Estate boundary. It is misleading for the Neighbourhood Plan to refer to the Estate in this context as it suggests that the Estate is responsible for these issues.</p> <p>A further observation is that the penultimate paragraph on page 66 is generally misleading. It refers to ‘restricting some of the activities listed above’, when no activities have been listed.</p> <p>Conclusion For the reasons set out in this letter, Hortons is still concerned by the draft Neighbourhood Plan and Policy LE2 in particular. We are not aware that the operation of the Estate has generated any significant complaints in recent times and therefore it is unduly negative for the policy and supporting text to refer to technical concerns, many of which are outside the control of the Estate. Several of the local considerations used to justify Policy LE2 relate to land outside of the Estate’s control and their inclusion within the supporting text is misleading.</p> <p>Matters relating to residential amenity, flooding and traffic can be controlled if necessary in the future by policies in the Local Plan. It is unnecessary for the Neighbourhood Plan to duplicate these existing policies.</p> <p>We would be grateful to receive confirmation of receipt of this letter and thereafter be kept fully informed of the progress of the Neighbourhood Plan. We would be happy to discuss this matter further and can be contacted using the details provided above.</p>	<p>recognise the extent to which it impacts on the landscape and that this could increase with future development. Keys views will be defined in response to ESBC comments.</p> <p>Agree. These issues are not the responsibility of the owners of the Industrial estate and the clauses will be deleted.</p> <p>Agreed. “Restrict some of the activities listed above” will be deleted.</p> <p>See above</p> <p>Disagree. Legislation provides for the “Development Plan” to comprise the adopted Local Plan and a Made Neighbourhood Plan. It is not reasonable or necessary to rely on “future policies in the Local Plan” to influence current planning matters.</p> <p>The receipt of comments has been acknowledged</p>
<p>12/02/2016 Mr Clarke</p>	<p>Re. SB1 (B) Due to the recent amendment to the Local Plan I wish to confirm that land area SHLAA 115 is not being promoted, this could alter in the future as we may consider the long term potential of the site.</p>	<p>Noted, no amendments are necessary.</p>
<p>19/02/2016 Gladman John Fleming Graduate Planner</p>	<p>Gladman Developments Ltd (Gladman) specialise in the promotion of strategic land for residential development and associated community infrastructure. From this experience, we understand the need for planning to deliver the homes jobs and thriving local places that the country needs. Every effort should</p>	<p>This contextual information is noted.</p>

	<p>be made to delivering the housing and economic needs of an area, whilst responding positively to the wider opportunities for growth.</p> <p>These representations are made in response to the current consultation held by Marchington Parish Council (MPC) on the pre-submission version of the Marchington Neighbourhood Plan (MNP) under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.</p> <p>Through these representations Gladman seek to clarify the relationship between the MNP and the strategic policies for the wider area. In this regard, Gladman consider that the MNP needs to be amended to reflect a more positive and flexible strategy in order to assist East Staffordshire Borough Council (ESBC) in meeting its full Objectively Assessed Needs (OAN) for housing.</p> <p>National Planning Policy Framework and Guidance</p> <p>The National Planning Policy Framework (The Framework) sets out the Government’s planning policies for England and how these are expected to be applied. In doing so it sets out requirements for the preparation of Neighbourhood Plans and the role these should take in setting out policies for the local area. The requirements set out in the Framework have now been supplemented by the Neighbourhood Planning Chapter contained in the Planning Practice Guidance (PPG).</p> <p>Paragraph 16 of the Framework sets out the positive role that Neighbourhood Plans should play in meeting the development needs of the local area. It states that:</p> <p><i>“The application of the Presumption (In Favour of Sustainable Development, set out in paragraph 14 of Framework) will have implications for how communities engage in neighbourhood planning. Critically it will mean that neighbourhoods should:</i></p> <ul style="list-style-type: none"> - Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; - Plan positively to support local development, shaping and directing development in their area that is outside of the strategic elements of the Local Plan” <p>Further guidance on the relationship between Neighbourhood Plans and strategic policies for the wider area set out in a Council’s Local Plan is included in paragraph 184 of the Framework:</p> <p><u><i>“The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this,</i></u></p>	<p>This contextual information is noted.</p> <p>This contextual information is noted.</p>
--	--	---

	<p><i>local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date plan is in place as quickly as possible. <u>Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans...should not promote less development than set out in the Local Plan or undermine its strategic policies</u>".</i></p> <p>Before a Neighbourhood Plan can proceed to referendum it must be tested against the Neighbourhood Plan Basic Conditions, set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 and further detailed in paragraph 065 of the Neighbourhood Plan PPG. These Basic Conditions are:</p> <p><u>a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan</u></p> <p>b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order</p> <p>c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order</p> <p><u>d) The making of the neighbourhood plan contributes to the achievement of sustainable development</u></p> <p><u>e) The making of the neighbourhood plan is in general conformity with the strategic policies contained within the development plan for the area of the authority</u></p> <p><u>f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations</u></p> <p>g) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan</p> <p>If a Neighbourhood Plan is not developed in accordance with the Neighbourhood Plan Basic Conditions, then there is a real risk that the Plan will fail when it reaches Independent Examination.</p> <p><u>Relationship with Local Plans</u></p> <p>To meet the requirements of the Framework and Neighbourhood Plan Basic Conditions, the MNP will need to be in conformity with the up-to-date strategic policy requirements for the wider area. The East Staffordshire Local Plan (ESLP) was formally adopted by ESBC on 15th October 2015 and covers the plan period to 2031. The MNP should seek to support the minimum housing figure contained in this plan in order to meet basic condition (a) and (e).</p> <p>Woodcock Judgement</p>	<p>This contextual information is noted.</p>
--	--	--

<p>The Woodcock High Court judgement demonstrates the implications of progressing a Neighbourhood Plan where there is no Local Plan in place nor a 5 year housing land supply. In summary, this High Court Judgement demonstrates the following key points:</p> <ul style="list-style-type: none"> - That paragraphs 14 and 49 of the Framework in regard to five year housing land supply and the weight that should be given to extant housing land policies applies equally to both emerging and ‘made’ Neighbourhood Plans as other development plan documents otherwise adopted and/or emerging by the local planning authority. - There is nothing in policy or statute that elevates Neighbourhood Planning to a level above the wider development plan that enables special consideration. - Neighbourhood Plans must respect national policy and the core planning principles outlined within the Framework. - Prematurity must be assessed against the whole requirements of the PPG. In Neighbourhood Planning there is no requirement for planning bodies to produce an OAN, as there is no requirement to consider the effectiveness or justification of a Plan. <p>In light of the above, if ESBC is unable to identify a 5 year housing land supply then the policies contained in the MNP together with those Local Plan policies that will relate to housing will be found out of date and paragraphs 14 and 49 of the Framework will come into effect. This reinforces the need for the plan to allow for a greater degree of flexibility that it currently allows for.</p> <p>Marchington Neighbourhood Plan</p> <p>The MNP sets out the Plan’s vision which seeks to adapt to change and accommodate ‘reasonable’ new development to support the rural economy. Whilst the vision and objectives portray a seemingly positively vision the application of several policies contained throughout the plan may act to limit the ability of future sustainable growth opportunities being delivered, contrary to the positive approach required by the Framework.</p> <p>Gladman submit that their needs to be active consideration to review these policies in favour of a criteria based approach which assesses the sustainability of a development proposal based on its merits. This will ensure that the Plan allows for a positive strategy to future growth and ensure that it is flexible and responsive to changes in the market place.</p> <p>Gladman submit that active consideration to the amendment, modification or deletion of restrictive policies is as follows: <u>Overall Policy – DP1: Sustainable Development Principles (all objectives)</u> Policy DP1 provides the overarching policy for the Neighbourhood Plan and seeks to ensure the delivery</p>	<p>This contextual information is noted.</p> <p>Disagree. ESBC has a recent published housing land availability supply of 5.45 years. The approach set out in the adopted Local plan suggests a continuation of a 5year+ availability</p>
---	--

	<p>of a number of objectives. Gladman are concerned that the requirement of 20 dwellings does not reflect the position in the adopted East Staffordshire Local Plan and is therefore in conflict with basic conditions (a), (d) and (e).</p> <p>Marchington is recognised as a tier 2 Local Service Village with a development requirement of 20 dwellings. However, Strategic Policy 4 of the adopted Local Plan makes clear that the level of development proposed is considered to be a minimum. The MNP should therefore be planned positively and housing policies should be prepared in conformity with the Council’s minimum housing requirement and the strategic policies of the adopted Local Plan.</p> <p>The use of minimum housing targets have previously been considered in Examiner’s Reports for ‘made’ Neighbourhood Plans. The Examiner’s Report for the Slaugham Neighbourhood Plan in Mid Sussex stated that ‘given that the strategic objective of the plan refers to “at least 130”, I assume it to be a minimum. If it were to be a maximum this would not allow for the flexibility the Framework seeks in responding to changing conditions.’ The MNP should therefore take a similar approach and set out clear that the proposed housing requirement is a minimum housing target for the Parish.</p> <p><u>Policy SB1: Development in the Village Settlement Boundary and Policy SB2: New Residential Development outside the Marchington Village Settlement Boundary</u></p> <p>Policy SB1 states that the total number of dwellings provided on committed and new housing sites within Marchington Village is approximately 20 dwellings. Policy SB2 states that new residential development will only be allowed for small scale new housing and will only be permitted if it is on a small site and would provide affordable housing for evidenced local need in accordance with Local Plan Policy SP18: Residential Development on Exception Sites, or where relevant, the development brings redundant Previously Developed Land (PDL) back into use.</p> <p>Gladman reiterate that this policy needs to reflect the minimum housing target as set by the adopted Local Plan. This has been previously raised by ESBC as demonstrated in the Steering Group report document1, we therefore question why this is not reflected in the policies throughout the plan.</p> <p>Gladman submit that the use of a tightly drawn settlement boundary is inconsistent with the positive approach required by the Framework and therefore runs the risk of the plan being found in conflict with basic conditions (a), (d) and (e). The residential settlement boundary SB1 provides no flexibility to provide for situations to changes in the market place such as</p>	<p>Noted and in response to a comment made by ESBC, clause 1 in Policy DP 1 is to be amended to add ‘approximately’ before ‘20’ to recognise that the figure in the Local Plan is not a ceiling.</p> <p>Disagree. In Policy SB1, the Neighbourhood Plan sets out positive means for the Local Plan dwelling requirement to be met and Policy H1 makes provision for small scale infill schemes</p> <p>Noted and in response to a comment of ESBC, the first sentence of the justification of Policy SB 1 is to be amended to delete “Limit” and replace it with “Direct” to avoid an unintended negative wording.</p> <p>See above</p> <p>Disagree. The proposed settlement boundary closely reflects that which is specified in the recently adopted Local Plan, which itself was tested against</p>
--	--	---

<p>the under supply of market housing. Gladman consider that this approach is fundamentally contrary to the presumption in favour of sustainable development and will only act to contain the physical growth of Marchington. Furthermore, Policy SB2 essentially prioritises the reuse of PDL and is therefore in conflict with paragraph 111 of the Framework which seeks to encourage but does not prioritise the effective use of brownfield land.</p> <p>In order to ensure sufficient flexibility is contained within the Plan going forward, Gladman submit that the above policies are deleted and replaced with the following wording: <i>‘When considering development proposals, the Parish Council will take a positive approach to new development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Development adjacent to the existing settlement should be permitted provided that the adverse impacts do not significantly and demonstrably outweigh the benefits of development.’</i></p> <p>Policy BE2: Protecting and enhancing local built heritage assets Whilst Gladman recognise the importance of this policy, we question the inclusion of important views towards and from the settlements assets. The MNP does not provide any clear evidence as to what it considers to be important views (i.e. demonstrated on the proposals map) to provide a decision maker the ability to apply planning policy consistently and with ease when determining planning applications and is therefore in conflict with basic conditions (a) and (d).</p> <p>Neighbourhood Plan Review Gladman take this opportunity to make the Parish Council aware that there is no statutory basis for a review of the Neighbourhood Plan to take place. If the Parish Council wish to review the Neighbourhood Plan then it needs to be made clear to those who are to vote upon the document and its contents that the Neighbourhood Plan will need to undergo all statutory regulation stages including pre-submission, submission, post submission consultation and examination. Gladman reiterate the need for greater flexibility in order for it to respond to market changes.</p> <p>Strategic Environmental Assessment/Sustainability Appraisal The preparation of Neighbourhood Plans falls under the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) that require a Strategic</p>	<p>National guidance and found acceptable by an Inspector. The NP is in conformity with the LP and therefore meets that Basic Condition.</p> <p>Disagree. This comment is misplaced. Policy SB 2 concerns development outside settlement boundaries and does not refer to Brownfield or previous developed land.</p> <p>Disagree. The approach proposed is too general. The NP policies as drafted are in conformity with the adopted Local Plan and meet the Basic Conditions. The policy suggested is too general and would not reflect, as NPs should, local circumstances in Marchington.</p> <p>Noted. The importance of views is reflected in the NE and SC landscape character reports and emerged from the Community based character study. A map of Key views is to be included in the submission version</p> <p>Noted, explanatory text will be included</p> <p>Disagree. The NP is drafted to meet the requirements of the adopted Local Plan</p> <p>This contextual information is noted.</p>
--	---

<p>Environmental Assessment (SEA) to be undertaken where a Plan’s proposals would be likely to have significant environmental effects. The need for a SEA is critical to the Plan’s compliance to basic condition (f) which requires that the making of the Neighbourhood Plan does not breach and is otherwise compatible with the EU obligations i.e. the Environmental Assessment of Plans & Programmes Regulations Gladman note that the Environment Agency previously considered that an SEA was required. The Parish Council has made amendments to the policies contained in the MNP however it is still unclear whether a SEA will be required as a screening determination has yet to be completed.</p> <p>The need for an SEA should be established early in the Neighbourhood Plan process through a completion of a screening assessment and to ensure that the MNP’s proposals have been fully considered against all reasonable alternatives. It is currently unclear whether the re-determination has taken place. Gladman remind the Parish Council that any failure to comply with requirements of the SEA Regs. would result in the Neighbourhood Plan being found contrary to basic condition (f).</p> <p>Gladman also highlight that the PPG requires the need for the SEA Screening Assessment to be established early in the Neighbourhood Plan’s preparation. The failure to screen the Plan prior to Regulation 14 consultation, as required by the PPG (i.e. early in the plan making process), means that the absence of this evidence needs to be addressed and presented for the consultation to be valid and legally compliant. At present the consultation is being undertaken without crucial evidence to provide an informed response as considered in R(Moseley) v Haringey LBC [2014] UKSC 56.</p> <p>Furthermore, although Neighbourhood Plans do not require a Sustainability Appraisal (SA) of their proposals, preparing an SA can help demonstrate how the Neighbourhood Plan will contribute to the achievement of sustainable development, a Neighbourhood Plan Basic Condition. Where an SEA is required, extending this assessment to the preparation of an SA is unlikely to require any significant additional input.</p> <p>Conclusions Gladman recognises the role of NPs as a tool for local people to shape the development of their local community, however it is clear from national guidance that Neighbourhood Plans must be consistent with national planning policy and the up-to-date strategic requirements for the wider local authority area confirmed in an adopted Local Plan. Through these representations, Gladman have sought to highlight a number of significant concerns with the Neighbourhood Plan as proposed. The Plan contains a series of flaws in both its application of local and national policy and</p>	<p>For clarification. The SEA screening process was undertaken by ESBC at the time of the first Reg. 14 Consultation in October and November 2015. This indicated a need for an SEA.</p> <p>Disagree. The NP was subsequently substantially revised and a further SEA screening has been undertaken by ESBC and it has been confirmed that the revised NP does not require an SEA.</p> <p>Noted, but not relevant because an SEA is not needed.</p> <p>The recognition that NPs are intended to allow and increased local influence on planning decision is noted and welcomed. See above, it is considered that the NP reflects the NPPF, meets the necessary Basic Conditions and it is in</p>
--	--

	<p>does not allow a decision maker to apply these policies consistently and with ease as they ultimately conflict with the strategic policies for the wider area as currently presented. Gladman therefore submit that the Plan needs to be addressed through a fundamental overhaul to the development strategy as proposed, failure to do so may result in the Plan being found unable to meet the basic conditions, specifically basic conditions (a), (d), (e) and (f).</p>	<p>conformity with an up to date (recently adopted) Local Plan. It is not accepted that a fundamental review of the strategy underpinning the Neighbourhood Plan is required.</p>
--	---	--

Appendix 1 – Neighbourhood Plan Area designation

Marchington Parish Council applied to East Staffordshire Borough Council to become a designated Neighbourhood Area as required by section 5 of the Neighbourhood Planning (General) Regulations 2012. The Neighbourhood Area was approved on 7th April 2014. ESBC officially publicised the designation application, as required by section 6 of the regulations, from Monday 10th February and closed on Monday 24th March 2014 at 5pm. The request letter from Marchington Parish Council is reproduced below:

MARCHINGTON PARISH COUNCIL

Parish Clerk: Mrs Linda Hoptroff
Tel: 07549164641
Email: marchingtonpc@btinternet.com
Web: www.marchington.info

The Hollies
9 Chartley Gate Close
Uttoxeter
Staffs
ST14 8DX

5th February, 2014

Mr A. O'Brien
East Staffordshire Borough Council
The Maltsters
Wetmore Road
Burton on Trent
Staffs
DE14 1LS

Dear Mr O'Brien,

Application for the Designation of a Neighbourhood Planning Area

I am writing to on behalf of Marchington Parish Council to apply for the parish of Marchington to be designated a Neighbourhood Planning Area in accordance with Regulation 5 of the Neighbourhood Planning Regulations 2012. A map of the area, as required under the regulations is attached.

Marchington Parish Council (including Marchington Woodland's and Forestside) is a relevant body for the purposes of Section 61G of the Town and Planning Act 1990 and therefore qualified to undertake neighbourhood planning for the identified area. The Council are keen to get started with the Neighbourhood Plan, which will help shape how the Parish will grow over the next 15-20 years.

Marchington Parish Council nominates the author, the Clerk/Responsible Financial Officer, as its representative for the purposes of designation.

Yours sincerely,

Mrs Linda Hoptroff
Clerk to Marchington Parish Council



MARCHINGTON NEIGHBOURHOOD PLAN

A Plan for our Parish

What is a Neighbourhood Plan?

A *Neighbourhood Plan* is a new type of planning policy document for a local area (i.e. a Parish or Neighbourhood). Once adopted it will form part of the *Local Development Plan* for the local authority and will be used to consider all planning applications in that area. *Neighbourhood Plans* can establish general planning policies for the *development and use of land* in a neighbourhood, such as:

- Where new homes and offices should be built and what they should look like
- Locations for new facilities – whatever they may be
- New infrastructure such as footpaths, cycle tracks, recreation projects

The plan can be *detailed or general*, depending on what we, the local people, desire.

We Need Your Input!

Why?

Whether we like it or not our neighbourhood is going to change over the next 15 or so years, the timescale of the Local Development Plan. We therefore have two options:

- Sit on our hands and do nothing: in which case we will have little say in what will actually happen; or
- Be proactive: and have a big say on events.

The decision is *yours*. We want to ensure that you are engaged throughout the process to maximize the chances of success when we eventually hold a referendum.

The more of you who participate in the Plan the greater the influence we shall all have on the outcome.

The start line will be in about a month's time when the Steering Committee will drop a questionnaire through your door which you will be invited to complete.

So What are the Issues



- The *Neighbourhood Plan* must reflect the views of the local community
- The process includes 3 stages where *you can have your say*.
- - On all issues – whatever they may be
 - The draft plan
 - A local referendum of the final version of the plan
 -



The local referendum is critical and every registered voter in the area can take part. Over 50% must be in favour of the Plan before it can be adopted.

So please do participate!

The more of us who take part, the better.

Our Expert

We have appointed Clive Keble (MRTPI) as our professional adviser. Clive is a qualified and experienced planning, economic development and land management professional, based in Derby.

In a 30 year career, he has worked for several Midlands Councils and for the National Forest Company.

He has also worked on Local Plans (eg. Anslow) and has an all-round experience of Neighbourhood Planning in rural areas.

Clive is a Planning Aid volunteer on the "Are you fit for Neighbourhood Planning?" programme. He is the planning adviser to Cannock Chase AONB and is a panel member of OPUN, the East Midland Architecture Centre.

He has sat on both the Leicester Rural Partnership and the Derbyshire Rural Forum.

Your Steering Group

Currently we are a cast of six. We are all volunteers and three of us are parish councillors. We believe that the committee size should be eight (more would become unwieldy).

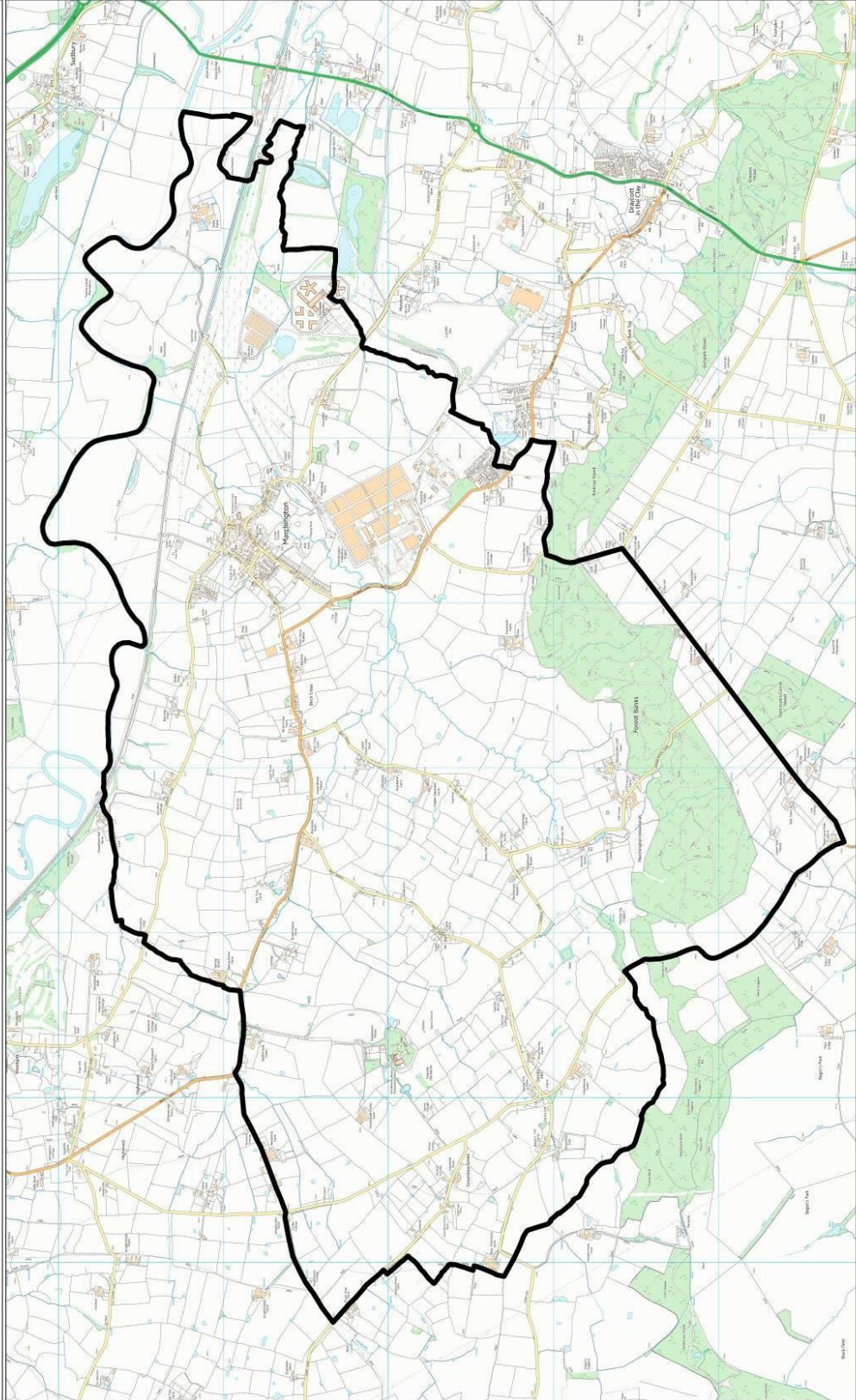
Hence, we would like two more volunteers to join us, preferably female to give us a better balance.

If you are interested, please contact one of us below:

- | | |
|---------------------|--|
| Andrew Mann | a.mann@btinternet.com |
| Charles Wallace | charles.wallace@closefm.co.uk |
| Chris Leedham | chrisleeds56@hotmail.co.uk |
| Darron Hayes | darronhayes@hotmail.com |
| Paul Nixon | Nixon.private@btinternet.com |
| Reginald W-Husey | reginaldandann@btinternet.com |
| Or the Parish Clerk | marchingtonpc@btinternet.com |
| Linda Hoptroff | 07549164641 |



Marchington Parish



Scale: 1:30,000
Date: Jan 2014

You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.
© Crown copyright and database rights [2014] Ordnance Survey [100010575]



Marchington NEIGHBOURHOOD PLAN

To help us start off the process please complete the form below and return it to;

- The Parish Clerk; Linda Hoptroff, The Hollies, 9 Chartley Gate Close, Uttoxeter, ST14 8DX.
- Drop it off at the Village Shop or hand it to a Steering Group Member or Parish Councillor.
- Scan a copy and email it to the Parish Clerk - marchingtonpc@bntinternet.com

Remember – **the deadline is 5:00pm on Friday 13th June**

What are the three things that you most like about living in Marchington Parish which could be protected by the Neighbourhood Plan?

1.....2.....3.....

What three things are you concerned about in Marchington Parish which could be improved by the Neighbourhood Plan?

1.....2.....3.....

Bearing in mind the above, do you agree that the Neighbourhood Plan should focus mainly on housing (new build, conversions and extensions) and the environment **but** are there other key issues to be covered? - Please tick ✓ (yes) or cross × (no) as appropriate.

Traffic.....Employment.....Shops.....Community Facilities.....Renewable Energy.....

Do you work (a) In Marchington..... (b) Within 10 miles..... (c) 10+ miles away.....

Do you have any other comments to make?

Would you like to get involved in the Steering Group?.....

Optional information

Name.....

Address.....

Age Group – please ring (<18) (18 to 30) (31 to 45) (46-64) (65+)

Email if you would like updates by email.



Newsletter No.2

November 2014

MARCHINGTON NEIGHBOURHOOD PLAN

Progress on your Neighbourhood Plan

Our thanks to all those people who got involved in our first round of consultation in the summer. We had over 70 responses! Using your comments and ideas, alongside data and statistics gathered and views from organizations interested in land uses in the area, we have identified the following issues.

Housing; the scale, location and type of new housing; enabling choice and development in preferred locations.

Community Facilities; retain the community spirit of the Parish and protect local facilities.

Natural environment; protect the landscape but enable agricultural change and access to the countryside.

Transport; manage traffic at but retain rural character.

Built Environment; protect the character of Marchington Village and other heritage assets.

Employment; enable successful operation of the industrial estate but minimise adverse environmental impact.

To consider the future of **the Barracks site**

To work in the context of the **new East Staffs. Local Plan**

We Need Your Views Again - Now!

We have identified options for dealing with each of these issues and drafted a "Vision" for the Neighbourhood Plan. We will organise a detailed consultation on the draft plan early next year, but in the meantime, **we want you to have your say on the issues, options and the draft Vision.**

*Please complete and return the short questionnaire attached to this newsletter **by Friday 12th December.***

Alternatively, come along to our Roadshow – see below

Your response will help us to get the policies that you want into the Draft Plan, We want to get you engaged throughout to maximise the chance of success when we have a referendum.

The more of you who get involved, the greater the influence you can have on the outcome. We are also involving businesses, landowners and local organizations.

The current East Staffs Local Plan Inquiry will influence the form and content of the Plan. We are involved in the hearings and we should know the outcome and what it means for the Neighbourhood Plan **by the middle of 2015.**

The Neighbourhood Plan programme – when we hope to get things done

Winter 2014/15 - Further consultation (this newsletter) research & survey work.

Spring 2015 - Complete the first draft of Plan.

Early summer 2015 – revise draft plan (depending on ESBC Local Plan Inspectors report)

Later in summer 2015– Six week public consultation

September 2015– revise plan and complete related documents and submit to ESBC

December 2015 – Referendum

The Neighbourhood Plan Roadshow

Just like the TV show (for Antiques), bring your Neighbourhood Plan ideas & questions, to drop-in sessions on **Thursday 11th December;**

3:00 – 4:45pm – Marchington Village Hall

5:00 – 7:00pm – Woodlands Village Hall

Our two experts: Clive Keble – retained planning consultant & Bob Keith – Planning Aid England ...will be on hand, with Steering Group members, to offer advice (but not valuations!) and answer your questions. (You will also be able to drop off your completed questionnaires)

Your NP Steering Group

We now have 6 people involved - are all volunteers and three of us are parish councillors. Let us know if you want to join or alternatively, if you could help on an ad hoc basis – organising events, photographs, graphic design, surveys etc.

If you are interested, please contact one of us below:

Andrew Mann

a.mann@btinternet.com

Charles Wallace

charles.wallace@closemf.co.uk

Chris Leedham

chrisleeds56@hotmail.co.uk

Darron Hayes

darronhayes@hotmail.com

Brian Darby

b.darby041@btinternet.com

Reginald W-Husey

reginaldandann@btinternet.com

Or the Parish Clerk

marchingtonpc@btinternet.com

Linda Hoptroff

07549164641

A reminder of what your Neighbourhood Plan will be able to do!

The Localism Act (2012) introduced new types of community planning. Neighbourhood Plans were part of this and they give opportunities for communities to shape their local areas through policies for the development and use of land.

In summary, the Marchington Neighbourhood Plan can;

- Increase local influence on Planning matters
- Plan positively for development (in line with the Local Plan)
- Enable more predictable & efficient planning decisions
- Have legal force as part of the "Development Plan"
- Have policies on the location and type of housing, business development, protecting heritage, open spaces & the countryside and enable farm diversification

However, it is also worth remembering that there are some things **that Neighbourhood Plans cannot do**;

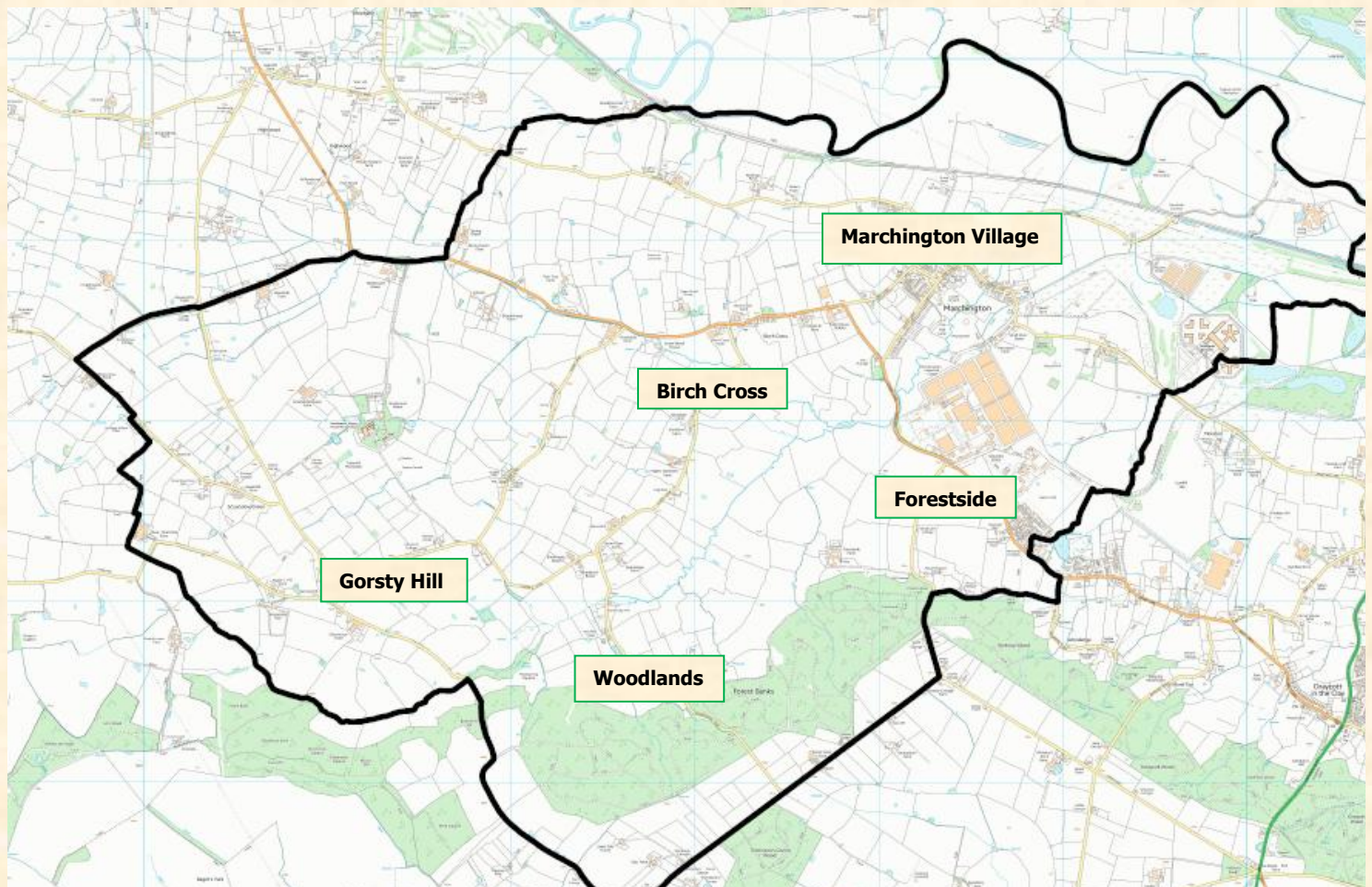
- Propose less development than is required in the East Staffs. Local Plan*
- Change the Marchington Conservation Area boundary
 - Include policies on mineral extraction
 - Designate Green Belt

(*The Parish Council is contesting new proposals by a developer being out to the Local Plan Inquiry for an increased housing requirement (40 not 20 new houses) and for them to be built off Jacks Lane).

The Neighbourhood Plan **policies need to be land use and planning related**, for example; litter, anti-social behaviour, and the management of open spaces, schools and community buildings are not planning matters and cannot be included in the Plan.

The Neighbourhood Plan Area

(It covers the whole whole parish and we want to give everyone a chance to get involved!)



Questionnaire

(To be returned by Friday 12th December)

Issues (*are you in agreement with these & is anything missing?*)

Housing; The need to influence scale, location & type of housing & enable choice on preferred sites.

Agree	Disagree	Neutral
-------	----------	---------

Community Facilities; The need to retain the community spirit of the Parish & protect local facilities.

Agree	Disagree	Neutral
-------	----------	---------

Environment; The need to protect the landscape & enable agricultural change & access to countryside.

Agree	Disagree	Neutral
-------	----------	---------

Transport; The need to manage any increased traffic, but to also retain rural character of roads.

Agree	Disagree	Neutral
-------	----------	---------

Built Environment; Protect the Conservation Area and other heritage assets throughout the "Parish".

Agree	Disagree	Neutral
-------	----------	---------

Employment; The need to enable employment on the industrial estate but minimise adverse impacts.

Agree	Disagree	Neutral
-------	----------	---------

Options (*help us to select which ones to follow*)

Housing

A - Accept new settlement boundary at Bagshaws & Jacks Lane but set layout, design & type criteria.

Agree	Disagree	Neutral
-------	----------	---------

B – To find new sites & review the settlement boundary, but continuing to focus on Marchington village.

Agree	Disagree	Neutral
-------	----------	---------

C – To allow dispersed development, e.g. Birch Cross & Forestside. (NB may clash with Local Plan)

Agree	Disagree	Neutral
-------	----------	---------

D – To identify local housing needs and use policies to achieve a mix of development in new housing.

<i>Agree</i>	<i>Disagree</i>	<i>Neutral</i>
--------------	-----------------	----------------

Community Facilities

A – To protect & enhance existing open spaces, sports grounds, meeting halls, churches and the shop

Agree	Disagree	Neutral
-------	----------	---------

Natural environment

A – To protect the landscape & control development on agricultural land/buildings, including renewables.

Agree	Disagree	Neutral
-------	----------	---------

B – To rely on ESBC Local Plan and national guidance to manage development in the countryside.

Agree	Disagree	Neutral
-------	----------	---------

Transport

A – Try to address HGV/commuter traffic from the Industrial Estate, HMP Dovegate other sites nearby.

Agree	Disagree	Neutral
-------	----------	---------

Built Environment

A – To protect & enhance the Conservation Area and other local heritage assets throughout the Parish.

Agree	Disagree	Neutral
-------	----------	---------

B - Rely on ESBC Local Plan policies and national guidance (NPPF) to protect heritage assets.

Agree	Disagree	Neutral
-------	----------	---------

Employment

A - Allow further development of the industrial estate, farm diversification and the re-use of buildings.

Agree	Disagree	Neutral
-------	----------	---------

B – Rely on Local Plan policies and national guidance to manage employment/business development.

Agree	Disagree	Neutral
-------	----------	---------

C – Encourage home working and self-employment.

Agree	Disagree	Neutral
-------	----------	---------

Former barracks site

A – Encourage development which contributes to the Parish needs and the environment of Forestside.

Agree	Disagree	Neutral
-------	----------	---------

B – Rely solely on East Staffs. Local Plan policies, with no specific Neighbourhood Plan coverage.

Agree	Disagree	Neutral
-------	----------	---------

Draft Neighbourhood Plan Vision

By 2031 we would like Marchington to be an even better place to live, with a continued strong sense of community and viable local services. The Parish will have adapted to change and accommodated reasonable new development and supported the rural economy, but with the character of the settlements and the surrounding countryside will have been protected and enhanced.

Agree	Disagree	Neutral
-------	----------	---------

Any comments..... other

.....

Name and contact details (optional)

Where do you live?	Marchington Village	Woodlands	Forestside	Birch Cross	Other
--------------------	---------------------	-----------	------------	-------------	-------

Please return by Friday. 12th Dec. to; Parish Clerk; Linda Hoptroff, 9 Chartley Gate Close, Uttoxeter, ST14 8DX, Village Shop, an SG Member **or** scan/email marchingtonpc@btinternet.com



YOUR VIEWS NEEDED **March 2015**

MARCHINGTON NEIGHBOURHOOD PLAN

The Neighbourhood Plan (NP) has got quite complicated! There is pressure for development in several locations.

We have looked at each of these sites and how they fit (or not) into the environment of the village. Details of each site and maps will be displayed and the NP process will be summarised.

We will use this **and your comments** to produce a full draft NP, with a 6 week consultation in June & July. We are also influencing the East Staffs Local Plan on the amount and location of new development in Marchington.

An exhibition will be held in the village hall from 12:30pm to 3:30pm on Saturday 28th March.

You will be able to see the results of the recent landscape assessment and a review of possible development sites.

We want you to give us your views on where you think new housing could be located in and around the village.

You will be able to complete comments sheets and talk to the NP Steering Group and our Planning "Expert"- Clive Keble

For more information on the exhibition and on the NP in general, please contact the Parish Clerk, Linda Hoptroff on

Tel No: 017549164641 or email on marchingtonpc@btinternet.com



Newsletter No.3 September 2015 MARCHINGTON NEIGHBOURHOOD PLAN

Progress on the Neighbourhood Plan

We have now produced a full Draft Neighbourhood Plan for you and any interested parties to comment upon

Neighbourhood Plans are of the Localism Act (2012). They allow communities to shape their local areas through policies for the development and use of land.

The Marchington Neighbourhood Plan will:

- Increase local influence on Planning matters.
- Plan positively for development.
- Enable more predictable planning decisions.
- Have legal force as part of the "Development Plan".
- Influence new housing & business, protect heritage, open space, countryside & community facilities.

There are things a Neighbourhood Plan **cannot** do:

- Propose less development than the Local Plan
- Change the Conservation Area boundary
- Include policies on mineral extraction
- Designate Green Belt

We Need Your Views Again - Now!

The Steering Group has used your earlier responses and gathered evidence to produce a draft version of the Plan (this will help to shape the future of Marchington and influence your quality of life).

This is now published for a six-week consultation from 28th September - 10th November. This newsletter explains the consultation in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012). It gives details of where and when the Draft Plan may be inspected, how to make representations and the date by which representations must be received.

We would like to hear your views **NOW**, so that we can make appropriate changes and be confident that the Plan is supported by local people when it is submitted to the Borough Council. Do have your say by:

- 1 Completing the questionnaire (hard copy or by email).
- 2 Visiting one of the drop-in sessions.
- 3 Reading the full set of documents, if you wish.

The Neighbourhood Plan programme – when we hope to get things done

November 2015 – revise the draft plan and prepare submission documents

December 2015 – Submit the Plan to East. Staffs. Borough Council

January to March 2016 – 6 week advertisement of Plan and independent examination

April 2016 – revise plan to reflect the examiner recommendations

June 2016 – The Referendum

Find out more about the Plan

We have arranged drop in sessions for you to find out more about the draft plan and to discuss your comments with the Steering Group and our Planning adviser, Clive Keble

Saturday 10th October

10:00 – 12:30 at Marchington Village Hall

13:00 – 15:00 at Woodlands Village Hall

Wednesday 14th October

5:30 – 7:30 The Barn, Forestside

Refreshments will be provided at all venues

You can access the plan documents and questionnaire on the Parish Council website:

http://www.marchington.info/parish_council

You can inspect hard copies of the plan documents **at the**

Community Shop during normal opening hours and the **Village Hall** when attending events.

Your NP Steering Group

We now have six people involved - are all volunteers there is a mix of local people and parish councillors. Let us know if you want to join or alternatively, if you could help on an ad hoc basis – organising events, photographs, graphic design, surveys etc.

Andrew Mann

a.mann@btinternet.com

Darron Hayes

darronhayes@hotmail.com

Paul Nixon

nixon.private@btinternet.com

Reginald W-Husey

reginaldandann@btinternet.com

Brian Darby

b.darby041@btinternet.com

Julia Hayhurst

juliahayhurst@btinternet.com

Or the Parish Clerk

marchingtonpc@btinternet.com

Linda Hoptroff -

07549164641

(We have worked closely with Mick Marrison of MDAG)

Summary of Neighbourhood Plan Vision, Objectives & Policies

Vision *By 2031 Marchington will be an even better place to live, with a continued strong sense of community and viable local services. The Parish will have adapted to change and accommodated reasonable new development and supported the rural economy, but with the character of the settlements and the surrounding countryside will have been protected and enhanced.*

Objectives

- 1** *The overall sustainability, quality and appropriateness of new development (location, scale, design) - protecting and enhancing the character of Marchington.*
- 2** *Housing: the scale, location & type of new houses to enable choice and direct development to preferred locations.*
- 3** *Natural environment: protecting the landscape at the same time as enabling agricultural change and enabling good quality access to the countryside.*
- 4** *Built Environment: protect the character of Marchington, including the Conservation Area, the setting of Sudbury Hall and other heritage assets.*
- 5** *Transport: managing traffic at the same time as retaining rural character.*
- 6** *Community Facilities: retaining the community spirit of the Parish and protecting local facilities.*
- 7** *Employment: enable the operation of the industrial estate but minimize any adverse impacts from it.*

Policies

Overall principles

DP1 Sustainable Development Principles - *to set a positive framework and overall guidelines for new development.*

Settlement and development boundaries and infrastructure.

SB1 Development in the Marchington Village Settlement Boundary - *identify preferred locations for 17 new houses.*

SB2 Development within the proposed Former Military Depot Development Boundary - *enabling change with the continuation of the industrial estate, better facilities for Forestside, protected open space and possible new housing.*

SB3 Development outside Settlement & Development Boundaries - *limiting development to exceptions & local need.*

SB4 HMP Dovegate - *setting criteria to be met for any future development within the complex.*

SB5 Local Infrastructure - *requires development to provide infrastructure and not add to flooding/drainage problems.*

Housing

H1 Smaller infill sites criteria - *enabling the development of 1 to 3 units on infill sets, subject to strict criteria.*

H2 Meeting the needs of all sectors of the population - *to ensure a range of house types and sizes is provided.*

H3 The design of conversions and extensions - *to enable works to adapt and extend houses and to respect character.*

Built Environment

BE1 Protecting and enhancing local character - *to ensure that the location and design of new development respect the character of the local area including the Conservation area, the village and the setting of Sudbury Hall.*

BE2 Protect & enhance local heritage assets - *to recognize the value of (undesignated) local buildings and structures.*

BE3 Protect and enhance archaeological sites - *to ensure that archaeology is taken on to account by developers.*

Natural Environment

NE1 Protecting the countryside & landscape - *managing development to take account of local landscapes & views*

NE2 Nature Conservation - *to ensure that development makes provision for local sites, habitats and species.*

Traffic

T1 Development related traffic works - *to ensure that development is safe but that road improvements are sensitive.*

Community facilities and open spaces

CFOS 1 Community buildings, shops and public houses - *to protect our existing community facilities.*

CFOS 3 Designation of Local Green Spaces - *to identify and give extra protection to three special local open spaces.*

Employment

LE 1 Local Employment - *encourage local business subject to criteria protecting the environment & nearby houses*

Renewables and telecommunications

RE 1 Renewable Energy - *enabling appropriate development, subject to local environmental and landscape criteria*

RE 2 Telecommunications - *enabling appropriate development, subject to environmental and landscape criteria*

Non-Planning (Community) Proposals

SB1 Flood prevention and water management – *enabling the Parish Council to work with the County Council and the Environment agency on solutions to flooding and drainage problems*

T1 Pedestrian and cycle accessibility and connections - *enabling the Parish Council to work with the County Council and the Borough Council to improve accessibility within the Parish.*

Questionnaire (Please ring/tick the appropriate box and return by Tue. 10th Nov.)

Vision *By 2031 Marchington will be an even better place to live, with a continued strong sense of community and viable local services. The Parish will have adapted to change and accommodated reasonable new development and supported the rural economy, but with the character of the settlements and the surrounding countryside will have been protected and enhanced.*

Agree	Disagree	Neutral
-------	----------	---------

Objective 1 *The overall sustainability, quality and appropriateness of new development.*

Agree	Disagree	Neutral
-------	----------	---------

Objective 2 *Housing; the scale, location & type of new houses to enable choice and preferred locations*

Agree	Disagree	Neutral
-------	----------	---------

Objective 3 *Natural environment: protecting the landscape, enabling agricultural change and access.*

Agree	Disagree	Neutral
-------	----------	---------

Objective 4 *Built Environment: protect the character of buildings, the environment & the landscape.*

Agree	Disagree	Neutral
-------	----------	---------

Objective 5 *Transport: managing traffic at the same time as retaining rural character.*

Agree	Disagree	Neutral
-------	----------	---------

Objective 6 *Community Facilities: retaining the community spirit of the Parish and protecting facilities.*

Agree	Disagree	Neutral
-------	----------	---------

Objective 7 *Employment: enable the operation of the industrial estate but minimize any adverse impacts.*

Agree	Disagree	Neutral
-------	----------	---------

Policies

DP1 Sustainable Development Principles

Agree	Disagree	Neutral
-------	----------	---------

SB1 Development in the Village Settlement Boundary

Agree	Disagree	Neutral
-------	----------	---------

SB2 Development within the proposed Former Military Depot Development Boundary

Agree	Disagree	Neutral
-------	----------	---------

SB3 Development outside Settlement & Development Boundaries

Agree	Disagree	Neutral
-------	----------	---------

SB4 HMP Dovegate

Agree	Disagree	Neutral
-------	----------	---------

SB5 Local Infrastructure (including drainage)

Agree	Disagree	Neutral
-------	----------	---------

H1 Smaller infill housing sites criteria

Agree	Disagree	Neutral
-------	----------	---------

H2 Meeting the needs of all sectors of the population

Agree	Disagree	Neutral
-------	----------	---------

H3 The design of conversions and extensions

Agree	Disagree	Neutral
-------	----------	---------

BE1 Protecting and enhancing local character

Agree	Disagree	Neutral
-------	----------	---------

BE2 Protect & enhance local heritage assets

Agree	Disagree	Neutral
-------	----------	---------

BE3 Protect and enhance archaeological sites

Agree	Disagree	Neutral
-------	----------	---------

NE1 Protecting the countryside & landscape

Agree	Disagree	Neutral
-------	----------	---------

NE2 Nature Conservation

Agree	Disagree	Neutral
-------	----------	---------

T1 Development related traffic works

Agree	Disagree	Neutral
-------	----------	---------

CFOS 1 Community buildings, shops and public houses

Agree	Disagree	Neutral
-------	----------	---------

CFOS 3 Designation of Local Green Spaces

Agree	Disagree	Neutral
-------	----------	---------

LE 1 Local Employment

Agree	Disagree	Neutral
-------	----------	---------

RE 1 Renewable Energy

Agree	Disagree	Neutral
-------	----------	---------

RE 2 Telecommunications

Agree	Disagree	Neutral
-------	----------	---------

Community Proposals SB1 Flood prevention & water management & T1 Pedestrian and cycle accessibility

Agree	Disagree	Neutral
Agree	Disagree	Neutral

Thank you very much. If you have any other comments, please continue on a separate sheet

Name and address (optional)

.....

Or **please tick** where you live: Marchington Village, Woodlands, Forestside, Birch Cross, Other

Return by Tuesday 10th Nov. to; Parish Clerk; Linda Hoptroff, The Hollies, 9 Chartley Gate Close, Uttoxeter, ST14 8DX, Village Shop, an SG Member **or** scan/email marchingtonpc@btinternet.com

Appendix 6 - September 2014 Consultation email & list of consultees (Reg.14) Consultation on the Draft Plan

Email sent Monday 28th September 2015

Marchington Parish Council is preparing a Neighbourhood Development Plan covering all of the Parish area. The work is being managed by a Steering Group comprising Parish Councillors and members of the community. Clive Keble Consulting (ltd) is providing professional planning support to the Group.

Over the past eighteen months, the Group has completed initial consultation, evidence gathering and consultation on Issues & Options and it has now prepared a full draft Neighbourhood Plan. In accordance with the regulations, this Draft version **is the subject of formal consultation for a period of just over 6 weeks from 28th September 2015 to 10th November 2015.**

Following revision, to reflect consultation responses, it is hoped that the Neighbourhood Plan will be submitted to East Staffordshire Borough Council in December 2015. An examination is likely in Spring 2016 and it is anticipated that a local referendum will be held in the summer. It is important that as many people and organisations comment on the draft plan during this consultation.

In addition to engaging local people, community organisations and businesses in Marchington, the Steering Group wishes to obtain the views of statutory bodies and other interested organisations at each stage of the Plan. You and/or your clients have commented upon or expressed an interest in the Neighbourhood Plan in the past and accordingly, I attach an e-version of the Draft Plan, with the associated newsletter and questionnaire attached for your use, or you can make any comments by letter or e mail.

I would be grateful if you could direct your comments to the Parish Clerk (Linda Hoptroff) in the first instance at: marchingtonpc@btinternet.com but, If you wish to discuss technical aspects of the Draft Plan, please contact me on 07815 950482 or by email at clive.keble@btopenworld.com

Supporting documents are available from the Parish Clerk and they can also be seen (with an electronic version of the questionnaire) on the Parish Council website http://www.marchington.info/parish_council

We look forward to hearing from you, if at all possible, by the close of the consultation, but if you need to consult colleagues or take any comments through committees or boards, I understand and later submissions will be accepted, provided that the Parish Clerk is of this notified in advance.

Clive Keble (MRTPI) for Marchington Neighbourhood Plan Steering Group.

List

corinne.ohare@eaststaffsbc.gov.uk

Naomi.Perry@eaststaffsbc.gov.uk

peter.davenport@staffordshire.gov.uk

james.chadwick@staffordshire.gov.uk

hannah.hogan@staffordshire.gov.uk

k.dewey@staffs-wildlife.org.uk

gbslep@birmingham.gov.uk

Kim.Miller1@nationaltrust.org.uk

Sarah.victor@environment-agency.gov.uk
gillian.bullimore@severntrent.co.uk
Nationalgrid.Enquiries@nationalgrid.com
maggie.taylor@sportengland.org
Michael.Taylor@english-heritage.org.uk
david.mccann@highways.gsi.gov.uk
dpm@monoconsultants.com
Lynne.Lowman@serco.com
mail@homesandcommunities.co.uk
office@jvhplanning.co.uk
jmsmith@savills.com
Stephen.Smith@eaststaffsbc.gov.uk
amsyers@evanspropertygroup.com
jonathan.porter@bartonwillmore.co.uk
Malcolm.Gale@bagshaws.com
andrew.griffiths.mp@parliament.uk
Stephen@kibprint.co.uk
john@jmwplanning.co.uk
Gary.Stephens@marrons-planning.co.uk
john.coleman@williamdavis.co.uk
rnorgrove@hortons.co.uk
Catherine.Mumby@gva.co.uk
enquiries@denstoneprep.co.uk
ptaylor992@btopenworld.com
property@networkrail.co.uk
mailto:heappschurchfarm@aol.com
draycottparishcouncil@outlook.com
DoveridgeClerk@aol.com
Lisa.Russell@severntrent.co.uk
info@uttoxetertowncouncil.org.uk
daniella.haslam@trentanddove.org
emma.keeling@northstaffs.nhs.uk philip.atkins@staffordshire.gov.uk
office@st-peters-marchington.staffs.sch.uk

**Appendix 7 - Statutory Consultation responses on Draft Marchington Neighbourhood Plan
(compiled 11/11/15)**

Consultee	Date	Comments	Suggested Actions (Red)
Organisations			
Environment Agency Ms Noreen Nargas Planning Advisor 01543 404970 noreen.nargas1@environment-agency.gov.uk	3/11	<p>Thank you for referring the above draft plan which was received on 23 September 2015. Having reviewed the document we have the following comments:</p> <p>Flooding risk: The plan area includes a number of watercourses including the River Dove which forms part of its northern boundary and the Marchington Brook. Both of these watercourses are designated main rivers and have significant areas of floodplain associated with them, most of which is in Flood Zone 3 (high probability).</p> <p>Elsewhere in the parish there are smaller areas of floodplain associated with the smaller ordinary watercourses as well as significant areas at risk from surface water flooding. Any proposals that are considered during the Neighbourhood Plan process should take account of this. Staffordshire County Council Lead Local Flood Authority (LLFA) is the lead organisation on these matters.</p> <p>In line with National Planning Policy Framework (NPPF) we would wish to see any new development directed away from those areas at highest flood risk, i.e. towards Flood Zone 1. In addition any new development, including infill development and small scale development, should incorporate sustainable drainage systems (SuDS) to reduce flood risk and manage surface water. The surface water discharge should be limited to the site specific greenfield runoff rates for all points of discharge.</p> <p><u>Countryside and Environment / Landscape Character and Character Study around Marchington Village Marchington Village (Pages 16-17)</u> It is suggested that some reference is made to the water environment in the plan area and the presence of watercourses and associated floodplain which have a significant effect on the local landscape. <u>Area Surveys (Pages 23-25)</u> Area 1b: Part of this area may be at risk of surface water flooding. (Staffordshire LLFA to provide advice on this matter). Area 1c: Part of this area may be at risk of surface water flooding. (Staffordshire LLFA to provide advice</p>	<p>These three paragraphs to be added to section 3 as Flooding Context: provided by the EA.</p> <p>Comments to be added to paragraphs 3.49 – 3.57 as Flooding Context: provided by the EA.</p>

	<p>on this matter).</p> <p>Area 2: The majority of this area is floodplain (Flood Zone 3) and is not considered suitable for inappropriate development, as shown in our flood risk tables: (http://planningguidance.planningportal.gov.uk/blog/guidance/flood-risk-and-coastal-change/flood-zone-and-flood-risk-tables/table-3-flood-risk-vulnerability-and-flood-zone-compatibility/)</p> <p>Area 4: This area is adjacent to the floodplain of the Marchington Brook. In addition, a significant part of this area may be at risk of surface water flooding. (Staffordshire LLFA to provide advice on this matter).</p> <p>Area 5: A large part of this area is floodplain (Flood Zone 3) and is not considered suitable for inappropriate development, see flood risk tables: (http://planningguidance.planningportal.gov.uk/blog/guidance/flood-risk-and-coastal-change/flood-zone-and-flood-risk-tables/table-3-flood-risk-vulnerability-and-flood-zone-compatibility/). There is also a significant area at risk of flooding from surface water. (Staffordshire LLFA to provide advice on this matter).</p> <p>Area 6: Part of this area may be at risk of surface water flooding. (Staffs. LLFA to provide advice on this matter).</p> <p>Area 8: Part of this area may be at risk of surface water flooding. (Staffs. LLFA to provide advice on this matter).</p> <p>Area 9: Part of this area may be at risk of surface water flooding. (Staffs. LLFA to provide advice on this matter).</p> <p><u>Policies</u></p> <p>We welcome the references to existing flood risk in section 7.8 and Policies SB1 and SB2 and the need to ensure that this is not exacerbated by any new development.</p> <p>Policy SB5 on flood prevention and management is also welcomed. Please note that the reference to Flood Zone 2 in the paragraph below this policy is incorrect. The vast majority of the extensive floodplain in this area is Flood Zone 3.</p> <p><u>Marchington Brook Flood Alleviation Scheme</u></p> <p>The Environment Agency and Staffordshire County Council are currently investigating options to reduce flood risk in Marchington village.</p> <p>Biodiversity:</p> <p>In reference to SB5 – Flood prevention and management, the Neighbourhood Plan should look to support and advocate the use of natural flood measures in the catchment to provide sustainable contributions to attenuating flood risk whilst providing</p>	<p>Comments to be added to paragraphs 3.49 – 3.57 as Flooding Context: provided by the EA.</p> <p>Justification to Policy SB5 to be corrected.</p>
--	--	--

	<p>additional environmental benefits, including water quality and biodiversity. Natural flood measures could also be combined with policy objectives within NE2 – Nature Conservation.</p> <p>The Marchington catchment and its specific water quality and flooding issues, is potentially suited for Rural Sustainable Drainage Systems (RSuDS). They are measures that slow down or prevent the transport of pollutants into a water course by intercepting run-off and trapping soil before it leaves the field. They may consist of a single structure or a succession of different measures to drive improvement. Such structures & measures include wetlands, ponds, sediment traps, buffer strips and ‘in ditch’ options. Other benefits of RSuDS include slowing down or temporarily storing water to reducing localised flooding.</p> <p>Within the National Character Assessment (NCA) the following Statement of Environmental Opportunity is particularly relevant to working towards improving the Water Framework Directive (WFD) status of the catchment and attenuating flood risk.</p> <p>SEO 4: Manage and enhance the network of rivers, flood plains and wetlands, increasing the landscape’s ability to naturally and sustainably manage flood and drought risk and provide other ecosystem services such as water supply and food provision, while recognising the needs of individual species and habitats.</p> <p>The new Countryside Stewardship (CS) scheme, with primary objectives for biodiversity and WFD, could play a role in delivering catchment improvements through amending existing agreements or encouraging landowners to take up new agreements. There are specific options available to help deliver WFD improvements including rural SuDS. A facilitation fund is available to support multiple landholdings collaborate to deliver landscape (catchment) scale benefits, particularly relevant and potentially achievable in this situation.</p> <p>The targeting statement of the CS for the Needwood and South Derbyshire Claylands NCA include the Marchington catchment for flood risk. Measures that could be supported through the scheme include measures to reduce sediment input and slow rates of overland flows. These would be synergistic with contributing towards WFD improvements and would</p>	<p>Reference to RSuDS to be included in SB5 Policy wording and selected explanatory material to be incorporated into the justification.</p>
--	---	---

	<p>therefore score highly in selecting new CS schemes through achieving multiple objectives.</p> <p>Further information on rural SUDS and working with natural processes to aid water quality and flood risk can be found in several studies and publications including;</p> <ul style="list-style-type: none"> •Runoff Attenuation Features - A guide for all those working in catchment Management (Newcastle Uni/EA Apr 2011) •Constructed farm wetlands - treating agricultural water pollution and enhancing biodiversity (Wildfowl and Wetlands Trust May 2013) •Rural Sustainable Drainage Systems (EA Jun 2012) <p>Table 1 – Policy Summary: The EA should be included as partners in policies NE1 & NE2.</p> <p>Section 8 – Implementation: Nature conservation should be included in the areas to be taken into account by the EA, in particular wetland habitats and associated species, in addition to the issues already stated.</p> <p>As part of any development in the Marchington area, we would like to see full consideration given to the watercourses in the catchment with the objective of improving the classification according to WFD. As a minimum, we would expect no deterioration.</p> <p>During any development stage, we would like a pollution prevention plan to be developed which should include the storage of polluting materials, prevention of pollution due to vehicular movements and exposed grounds, the waste hierarchy, and a site waste management plan.</p> <p>In light of the above comments, you should give due consideration to adopted Strategic Policy 27: Climate Change, Water Body Management and Flooding which has local requirements for the management of the water environment, including flood risk, pollution prevention and water-based ecology which should be reflected within this plan where appropriate.</p> <p>Contamination Issues: We have the following comments to make which relate solely to the protection of ‘Controlled Waters’ receptors. In planning any development in this area reference should be made to our ‘Groundwater Protection:</p>	<p>Agreed. EA to be included in Table 1.</p> <p>Agreed. Nature conservation issues to be included in section 8</p> <p>Agreed. To be added to Policy SB5</p> <p>Agreed. Selected explanatory material to be added to Policies DP1, SB2 & SB5</p>
--	---	---

		<p>Principles and Practice' (GP3) document. This sets out our position on a wide range of activities and developments, including:</p> <ul style="list-style-type: none"> • Storage of pollutants and hazardous substances • Solid waste management • Discharge of liquid effluents into the ground (including site drainage) • Management of groundwater resources • Land contamination • Ground source heat pumps • Cemetery developments <p>Government Policy, as detailed in the National Planning Policy Framework (paragraph 120), states that 'where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner'. Consequently should a development site currently or formerly have been subject to land-use(s) which have the potential to have caused contamination of the underlying soils and groundwater then any Planning Application must be supported by a Preliminary Risk Assessment. This should demonstrate that the risks posed to 'Controlled Waters' by any contamination are understood by the applicant and can be safely managed.</p> <p>We recommend that the risk management framework provided in the document 'Model Procedures for the Management of Land Contamination' (CLR11) is followed, when dealing with land affected by contamination.</p> <p>We draw your attention to adopted Detailed Policy 7: Pollution and Contamination which states that: Development proposals will only be granted planning permission where they will not give rise to, or be likely to suffer from, land instability and/or unacceptable levels of pollution in respect of noise or light, or contamination of ground, air or water</p> <p>We hope you find the above information useful. If you have any queries, please do not hesitate to contact us.</p>	
East Staffs. BC		See Appendix	
Mobile Operators Ass.	6/11	Thank you for your recent consultation on the above	

<p>Ginny Hall MRTPI SENIOR PLANNER 0141 270 2733 ginny.hall@monoconsultants.com</p>	<p>and taking the time to seek the Mobile Operators Associations' views on the Marchington Neighbourhood Plan.</p> <p>We consider this a very proactive approach to forward planning and welcome the opportunity to have input in the process.</p> <p>It is recognised that telecommunications plays a vital role in both the economic and social fabric of communities. National guidance recognises this through Section 5: "Supporting high quality communications infrastructure" of National Planning Policy Framework (March 2012) which provides clear guidance as to the main issues surrounding telecommunications development.</p> <p>Paragraph 42 of the National Planning Policy Framework (NPPF) confirms that; "advanced, high quality communications infrastructure is essential for sustainable economic growth" and that it "plays a vital role in enhancing the provision of local community facilities and services."</p> <p>Further advice on the siting and design of telecommunications and good practice procedural guidance is contained within the Code of Best Practice for Mobile Phone Network Development (July 2013). This builds on the Ten Commitments to ensure that the industry is alive to the concerns of local communities and consultation is built into the development process.</p> <p>While we support the inclusion of Policy RE2: Telecommunications Installations within the emerging Neighbourhood Plan, we are concerned that its wording would be overly restrictive on future telecommunications developments in the area. While the Mobile Operators will always aim to minimise the impact of telecommunications equipment on landscape and amenity, the technical and operational characteristics of the technology mean that, in some cases, minor impacts will need to be balanced against the social and economic benefits of high quality telecommunications infrastructure. In order to provide a more positively worded policy, we would suggest that Policy RE2 is amended as follows: "The Parish Council recognizes the need for improved telecommunication and broadband services and supports sensitively designed and located installations where the structure involved minimises impact on the landscape or on designated and non-designated heritage features."</p> <p>We trust you find the above comments of assistance. Please do not hesitate to contact me should you have any queries relating to the above matters.</p>	<p>Agreed amendment</p>
--	---	-------------------------

<p>Staffs. County Council james.chadwick@staffordshire.gov.uk</p>	<p>9/11</p>	<p>Thank you for providing the County Council the opportunity to comment on the preparation of your Neighbourhood Plan. Detailed comments are provided below and where possible are grouped by theme. It is hoped these comments will help you in taking the plan to its next iteration. Should you have any queries regards any element of the content of the response please feel to contact me.</p> <p>Transport. In relation to Policy T1 we acknowledge that the transport impacts of certain development needs to be assessed. However, it is felt that the policy is unclear on which developments it is applicable to. The Policy refers to developments that ‘generate a significant amount of movement or would create a traffic hazard on narrow twisting lanes’. What is ‘significant’ is subjective and open to interpretation. Equally how, without undertaking an assessment, would a prospective developer know whether or not their proposal would create a hazard and what constitutes a hazard in respect of this policy? It is suggested therefore that the policy should provide greater clarity to the type, size and/or location of development to which it is applicable.</p> <p>We note the Parish commitment to investigating opportunities to improve walking and cycling routes, in particular to the local school.</p> <p>In the section on justification for Policy T1 reference need to be made to the ‘East Staffordshire Borough Integrated Transport Strategy’ as delivering the LTP.</p> <p>Historic Environment</p> <p>S3.3. For completeness, when referring initially to Domesday Book it is advised that its date of first ‘publication’ be included in parenthesis; 1086.</p> <p>S3.4, line 4. For completeness, the area around Marchington was the focus of ‘assarting’ (the clearance of woodland) during the 13th/14th centuries presumably to create more open fields for agricultural purposes; moated sites are often accompanied by such activity. Two scheduled moated sites lie within the parish, while a third scheduled moat lies adjacent to the parish on its western extreme edge.</p> <p>S3.27. The historical significance of St. Peter’s Church is not specifically identified within the section on Built Heritage but could be considered here. The Church was designed by Richard Trubshaw and is mid-18th</p>	<p>Agreed in part. Define development as including, designated new housing sites, new buildings in the industrial estate.</p> <p>Agreed, reference to be included.</p> <p>Agreed, reference to be included.</p> <p>Agreed, reference to be included.</p>
---	-------------	---	--

	<p>century in date. It is Listed Grade II* and is thought to sit on the site of an earlier, medieval church which was mentioned at Domesday. The cemetery may also be of medieval origin.</p> <p>S.3.27. This section could also consider the potential historic significance of the remaining elements of the Marchington military camp. Some structures which belonged to the military camp are recorded on the Historic Environment Record (HER) and there remains the potential for further below ground archaeological remains to survive. While not of 'listable' quality, they should be considered as being of local historic interest.</p> <p>S3.32. This section rightly identifies that the majority of archaeological remains attest to Marchington's medieval agricultural heritage. There is evidence for earlier activity around the parish; the site of a possible Bronze Age barrow is recorded on the HER at Hound Hill, while a possible Iron Age enclosure or hill fort is recorded in woodland at Forest Bank attesting to occupation in the area prior to an possibly following the Roman conquest of Britain.</p> <p>Elsewhere, the course of the River Dove to the north of the settlement also suggests a degree of late prehistoric archaeological potential. While little has been found in this area to date, this is likely to reflect a lack of investigation rather than a lack of evidence. Elsewhere along Staffordshire's river valleys (including the River Dove at Uttoxeter) extensive evidence for late Neolithic - late Bronze Age ceremonial and burial activity along with Iron Age and Romano-British activity is found close to water courses. The south bank of the Dove as it extends through this parish has the same archaeological potential.</p> <p>S3.41. The consideration of the Marchington HECZ (completed in 2013 and updated in 2015) is noted. This section should also consider the Staffordshire Historic Landscape Characterisation (HLC) Project which informed the development of the Marchington HECZ. The Staffordshire HLC project was completed in 2006 and covers the whole of the county.</p> <p>S.3.75. This section should also consider the site of the Thorn Tree farm medieval moated site (PRN 00174) as a further possible constraint even though the moated site lies within Uttoxeter Rural parish. The moated site itself survives in part as a c.65m square enclosure with a series of flanking ditches and a possible second enclosure. As a scheduled site any development which will directly impact this site or impact upon its</p>	<p>Agreed, reference to be included.</p> <p>Agreed, reference to be included.</p> <p>Noted, but it is not possible to consider specific requirements for a site outside the Parish.</p>
--	---	---

		<p>setting is likely to require Scheduled Monument Consent. Early consultation with the Historic England Inspector of Ancient Monuments for Staffordshire would be strongly advised should this site be proposed for development.</p> <p>Policy BE1 A. It is advised that the policy should make provision for planning applications be accompanied in the first instance by a Heritage Statement which identifies the presence of designated heritage assets, addresses the wider historic character of the area and potential negative or positive impacts that the scheme may have upon the historic environment and considers proposals to best mitigate any negative impacts. The Heritage Statement could accompany the Design and Access Statement or be a standalone document and would inform detailed discussion regarding a scheme.</p> <p>Policy BE1 A. It is unclear what 'The Marchington Character Study' represents. Is this the Marchington Historic Environment Assessment (if not, this should be referenced within this policy) or does this reference the 'Landscape Character and Character Study around Marchington Village'.</p> <p>Policy BE1 B. The policy regarding historic farmsteads is to be welcomed. It is noted that the supporting text references the County Council's Historic Farmsteads guidance. It may also be of benefit to signpost developers to document on the web by including a hyperlink http://www.staffordshire.gov.uk/environment/eLand/planners-developers/HistoricEnvironment/Projects/Historic-Farmsteads.aspx</p> <p>Policy BE2 (Built Environment) and Policy BE3 (Archaeology) are welcomed as are the links drawn to relevant sections within the NPPF.</p> <p>Policy BE3 (Archaeology) might be amended to include reference to development proposals taking into account and seeking to minimise impacts upon the historic landscape character of the Neighbourhood Plan area. Historic Landscape Character (HLC) is a result of past land management regimes and plays a significant role in the areas unique character today. Proposals which impact upon the areas historic landscape character will impact upon the plan areas sense of place and its unique character.</p>	<p>Agreed, reference to be included.</p> <p>Disagree, an explanation is already provided.</p> <p>Noted</p> <p>Noted</p> <p>Agreed, reference to be included.</p>
--	--	---	--

	<p>Appendix 1 It is advised that a full table listing all designated heritage assets (i.e. Conservation Areas, Scheduled Monuments, (Listed Buildings) be included within Appendix 1. This should be supported by a map (or maps) clearly identifying the location of all heritage assets within the Neighbourhood Plan Area.</p> <p>Landscape Reference is made to the Needwood and South Derbyshire Claylands National Character Area (NCA), as produced by Natural England, describing landscapes at a national scale. In order to gain a full appreciation of the varied character of the Parish it would be beneficial to provide an overview of the landscape character types, as described in the County Landscape Character Assessment (2000): Planning For Landscape Change. For information the Parish straddles three character types; the majority falling within the character type Settled Plateau Farmland Slopes (subtype farmland) in the Needwood Claylands, and areas on the valley floor of the River Dove fall within the character type Riparian Alluvial Lowlands in Trent Valley Washlands. A small area on the southern fringes of the Parish falls within the Surveyor Enclosed Plateau Farmlands. The extent of the character types can be viewed at https://apps2.staffordshire.gov.uk/WEB/OnTheMap/NatureandWildlife Descriptions are available in Planning For Landscape Change, on the website: http://www.staffordshire.gov.uk/environment/eLand/planners-developers/landscape/NaturalEnvironmentLandscapeCharacterTypes.aspx</p> <p>Planning For Landscape Change also allocated policy objectives to landscape description units, based on an assessment of factors such as the presence (or absence) of characteristic features, condition of features, historic continuity, tranquillity. Marchington and the western half of the Parish, and the areas around Greaves Wood fall within areas with a landscape policy objective of Landscape Maintenance. This objective is indicative of high quality landscapes where, for example, characteristic features are well represented and in good condition, and there is good time depth. This would support an approach that seeks an emphasis on development being unobtrusive and not leading to loss of characteristic features. Areas within the Riparian Alluvial Lowlands are in less good condition, but are identified as an area of high</p>	<p>Agreed, to be included in separate appendix or in Parish Profile. Conservation Area to be shown on Proposals Map</p> <p>Noted, but this is already covered in an evidence document. Further descriptive material is not needed in the plan itself.</p>
--	--	---

	<p>sensitivity to change.</p> <p>There is reference in a number of the proposed policies generally to the need for development to not adversely affect the character of the area and this is welcomed. Policy NE1 is particularly supported as it reflects the overarching theme that development should be informed by and sympathetic to landscape character, and should contribute to enhancement of the local landscape.</p> <p>Ecology It is recommended that, to be more in accordance with the NPPF, Objective 3 be modified to read: Natural environment; protecting the landscape and its wildlife, at the same time as enabling agricultural change and enabling good quality access to the countryside.</p> <p>Policy NE2 is comprehensive in regard of nature conservation and reflects national and local policy. This proactive stance is welcomed. In s.3.33 it could be noted that Greaves Wood is ancient semi-natural and ancient replanted woodland, a remnant of the once extensive Needwood woodlands. The southern part of the Parish is part of the Staffordshire Biodiversity Action Plan Needwood Woods and Pastures Ecosystem Area where maintaining, enhancing and reconnecting woodland and wood pasture are priorities for the conservation of nature. The remainder of the Parish is found within the Central Farmland Ecosystem Area where proprieties include maintenance and improvement of habitat networks such as hedgerows, hedgerow trees, field margins, rivers and streams, ponds and species-rich grasslands. Most of these features are identified as important components of landscape character in the NCA.</p> <p>s.3.49 refers to re-development of an area of land with derelict barracks blocks. Any development will need to take account of the importance of the structures and associated habitats for bats and provide appropriate mitigation in accordance with legislation and NPPF and East Staffordshire Local Plan policy. Proposed policy SB2 should form appropriate guidance.</p> <p>In regard of Policy SB5 there is potential for sustainable drainage features to provide benefits for wildlife and amenity. This could be referenced as desirable in policy wording.</p>	<p>Noted</p> <p>Agreed, reference to wildlife to be included.</p> <p>Agreed, reference to Greaves Wood to be included.</p> <p>Agreed, reference to be included.</p> <p>Agreed, reference to be included.</p>
--	---	--

	<p>Suggested Policies</p> <p>Policy SB5 Infrastructure – Flood Prevention and Management. Whilst we applaud the principle behind this suggested policy, we do not feel it adds much to the existing policies in ESBC planning documents. What might be of use to the village, in terms of reducing flood risk, would be to ask for even more rigorous control of discharge of surface water from new development for those sites that contribute to the Marchington Brook catchment. Bearing in mind the historic incidents of flooding and the predictions of flood modelling, we can certainly provide evidence that there is an existing flooding problem which is related directly to the amount of flow in the river as it runs through the village.</p> <p>In these circumstances, it would not be unreasonable to include a policy that would restrict the flows from new development in the catchment back to the flow expected from a mean annual flood on the existing site. This would equate to around 2-5 litres per second per hectare for a green field site.</p> <p>Community Infrastructure Levy</p> <p>Mention is made of potential CIL funding coming to the Parish through ESBC and flooding is included as an example of what these funds might be used for. We would certainly be interested in working with the Parish in suggesting potential.</p> <p>Telecommunications</p> <p>We acknowledge the recognition in the plan to the importance of telecommunications technology. Invariably the provision of superfast broadband and mobile phone technology will involve physical infrastructure such as roadside cabinets, telegraph poles etc. We recognise the policy seeks to provide local context for the siting and design of such features. In other areas policy on provision of superfast broadband has also taken account of situations where development occurs before the superfast broadband is available in the locality. In such circumstances provision of appropriate ducting etc. during construction will eliminate the need for intrusive excavations at a later date to facilitate installation. An example of policy wording is given below.</p> <p>On sites allocated for residential and commercial development in the Plan all new properties should be served by a superfast broadband (fibre optic) connection. Unless it can be demonstrated through consultation with NGA Network providers that this would not be either possible, practical or economically</p>	<p>Agreed, alongside EA comments, existing policy to be retained but with reasonable and practical requirements to be added.</p> <p>To be considered as additional clause to Policy</p>
--	--	---

		viable. In such circumstances sufficient and suitable ducting should be provided within the site and to the property to facilitate ease of installation at a future date.	DP1 or Policy RE2
Sport England Maggie Taylor Principal Planning Manager 020 7273 1753 or 07795 603451	21/10	<p>Thank you for consulting Sport England on the above Plan. I have set out our comments below: Sport England supports the designation of the Local Green Spaces but has two concerns:</p> <p>1.The nearby tennis courts and bowling green are not protected? We would suggest these facilities should be protected along with the other playing field areas listed in CFOS3 as this would be consistent with NPPF Par 74. and ensure the NP policies protected all outdoor sports facilities. Part of our concern here is that the Bagshaw housing development site is adjacent to these facilities. Neither policy SB1 or H1 seeks to ensure there is no adverse impact on these sports facilities, the local open space policy does not protect them but they do fall within the village envelope. This could leave them vulnerable to either indirect impact from adjacent development or to loss from additional housing proposals.</p> <p>Sport England would therefore recommend that the tennis courts and bowling green (with associated access/ancillary facilities) should be included in the list of protected local green spaces in CFOS3 and that H1 should require development not to have an adverse impact on the functionality of the adjacent outdoor sports facilities.</p> <p>2. Policy CFOS3, final para., does not fully accord with NPPF. 74 – for example proposals which enhanced nature conservation but led to the loss of playing field would not comply with Par. 74 or Sport England’s duty/policy to protect playing fields. It is suggested that the final three bullet points are reviewed to ensure they fully meet the terms of NPPF Par. 74.</p>	<p>Agreed, these two sites/facilities to be added to Policy CFOS3 and a requirement added to H1 that any development should not affect the functionality of them.</p> <p>Agreed content of bullet points to be reviewed</p>
Landowners/Developers			
The Bagshaws (Walton Homes/JVH)	10/11	<p>We comment on the Draft Marchington Plan on behalf of Walton Homes Ltd on the basis that:</p> <p>1 The proposed development boundary. The development boundary is drawn so thickly it will be difficult to see where it is; refinement with a thinner line would assist as well as the amendment suggested below. The boundary at Yew Tree Farm is difficult to interpret from the Inset Map due to the thickness of the line. It should be drawn to include a small amount of land adjoining the original permission to allow that scheme to go forward on a viable basis taking into</p>	<p>Agree point on clarity, map to be re-drawn with thinner line.</p> <p>Disagree - extent of site to be considered taking account of heritage, flooding, landscape and recreation issues.</p>

	<p>account the heritage issues. This is shown on the attached plans.</p> <p>3.76 The land and buildings at The Bagshaws in the emerging Local Plan there is a suggestion for 10 houses and there is a previous planning permission for 5 houses. It is part within the settlement boundary and wholly within the Conservation Area. There is no impact on the rural setting of the village or open countryside and some limited development is favoured, subject to viability and a design to preserve and enhance the character of the Conservation area. This paragraph should be amended to deal with this point. We attach a plan to show the proposed boundary and the small extension sought which in our view makes a logical boundary. The scheme as submitted shows 13 units in total</p> <p>2 Compliance with the ESBC Plan. As the ESBC Plan has now been adopted, the policies from the 2006 Plan are revoked, this plan must reflect that situation.</p> <p>3 Past development. The conversions that have been allowed are often barn conversions and many are not in the village itself; the amount of new build has been very small 7 dwellings over 17 years within the whole area is negligible. Reliance on windfalls in the future will not bring any other planning benefits such as affordable housing, or community contributions.</p> <p>4 The Future. It is important that a reasonable amount of development takes place to support the existing village infrastructure particularly the school which it is noted is under capacity. The scheme that is submitted on the attached plan is a modest scheme on a site which is acknowledged within the plan to be a favourable location and is clearly sustainable in all of the ways required by para 7. of the NPPF at the centre of the village in a location that will result in the improvement to the heritage asset.</p> <p>5 Ongoing matters. It is noted from recent appeal decisions that where the District Councils cannot demonstrate a five year land supply, then the boundaries in the neighbourhood plans are also deemed not to be up to date. This has been recently considered in the recovered Secretary of State Appeal at Earls Barton at Thorpe Road (29th October) stating, “as there is not a 5 year supply of deliverable housing sites, the relevant policies for the supply of housing in the emerging EBNP [Earls Barton Neighbourhood Plan], including the proposed village</p>	<p>Disagree - the inclusion of 4/5 larger properties introduces character issues</p> <p>Agreed, the text of the plan will be updated.</p> <p>Noted, but this does not apply to ESBC where there is a 5 year+ supply</p>
--	---	---

		<p>development boundary, should not be considered up to date”.</p> <p>The decision was published one day before the Neighbourhood Plan referendum – an ‘advanced stage’ according to the PPG. JVH 10th November. (Plan also attached).</p>	
The Bagshsaws (S Egerton)	11/11	<p>Further to the response made by JVH planning. I would also like to comment that the proposed schemes economic viability is materially hampered by the detrimental barn conversion conditions and their size.</p> <p>To enable development interest, it has proven necessary to increase the site unit numbers slightly. It is also my professional view that the current draft proposal and site could be extended slightly further, by an additional 2 dwellings of a single storey construction to the benefit of the village and wider community.</p> <p>Please note that the proposal is only in a draft format and is yet to have commitment from all respective parties.</p> <p>Regards Stephen (Egerton)</p>	See above
Former Barracks (Barton Willmore/Evans) JONATHAN PORTER Senior Associate Planner		<p>Please find below representations on the above document on behalf of Evans Property Group who own the former Marchington Barracks site.</p> <p>We generally support the aspirations of the draft Neighbourhood Plan (NP) to encourage the appropriate redevelopment of the Barracks site, including for housing. We agree that it provides the opportunity to deliver significant benefits for the neighbouring community of Forestside and village as a whole.</p> <p>The redevelopment of a redundant brownfield site for housing is in accordance with the core policies of the NPPF and the thrust of current Government thinking on the urgent need to tackle the national housing crisis.</p> <p>The adopted East Staffordshire Borough Council Local Plan is largely silent on ideas for the Barracks site, which is not identified for any particular use. The only reference, is in the Vision for the Rural Areas on page 53 which says that: “Major redundant sites and remaining underutilised parts of the former military camps in the countryside will have been brought into suitable new uses to improve the environment and/or diversify the rural economy where appropriate, or restored to open landscaped countryside”.</p>	The contextual comments are noted and welcomed

	<p>It therefore makes sense for the NP to provide policy which can help to deliver the redevelopment of the Barracks in accordance with ambitions of the Government and Vision in the Local Plan. The Local Plan Inspector has essentially supported the responsibility of the NP on this level, by not accepting ESBC’s proposed changes to the settlement boundary and instead preferring to leave such decisions to the NP.</p> <p>The Proposed Planning Application Evans Property Group is currently preparing an outline planning application to demolish the existing barrack buildings and redevelop the site to provide about 50 dwellings with public open space and improved pedestrian linkages to the surrounding area.</p> <p>A public exhibition was held in Marchington village hall on the 3rd November on the initial proposals which included a draft concept masterplan a copy of which is enclosed.</p> <p>Around 600 local addresses were invited to the exhibition, which was well attended by about 120 people, including residents from Forestside.</p> <p>The principle of the proposed development received overwhelming support. Although there was some concern expressed about existing traffic speeds and the safety along Stubby Lane and surface and foul water drainage, which will need to be satisfactorily addressed by the planning application. Initial assessments indicate that these are not insurmountable constraints to the proposed development.</p> <p>Policy SB2 and Marchington NP Inset Map</p> <p>We generally support Policy SB2 which provides for a long term redevelopment solution for the former barracks buildings which could include residential use subject to certain criteria. We consider that the majority of the criteria are reasonable and could be met by the current draft proposals.</p> <p>However, we do have reservations about the requirement for “an innovative approach to sustainable design and construction”. This is somewhat contrary to the direction of travel of the national approach to sustainable standards which is now relying on gradual improvements through</p>	<p>Noted, may need to be agreed (reluctantly) see also ESBC, may not be relevant if reference to possible housing is removed.</p>
--	---	---

		<p>Building Regulations, rather than a separate policy. Anything more stringent will have cost implications for the redevelopment of the site which will already have the cost of demolition and possible decontamination, affordable housing and providing large areas of public open space.</p> <p><u>Local Green Spaces</u></p> <p>Policy SB2 and the NP Inset Map propose that the former sports field behind Forestside and an area of woodland at the front of the Barracks site is designated as a Local Green Space. Evans Property Group understands the logic of more formally recognising the historic sports field in this regard and broadly supports it as an aspiration within the timeframe of the NP (by 2031).</p> <p>However, the extent of the area indicated for Local Green Space could only successfully be delivered through a comprehensive redevelopment of the Barracks site and possibly also development of the wider Military Depot Area. The current proposed development of around 50 dwellings could not alone afford to gift the suggested area of Green Space or contribute towards the management of such a large space (e.g. through a private management company or a commuted sum to the Borough or Parish Council). Further consideration is required of the practicalities of this. It could be that it would be necessary to pool contributions from the wider Military Depot Area including the industrial estate.</p> <p>As a point of detail, we also consider the area shown on the northern corner of Forestside should be narrowed to allow for the possibility for some development to provide natural surveillance of the proposed landscaped link between Forestside and the new development (see enclosed Concept Plan).</p> <p>We hope that the above comments are helpful. Please let us know if you require any clarification or further information about the proposed planning application.</p>	<p>It is reasonable to consider operational issues, but they are not to the planning principle of LGS designation. The extent of the woodland involved in the area to be designated will need to be considered.</p>
<p>Mr Clark (Land at Jacks Lane)</p>		<p>Confirmed that he is the owner of the land at Jacks Lane (SHLAA Ref. 115) and is not represented by John Wren (Planning). He does not wish to see the land proposed for development.</p>	<p>Agreed, the Plan and housing sites assessments document will be amended</p>

<p>Jacks Lane (William Davis)</p>	<p>9/11</p>	<p>Thank you for providing me with a copy of the draft Neighbourhood Plan. I set out comments on behalf of William Davis Ltd below:</p> <p>Paragraphs 2.6-2.16 - the Development Plan This section of the Draft Neighbourhood Plan was clearly drafted prior to the receipt of the Inspector’s final report on the East Staffordshire Local Plan, and the formal adoption of that Plan on 15th October 2015. Although the text refers to an outstanding objection by the Parish Council to the development limits prescribed for Marchington in the Local Plan (in respect of land at Jacks Lane). The final adopted Local Plan endorses these development limits without further modification (under Strategic Policy 2). It is incumbent upon the Neighbourhood Plan to therefore carry forward these limits, and to potentially add to or extend them (under the terms of Neighbourhood Policy 1) but not to delete areas from them. To do so would not be in general conformity with Strategic Policy 2. The Neighbourhood Plan would then fail against one of the basic conditions.</p> <p>Policy SB1. The Neighbourhood Plan should therefore include land at the Jacks Lane frontage (as identified below) as one of the locations for future residential development under Policy SB1. William Davis consider that this site could accommodate up to 5 dwellings and so could replace that currently identified at Thorn Tree Farm, if it is decided to allocate no more than 15 dwellings to specific sites. The Thorn Tree Farm site is more sensitive due its existing grade 2 listed farmhouse and barn and relationship to the Conservation Area. We also note that the results of the local exhibition held on 28th March 2015 (reported at paragraph of 4.32 of the Draft Neighbourhood Plan) demonstrate more support for the Jacks Lane site (23%) than the Thorn Tree Farm Site (9%).</p> <p>William Davis considers however, that the enlarged site at Jacks Lane (as promoted for development under planning application Reference P/2015/00266) constitutes a more suitable option for allocation to meet the entirety of the development requirement for the village. It is important to note that although this planning application was refused planning permission by ESBC only one policy based reason was given for the refusal (relating to conflict with the Countryside policy boundaries in the Local Plan). The application was not deemed to be unacceptable in respect of</p>	<p>This is a matter of opinion and not fact, it will be considered alongside comments from ESBC.</p> <p>To be considered alongside ESBC comments on the settlement boundary and the Local Plan</p> <p>Disagree. This is clearly contrary to local opinion, the results of the sites and character assessment and the adopted Local plan</p>
---------------------------------------	-------------	---	--

		<p>other technical matters (highways/drainage) or environmental matters (including landscape, heritage and ecology). Contrary to what is noted at paragraph 3.74 of the Neighbourhood Plan the Planning Officer's report did not advance any concerns regarding impact on the character or setting of the village. It is submitted, therefore, that the application site ref P/2015/00266, as shown in black on the plan above, should be allocated for residential development under Policy SB1.</p> <p>John Coleman Dip TP, MRTPI (William Davis) Planning Manager 01509 638370 or 07710 998468 john.coleman@williamdavis.co.uk</p>	
<p>Thorntree Farm (Bagshaws, Uttoxeter Malcolm Gale, MRICS, FAAV, FLAA).</p>	<p>9/11</p>	<p>Re: Marchington Neighbourhood Development Further to the Pre-submission Draft Consultation Document issued as at September 2015, I would comment as below on behalf of my clients Mr & Mrs Taylor of Thorn Tree Farm.</p> <p>With regards to the Policy proposed under SB1, it is noted that there is a proposal for up to five units at Thorn Tree Farm provided that it meets certain criteria which are laid out within that Policy. When considering the proposal along with the proposed inset map showing the proposed area, I would raise the following points.</p> <ol style="list-style-type: none"> 1. There is a requirement within the Policy SB1 to ensure that there is no adverse impact on the conservation area, the listed buildings or on the character and functionality of the footpath which runs through "The Dingle". Having looked on site, I am concerned that the proposed location for any development is shown as being on the farmyard site itself which lies adjacent to the conservation area albeit just outside of it but will impact upon the listed building of Thorn Tree Farm, the farmyard nature and is also close to "The Dingle" which could cause issues moving forward. This, when considered with the current access to Thorn Tree Farm, would suggest that the requirements of the Parish Council could be better met by moving the proposed area to the North in the field adjoining the farmstead which would mean that any development allowed would be further divorced from the conservation area and also far enough away from the listed buildings to mean that any impact would be considered as negligible. 	<p>To be considered alongside ESBC comments on the settlement boundary and the Local Plan</p>

		<p>2. When looking at the proposed revised area as identified on the attached plan, it should be noted that the field is gently sloping being south facing and that the area identified is only overlooked by three or four properties. It is considered that the topography allows some development to be carried out within the field without impacting unduly on the character and nature of the immediate area. There is approximately a five metre difference in height falling from the proposed Northern boundary to the Southern edge of the field which would help any development sit less obtrusively within the surroundings.</p> <p>3. With regards to site access, it is felt that the current access to Thorn Tree Farm would not be best suited for the proposed additional traffic flow and therefore it would be suggested that access was taken off Allens Lane at a point to be agreed but possibly opposite the Allens Croft junction. Whilst we do not have any study evidence in respect of traffic flow along Allens Lane, local knowledge suggests that the lane is not particularly “busy with traffic” as identified under 3.57 of the Consultation Document and that main traffic flows are when it would be expected, namely at the start and finish of the working day.</p> <p>4. Finally, whilst it is understood as to the reasoning behind the proposal for five units at Thorn Tree Farm when considering this alongside the development of up to ten units at “The Bagshaws”, it is felt that consideration should be given to the viability of a development of only five units and it is therefore suggested that additional flexibility be built in to the Plan to allow for up to ten units at this location which could be accommodated within the site area to be agreed.</p> <p>In summary therefore, the suggested alterations to the proposals will, in our opinion, achieve what is required by the Parish Council whilst allowing for a viable development and at the same time, meeting the requirements within the Proposed Policy numbers SB1 and BE1. Obviously I would be happy to discuss this matter further if required but in the meantime, I submit the above for consideration.</p>	<p>As above</p> <p>As above</p> <p>As above</p>
Industrial Estate (GVA Bilfinger)	10/11	MARCHINGTON NEIGHBOURHOOD PLAN PRE-SUBMISSION DRAFT FOR CONSULTATION: SEPTEMBER 2015 COMMENTS ON BEHALF OF	

	<p>HORTONS' ESTATE</p> <p>Bilfinger GVA is instructed by Hortons' Estate Ltd ("Hortons") to provide town planning advice in respect of the Marchington Industrial Estate ("the Estate") and submit representations to the draft Neighbourhood Plan. We welcome the opportunity to contribute to the process.</p> <p>Our client has serious concerns about the strategy set out in the draft Neighbourhood Plan and Policy SB2 in particular. We consider that the Plan fails to meet the basic conditions in the Localism Act 2011 and accordingly it is not capable of progressing to a referendum. This letter explains the context and nature of the concerns in full.</p> <p>MARCHINGTON INDUSTRIAL ESTATE – HISTORY AND OVERVIEW</p> <p>The Estate is controlled by Hortons, an independent Midlands based property company founded in 1892 by the Horton family. The company has a range of employment premises which it manages for the benefit of local and national businesses, workforces and shareholders.</p> <p>The Estate is marked as 'Military Depot Area A' in the Draft Neighbourhood Plan. It extends to approximately 28.5 hectares and accommodates over 30 buildings, some of which are subdivided to create separate units. There is more than 1.3 million square foot of floorspace in units ranging from 300 square foot (28 square metres) to 645,000 square foot (59,923 square metres). The units fall within Use Classes B1 (business), B2 (general industrial) and B8 (storage and distribution) of the Town and Country Planning Use Class Order.</p> <p>Hortons took control of the Estate from its previous owners, CBRE Investors, in 2013. Since that time, the company has sought to support the existing businesses on the Estate, e.g. Wincanton (on behalf of Screwfix) and DHL (on behalf of Coors). It has also sought to attract new employers by improving the quality of the premises. By way of example, Hortons recently secured a planning permission to demolish two dilapidated units and replace them by a bespoke building for use by Britt European (on behalf of JCB).</p> <p>The Estate was originally owned and occupied by the Ministry of Defence (MoD). The last military use was for the storage, service and repair of military vehicles and. This ceased in the late 1970s. The</p>	<p>Disagree (see below)</p> <p>Noted. Update background material will be added to the descriptive material in the Plan.</p>
--	--	---

	<p>civilian use of the site was established under a consultation procedure between the Borough Council and the MoD's Property Services Agency. As there is no original planning permission for the change of use of the site from military to civilian use, there are no conditions restricting the use of the Estate as a whole. Accordingly, the Estate can operate, to a large extent, without restrictions on:</p> <ul style="list-style-type: none"> - outside storage of materials and goods; - outside working; - 24 hour operation of units; and - 24 hour deliveries to and from the Estate. <p>Numerous planning applications have been lodged in respect of the Estate over recent decades and, in some cases, the Local Planning Authority (LPA) has attached conditions on the grant of permission to restrict some of the activities listed above, in respect of specific buildings. The LPA is able to control future operations, if required to do so i.e. by attaching conditions to restrict use if a proposal has the potential to have an adverse impact on traffic or the amenity of residents in the vicinity of the site. Many proposals (e.g. like-for-like replacements of buildings) are unlikely to generate adverse impacts and do not require the LPA to attach restrictive conditions.</p> <p>The Estate is an important source of local employment and this is recognised by the LPA in its newly adopted Local Plan. Policy 14 of the Local Plan deals with the rural economy and advises that employment development will be allowed within rural industrial estate boundaries (such as Marchington) provided that proposals do not unduly affect the character of the settlement or amenity of neighbouring properties and will not detract from the environment.</p> <p>Statutory Context. In accordance with the Localism Act 2011, a draft Neighbourhood Plan must meet each of a set of basic conditions before it can be put to a referendum and be made. The basic conditions state that a Neighbourhood Plan must:</p> <ul style="list-style-type: none"> a) be in general conformity with the strategic policies in the development plan (i.e. the East Staffs. Local Plan in this case); b) contribute to the achievement of sustainable development; c) have regard to national policies and advice such as the National Planning Policy Framework (NPPF); and d) be compatible with European obligations and human rights requirements. 	
--	--	--

	<p>In subsequent sections of this letter, we consider the extent to which these basic conditions have been met by the draft Marchington Neighbourhood Plan.</p> <p>The Development Plan. The East Staffordshire Borough Council Local Plan was adopted on 15 October 2015. It is now the starting point for determining planning applications. It also provides the context for considering whether the basic conditions of the Neighbourhood Plan have been met. The Plan contains ‘Strategic Policies’ and ‘Detailed Policies’. The policies of most relevance to the Estate are as follows. Strategic Policy 1 (sustainable development) advises that proposals will be assessed against the ‘presumption in favour of sustainable development’. The policy lists several criteria which define the LPA’s definition of sustainable development. Proposals must, for example:</p> <ul style="list-style-type: none"> -be located on, or with good links to, the strategic highway network, and should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of open countryside; - be designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping; and - demonstrably help to support the viability of local facilities, businesses and the local community or where new development attracts new businesses and facilities to an area this does not harm the viability of existing local facilities or businesses. <p>Strategic Policy 2 (settlement hierarchy) advises that development will be directed to the most sustainable locations in accordance with a settlement hierarchy, with the main towns (Burton and Uttoxeter) at the top, followed by Tier 1 ‘Strategic Villages’, Tier 2 ‘Local Service Villages’ and then Tier 3 ‘Small Villages and Other Settlements’. Marchington is defined as a Tier 2 settlement. Strategic Policy 4 (distribution of housing growth) advises that Marchington has a requirement for 20 dwellings over the plan period to be delivered within the defined settlement boundary or in accordance with a ‘made’ Neighbourhood Plan.</p> <p>Strategic Policy 14 (rural economy) provides support for new employment development within the rural industrial estates (including Marchington) so long as proposals do not unduly affect the character of the settlement or amenity of neighbouring properties and will not detract from the environment.</p>	
--	---	--

	<p>Strategic Policy 27 relates to flooding / drainage. It advises that proposals in flood risk areas, or proposals which would affect such areas, will only be permitted where they would not cause unacceptable harm. The Borough Council will require a Flood Risk Assessment (FRA) in areas at risk of flooding (land within Flood Zones 2 and 3) and of proposals that have the potential to generate significant volumes of surface water runoff due to their size.</p> <p>Strategic Policy 35 deals with traffic. It requires that appropriate infrastructure measures to mitigate any adverse effects of development traffic and other environmental and safety impacts are included where necessary. It also advises that developments which are likely to have an impact on the wider highway network should be accompanied by a transport assessment which clearly sets out how the likely impacts of the development will be addressed.</p> <p>Part A of Draft Neighbourhood Plan Policy SB2 (Development Within The Proposed Former Military Depot Development Boundary)</p> <p>The Draft Neighbourhood Plan makes reference to the Estate throughout. The Plan is accompanied by an Inset Map which identifies the Estate as 'Military Depot Area (A – Industrial Estate)'. The land directly to the south is identified as 'Military Depot Area (D – Former Barracks)'. Beyond this is land identified as Open Space (Area C) and Forestside Residential Area (Area B). A new development boundary is proposed around these four parcels of land. In effect, the draft Plan is proposing the creation of a new settlement boundary on land that is physically separate from the existing settlement boundary of Marchington.</p> <p>Part A of the policy relates specifically to the Estate. It states: "Appropriate development will be permitted within the development boundary of the former military depot where it is necessary for the continued successful operation of the industrial estate and will not lead to problems in terms of:</p> <ul style="list-style-type: none"> - increased traffic beyond the capacity of local roads; - adverse impact on nearby housing; - increased risk in terms of flooding from surface water run-off." <p>In the paragraphs below we explain why this policy fails to meet the basic conditions in the Localism Act and why a policy of this nature is unnecessary.</p> <p>Appropriateness / Need. The draft policy states that appropriate development will be permitted within the Estate where it is necessary for the continued</p>	<p>Disagree. The clear intent is that a development boundary is different to a settlement boundary.</p>
--	--	--

	<p>successful operation of the Estate. We highlight the words ‘appropriate’ and ‘necessary’ because they introduce tests that go far above and beyond the tests in the Local Plan. Policy 14 of the Local Plan supports employment development (including extensions to existing premises) at the Estate. Employment use is therefore acceptable at the Estate, as a matter of principle. Policy SB2 as currently drafted could be used to resist proposals deemed ‘not appropriate’ even if they are for employment use. Accordingly, the Neighbourhood Plan is not in general conformity with the Strategic Policies of the Local Plan, in this regard. Policy SB2 as currently drafted would require an applicant for planning permission to demonstrate that a proposal is necessary. There is no policy support at national level or in the Local Plan for requiring applicants to demonstrate ‘need’ for employment uses. This part of the Neighbourhood Plan is not in general conformity with the Strategic Policies of the Local Plan.</p> <p>Residential Amenity / Traffic / Flooding Several years ago, operations undertaken at the Estate (i.e. noise associated with processing of timber) generated complaints from residents in the village. However, those particular operations no longer occur at the site and, since Hortons has acquired the Estate, the company has not been made aware of any significant concerns from residents regarding the operation of the Estate. The Council’s Planning, Environmental Health and Highways Officers have not raised any concern in recent years and they appear to be satisfied with the operation. In the absence of any evidence to the contrary, we conclude that the Estate has no significant adverse impact.</p> <p>The Estate is viewed by the Borough Council as an important part of the employment land provision that the authority is obliged to maintain. The economic merits of the Estate should therefore be given significant weight in the determination of future planning applications. The operation of the Estate is largely unrestricted and there is significant scope for the tenants and activities on site to change without the need for planning permission. This is the context within which proposals for the site must be considered. Notwithstanding this position, Hortons endeavours to be a ‘good neighbour’ at all times and it is mindful of the potential impact that the Estate could have on residents in the vicinity of the site. If, as part of any future planning application, Officers of the Borough Council consider it necessary to investigate</p>	<p>Disagree. The comments acknowledge that the industrial estate is a large site which inevitably has an impact on the area. It is quite reasonable, within the imitations existing user and permitted development rights, that local (NP) policies are applied to the site.</p> <p>Consideration could be given to replacing the words “necessary for” with “related to”, the former was never intended to require a proof of need.</p> <p>Noted</p> <p>Noted</p>
--	---	---

	<p>matters relating to traffic, residential amenity (noise) or flooding, Hortons will respond accordingly and include mitigation measures in schemes as required. The recently adopted Local Plan contains policies that deal specifically with the Estate and amenity, transport and drainage issues. Officers can request technical reports if necessary in accordance with these policies and they can control future operations at the Estate (through conditions) if the technical evidence shows that this is required. The ‘planning controls’ referred to on page 49 (paragraph 2) of the Neighbourhood Plan are already in place and it is unnecessary for the Neighbourhood Plan to repeat policies that already exist.</p> <p>We conclude that the Estate provides a source of local employment; that there is existing policy support for industrial development on the site and that the economic merits of the site should be given significant weight in the determination of any future proposals. The operation is largely unrestricted and there is significant scope for the tenants to change without the need for planning permission. No complaints have been generated by the Estate in recent years and the reference in draft Policy SB2 to potential traffic, amenity and flooding problems is misleading. Most proposals for new development (e.g. like-for-like replacement of units) are unlikely to create perceptible impacts for residents in the vicinity. However, if necessary, there are existing provisions in the Local Plan that would enable Officers to request technical evidence to demonstrate the impacts of development.</p> <p>Policy SB2 Part A introduces the policy tests of appropriateness and need which go far above and beyond what is required by Policy 14 of the Local Plan. Accordingly, the Neighbourhood Plan is not in general conformity with the Strategic Policies of the Local Plan; it does not meet the basic conditions of the Localism Act; it is unnecessary; there is no robust justification for its inclusion and we therefore respectfully request that it is removed.</p> <p>General Comments Regarding Draft Policy SB2 As noted above, the draft Plan proposes a new settlement boundary around the Estate and other land to the south. It proposes that new housing could be provided on the former barracks land in lieu of new housing in the village of Marchington itself. This strategy completely contradicts the strategic policies in the recently adopted Local Plan which seek to</p>	<p>Disagree, see comments above,</p>
--	--	--------------------------------------

		<p>locate new development in existing settlement boundaries (Local Plan Policies 1, 2 and 4). The former barracks site is isolated from the main settlement and developing it for residential use is unlikely to contribute to the achievement of sustainable development. For these reasons also, we consider that the draft Neighbourhood Plan fails to meet the basic conditions in the Localism Act.</p> <p>Other Observations Page 26 (second bullet point) refers to the conclusions of a Character Study. In respect of the former military area it states: “The study has highlighted the extent to which this remains in ‘limbo’ with the extensive site of the former barracks block becoming increasingly derelict over [sic] and detracting from the functioning of the industrial estate...” It is unclear why the text refers to the former barracks block detracting from the functioning of the Estate. We would request that this is clarified.</p> <p>Conclusion For the reasons set out in this letter, Hortons is concerned by the strategy set out in the draft Neighbourhood Plan and Policy SB2 in particular. The draft Neighbourhood Plan fundamentally contradicts the Strategic Policies of the Local Plan and fails to meet the basic conditions that must be met prior to a referendum and making of the Plan.</p> <p>We would be grateful to receive confirmation of receipt of this letter and thereafter be kept fully informed of the progress of the Neighbourhood Plan. We would be happy to discuss this matter further and can be contacted using the details provided above. Catherine Mumby BA (Hons), MA, MRTPI Senior Planner - Planning, Development & Regeneration For and on behalf of GVA Grimley Ltd</p>	<p>Disagree, see comments above and consideration of ESBC comments.</p> <p>Disagree. The NP does not introduce a new settlement boundary</p> <p>Disagree. The NP is explicit that the dwelling requirement will be met on sites within the village</p> <p>Noted. Clarification will be added</p>
<p>MJ Barratt & Scintarea Janet V. Hodson, BA (Hons), Dip. TP. MRTPI. Thomas W. Beavin, MTCP (Hons). MRTPI.</p>	<p>10/11</p>	<p>We comment on the Draft Marchington Plan on behalf of M J Barratt and Scintarea Ltd on the basis that: 1 Policy SB3 This policy deals with development proposals outside the defined boundary of Marchington Village and is welcomed but it is suggested that the policy could be framed to include low cost market housing and specific sites that could be redeveloped under this Policy. We suggest the following Policy SB3 Development outside the Marchington Village Settlement Boundary and the Former Military Depot Development Boundary (objectives 1, 2 & 3) Proposals for small scale new housing development outside the</p>	<p>Disagree. This is not necessary the policy as worded complements those in the recently adopted ESBC Local Plan</p>

		<p>Settlement Boundaries will be permitted if it is demonstrated that:</p> <p>a) the development is on a small site and would provide affordable housing for evidenced local need or low cost market housing for local needs. Small numbers of market homes may be permitted where this is essential to enable the delivery of affordable units and low cost housing for local needs</p> <p>b) development preserves or enhances the character & appearance of the area,</p> <p>c) where relevant, the development brings redundant or vacant historic buildings back into beneficial re-use.</p> <p>d) where the proposal uses previously developed land.</p> <p>e) Specific sites include the Site of the Blacksmiths Arms gardens and car park and any others to be named</p> <p>2 It would be helpful if the plan acknowledges that limited housing on small sites outside the settlement boundaries can be supported and it is suggested that the policy SB3 specifically refers to the site of the Blacksmiths Arms and to any other sites that are specifically known to the plan makers. This support would assist in bringing the sites forward and making sure that buildings and sites do not become derelict and a source of concern to the Village and the nearby dwellings. It is noted that in recent time the Blacksmiths site was recently occupied by an unauthorised encampment and that such occupation can lead to local concerns.</p> <p>An exhibition and questionnaire was undertaken in regard to this specific proposal in Marchington Village Hall in Summer 2014. There was a high degree of support for the proposal both verbally and written. We are willing to share this information with the Plan Making Team as it a further insight into the development requirements of the area, and which were specifically focussed on a brown field site.</p> <p>JVH 10th November 2015.</p>	<p>Disagree (see above). This would be tantamount to a specific site allocation, outside the settlement boundary, which would conflict with the recently adopted Local Plan</p>
<p>Denstone Prep. Jeremy Gear Headmaster Denstone College Preparatory School Smallwood Manor Uttoxeter ST14 8NS 01889 562083</p>	<p>13/10 30/9</p>	<p>13/10 Governors have put the plan on the back burner for now. We may return to it in the future. Jeremy Gear Headmaster</p> <p>30/9 Many thanks for sending the plan to me. I've skimmed through it and will look into it in greater detail in due course. However, I wonder if you may be interested and could possibly even advise me on an idea that we have here regarding selling one of our fields for residential development. If you would like to discuss this further do let me know and perhaps we could meet up and explore matters further. Jeremy Gear Headmaster</p>	<p>Noted, no implications for the NP.</p>

Appendix 8 ESBC Comments on Consultation Draft (SG responses in Red)

General

1. In general, any reference to the Local Plan should reference the Local Plan as now being adopted and the 2006 Plan policies have been revoked. Table 1(Policy Summary) will need to be amended, “Saved Policies” deleted from the Glossary, and the last sentence in the “Local Plan” definition in the Glossary also needs to be deleted. **All agreed**

Concerns with Policy SB2

2. With a recently adopted Local Plan and a clear demonstrable 5 year housing land supply, the Council believes it is essential that the development strategy it has had endorsed by an independent Inspector is not undermined. Policy SP2 sets out this development strategy, and SP4 expands on how it will be achieved in terms of housing provision. Both these policies are strategic in nature and essential to the delivery of the Local Plan. Policy NP1 of the Local Plan sets out which policies are regarded as strategic.

3. As currently drafted, ESBC does not believe that Neighbourhood Plan Policy SB2 meets Basic Condition (e) - that the neighbourhood plan is in general conformity with strategic policies contained in the development plan for the area.

4. With regard to the area marked (D) on the Inset Map, a major housing development is not an acceptable use on this unsustainable site. Policy SP2 clearly states that development should be concentrated within (defined) settlement boundaries, and sites outside these boundaries will be treated as open countryside, where development will be permitted only in exceptional circumstances.

5. The site does not meet any of the criteria in Policy SP8 for uses acceptable in the countryside.

6. The site does not meet any of the criteria in Policy SP18 for Exception Sites outside settlement boundaries to provide housing to meet evidenced need for affordable housing or traveller pitches.

7. The site lies well outside a settlement boundary – not even adjacent - and would suffer from a severe lack of facilities. None are planned for the development, and there are no existing ones nearby. The site is physically separate from the village, whose facilities are limited. Whilst it is reasonably close to Forestside, this estate, too, has only very limited facilities. From this location nearly all journeys (to schools, to shops etc.) are likely to be made by car.

8. ESBC also notes that the boundary of site (D) indicated on the Inset Map is very different to that shown in the recent consultation on proposed development on this site undertaken by Barton Willmore. In the Plan, the area covered by (D) is greater than that shown on plans shown by the agents for this site.

9. Marchington Industrial Estate (site A) is designated in the Local Plan as a rural industrial estate, with a boundary, and is therefore subject to Policy SP14. This Policy is broadly supportive of new employment development within the site, subject to not unduly affecting the amenity of neighbouring properties or detracting from the environment, and being in accordance with other Development Plan policies. If the Parish wished to have a

Neighbourhood Plan policy on this site, it would need to be in accordance with this, and should not add unrealistic or onerous requirements. It should be noted that policy NP1 indicates that policy SP14 is strategic and that conforming with it is necessary to meet basic conditions.

10. ESBC has no objection to the proposal to designate an area adjacent to Forestside as Local Green Space, as long as it meets the criteria set out in para 77 of NPPF, and the owner of the land has been consulted.

11. The Borough Council recognises that if the NP wishes to allocate further growth to the village of Marchington which is over and above that set out in the Local Plan then it can. Policy NP1 provides the framework to ensure that additional sites coming forward conform to the Borough Council's Local Plan strategy. Our suggestion is that a discussion needs to take place very quickly following the receipt of our comments to ensure that future work adheres to this framework. **To be discussed**

Policy SB2 Need for an SEA

12. As the Policy currently stands, it will require a Strategic Environmental Assessment (see separate SEA Screening Report). This is because the Environment Agency has replied with the view that, because of the former uses on the Military Depot site, an SEA is required to determine "any environmental impacts associated with the historic land use and any risks to groundwater from the remobilisation of underlying contamination of the soil." This is a specific environmental issue on a specific site, and the Council lays great weight on their recommendation.

12. The SEA would need to be scoped to focus on the issue raised by the Environment Agency. A scoping report will need to be produced, on which the 3 statutory consultee bodies will need to be consulted for a period of no less than 5 weeks. It is usual for the full Environmental Report to be consulted on at the Regulation 14 stage.

Policy SB2 Conclusion

13. We acknowledge what the Parish are trying to do with regards to setting a positive framework for any future planning applications that may come forward and we welcome NPs planning for more (housing) growth than in the Local Plan but believe that any growth should be in line with our development strategy, as set out in Local Plan Policy SP2.

14. It is strongly recommended that the Neighbourhood Planning Group re-consider this Policy in order that it meets Basic Condition (e). This could still result on a Policy for site (D), perhaps laying down criteria to be met by any proposal to develop this site, (bearing in mind the possibility of a Local Green Space adjacent) but not allowing for residential as a potential use. A re-drafted policy would need to be re-screened for SEA purposes, but a policy with criteria for planning applications to meet, rather than allocations for certain type of uses, may not require an SEA. **To be discussed**

Other comments

Para 2.9 The Jacks Lane decision has resulted in a refusal of pp, although there may be an appeal or submission of an alternative scheme. The refusal of permission on this site was only in relation to the encroachment of the proposal outside the Settlement Boundary (SB)

as defined in the then emerging Local Plan. It was not refused on the basis of the emerging NP or ongoing discussions on flooding. Should an application come forwards in this location that is in conformity with the Local Plan P SB then the original reason for refusal will be overcome and would be supported by ESBC. **Noted**

Para 2.10 Delete whole paragraph, out of date. **Agreed**

Para 2.11 The quotation of Policy SPX (now policy NP1) from the Local Plan omits P1 – Principle of Sustainable Development and SP1 – East Staffordshire Approach to Sustainable Development from the list of strategic policies. **Agreed**

Para 3.1 There is some confusion as to the name of the Parish, sometimes referred to as “Marchington” and at others called “Marchington & Marchington Woodlands”. Whatever is the official title should be used throughout. **Agreed**

Para 3.29 Delete. **Agreed**

Para 3.30 Add “published by ESBC.” after “These are all listed in the 2015 Conservation Area Appraisal”. **Agreed**

Para 3.34 Spell out NERC in full. **Agreed**

Para 3.44 Whilst the original has the typo in too, it may be wise in quoting para 7.4 of the CA Appraisal to amend “pubic footpath” to “public footpath”. **Agreed**

Para 3.61 This paragraph appears to state that Marchington (which has some facilities, though not many) is not suitable for (much) further development, yet “development in nearby settlements such as Birch Cross...” (which is a tiny hamlet with no facilities apart from a pub) “...should be seen as sustainable development”. This seems to encourage development at Birch Cross, etc. Para 7.5 seems to contradict this view, however, and perhaps 3.61 needs some tweaks to make its meaning clearer and bring it into line with 7.5. **Agreed**

Para.7.7 penultimate sentence - “...no need for a development boundary around HMP Dovegate.” **Agreed**

Policy SB1 Justification refers to Policy H1 rather than SB1, and Policy H2 instead of SB3.

Extract from ESBC LP Inspectors report:

67.16 At the same time, there is no evidence of insurmountable planning constraints on the proposed village extensions whilst there is known developer interest in further housing proposals in Marchington. On balance, it is appropriate that the development requirement and the site boundary remain as submitted, given the development allowance is not a prescribed minimum quantity in any event.

Therefore, ESBC adopted the Local Plan incorporating the Settlement Boundary amendments as proposed. Policy NP1 is clear that NPs can extend settlement boundaries and go for more growth than in the Local Plan. Any additional growth will be assessed by the Council against the development strategy, for the purposes of meeting the Basic Conditions. The Neighbourhood Plan should therefore reflect the settlement boundary as adopted in the Local Plan, or propose to extend it if further housing is being proposed. **To be discussed**

Policy SB4 – Has HM Prison Service been consulted? Add: “...no materially adverse impact...” It might be difficult to assess ‘reduction of security’ as part of a planning application. **Noted – governor consulted, but no response – to be followed up.**

Policy H1 – (i) visual intrusion might need further definition – outlook/overbearing? **Noted**

Policy BE1 C – The Sudbury Conservation Area is not marked on the Proposals Map. The justification could refer to the Conservation Area containing the Grade I Listed Building Sudbury Hall and that its parkland is a Registered Park & Garden. (It is more likely that new development in Marchington could adversely impact on the Hall and parkland than any other part of the Conservation Area). **Agreed**

Policy NE2- The second paragraph and the bullet points set out aspirations or actions for the Parish Council to undertake with a range of different bodies. These should certainly be in the Neighbourhood Plan, but not as policies, unless the delivery is intended to be via the planning process (i.e. s.106, planning condition or policy criteria the proposal must meet in order that planning permission be granted).

It is suggested that there should be a separate section at the end of the NP document where aspirations or parish council actions are all listed, so that they can be easily referred to when discussions are underway. Although not technically part of the NP itself, the fact that they have come about from consultation and engagement in the parish and formally published in the NP document could give them more weight in discussions with these stakeholders. **To be considered**

Community Proposal T1 – see comment on Policy NE2 above. **To be considered**

Monitoring- This is generally fine; a cross reference to the NP monitoring paragraph (the last para.) in Neighbourhood Policy 1 in the adopted Local Plan (formerly “Policy SPX”) would be helpful. **Agreed**

Glossary - The “Community Infrastructure Levy” needs to be amended as follows. Second and third sentences should be: “The CIL may be set by the Borough Council once an Infrastructure Delivery Plan and Charging Schedule have been examined and adopted. If there is a CIL in place, and a neighbourhood Plan is made, 25% of...”. **Agreed**

Appendix 9 Record of discussions with ESBC on comments on Draft Plan

E-mail 22/12/2105 to ESBC

Naomi,

Thank you, that is helpful. We have changed the maps so that there is no development boundary around the depot site and other than the proposed LGS which is shaded, the various components are just identified by a thin black line and the policy numbers that apply to them.

I can confirm that we will, now recommence consultation on Monday 4th January.

Clive

E-mail 22/12/2015 from ESBC

Thanks for sending over the most recent version. The policy goes towards addressing our key concerns. I still have queries over the wording, particularly 'satisfactory relationship' however recognise these comments can be made through the consultation process. The policy now aims to make it clear it is more 'development principles' rather than items which a development must provide/address and also that it is to be read alongside the strategic policies of the Local Plan. I'm not sure what changes you are making to the key diagram / map but I would just ensure there is consistency between the policy and the map so it is clear you are not proposing the site as an allocation.

Naomi

E-mail 22/12/2105 to ESBC

Hello Naomi,

For clarity, following our telephone conversation, here is the text of AB2 following changes (in red) as a result of the emails from Glenn dated Wed. 16th and Friday 18th Dec.

E-mail 18/12/2015 from ESBC

Thanks for this.

On everything where you don't agree I suggest we leave them as they are (none are deal breakers) and let the Examiner comment.

On AB2, Naomi is having a look at this and will send specific comments on Tuesday.

I've received a reply from EA only on the revised SEA screening report – I've reminded the other two today. I've attached EA's letter because there are some points you may wish to pick up. On the basis of what EA have said, I don't think there is need for an SEA because no allocation is being made.

Glenn Jones - Neighbourhood Planning Support Officer

E-mail 18/12/2015 to ESBC

I attach an amended version of the NP, with changes shown in red font and an annotated copy of the comments provided by Glenn on Wednesday with suggested responses using a red/amber/green system.

In my opinion the changes go a good way towards meeting any outstanding ESBC concerns and I am confident that there should be no fear of the NP in this form not meeting the Basic

Conditions. In terms of any outstanding (or new) more minor concerns these can be picked up after the second consultation or even considered by an examiner post submission. Do we know whether the organizations have responded to the SEA re-screening yet? My understanding is that the PC wishes the second consultation to start on Mon 4th Jan and run until Tue 16th Feb. with public meeting to be held on Saturday pm 9th January. For these dates to be met the newsletter will need to be printed on 23/12 and made available for the SG members to deliver on Sat/Sun 2 & 3rd January. It will be necessary, therefore, to get the reaction of ESBC to the suggested changes by Midday on Tuesday 22/12 at the latest if this is possible.
Clive Keble Consulting Ltd.

Email 16/12/2015 from ESBC

I have had a chance to discuss our response with Naomi and it is attached (text reproduced below). - Glenn Jones - Neighbourhood Planning Support Officer

ESBC Comments on Version 2 of Marchington Neighbourhood Plan, Dec 2015

Para 2.11 and Policy DP1 - A1. Change to: “...**development requirement of approximately 20 new dwellings (17 net) in the adopted East Staffordshire Local Plan.**”

(strictly speaking it should be a ‘minimum of 20...’)

New para top of p. 44 – Does all development have to be accompanied by a pollution prevention plan?

New text page 45 - “...has advised that it would **be reasonable** to include...”

Para 7.6 “~~emerging~~ **adopted** Local Plan”

New policy SB1 – preamble, second sentence – “The ~~total~~ number of dwellings to be provided ~~on new sites~~ inside the Marchington Village Settlement Boundary is **approximately 20.**”

SB1 (A), (B), (C) “... (**about** 10, 5, 2 to 3 dwellings) ...

Policy SB2

SB2 (a) should read: “...for evidenced local need, **in accordance with Local Plan Policy SP18 on Rural Exception Sites.**”. The policy needs further consideration regarding the title – which refers to ‘development’ where as the first sentence refers to residential development – need to be consistent in the wording.

REVISED Policy AB2 (received 8/12/15):

AB2 is less specific than originally drafted but still is still essentially a criteria based housing development policy and therefore we do not think it meets the basic conditions. We believe it would be better to draft the policy again with a set of ‘development principles’. For example, as currently drafted we are not sure what the term ‘long-term and environmentally sustainable’ means in this context. There have been accepted uses of paint-balling and a solar farm on the site, which the ESBC LP would support, as well as other uses appropriate in the countryside. First criterion: ‘satisfactory relationship’ this would need expanding on as it is not clear what it means. Criteria 2-4 are still skewed towards housing development as it is unlikely that any of these criteria will be delivered by applications the LP would support. We can assist in drafting a ‘development principles’ policy-, we have two similar in the LP, policies SP11 and SP12. The principles policy could

seek sensitive design, use of materials, scale etc. as well as more locally distinctive elements such as long views from Marchington Woodlands, etc.

Policy AB2, bullets 5 and 6 –

- ~~Guarantees~~ **A s.106 agreement to provide works so that the** run-off and drainage requirements **of the development are adequately dealt with, and do** ~~will~~ not add further to flooding and foul drainage problems in the village.
- ~~Guarantees~~ **A s.106 agreement to provide works so that** any ground condition and/or pollution issues on the site can be dealt with satisfactorily.

Justification of AB2: we would recommend that the second sentence of paragraph two is deleted or moved to an eventual consultation statement.

Policy H2 “...development ~~allowance~~ **requirement**”

What if single level dwellings would be incongruent with the setting of the development, or would harm the Conservation Area? Often bungalows look out of place in a vernacular village or farm court setting – maybe “subject to Policy H3” needs to be added in.

Policy H3 - ESBC parking standards are very out of date, and developers will probably want to (should?) provide more spaces than these restraint-based standards allow. Perhaps the ESBC standards should be just a minimum, with more allowed if the applicant desires?

Policy H4 - We believe this policy currently repeats much of H3. To make the policy site-specific and distinctive it might be advisable to add more detail in the justification about the uniqueness of Forestside, including why it was originally built, how many houses there are, what type and tenure they are and what specific problems there are at present, therefore what the policy is trying to address. There should then be an analysis of how any desired improvements can be achieved. Are there any developable sites that would potentially be large enough to yield s.106 improvements? If not, the list of individual improvements identified needs to be moved to an Appendix setting out parish priorities, how these will be funded, and who the delivery agent(s) will be. Policy H4 would then just address any Forestside-specific features small infill/extension development should exhibit e.g. good design elements, materials, parking, garage provision, trees in gardens etc...

Justification to Policy H4 1st sentence - Whilst the Local Plan does not mention Forestside specifically, it would be considered as a Tier 3 settlement, just like M.Woodlands, Scounslow Green and Birch Cross, and Policies SP8 and 18 on development in the countryside would apply. (The list of settlements mentioned under Tier 3 in Local plan Policy SP4 is not exhaustive.)

Policy NE2 All but the first para of the Policy should be moved to an Appendix setting out the Parish priorities for action and how they will address these.

The new text at the end of the justification highlights the link between nature conservation and drainage issues, as highlighted by the EA. This is an important link which could usefully be picked up in the Policy itself, to ensure developments consider the two issues together.

Perhaps a cross-reference to the previous policies where the flooding/drainage issues are addressed might be beneficial?

Policy CFOS3 – Last para. “Provision of appropriate facilities for outdoor sport...” etc. might require the loss of existing open space. Suggest delete last para. as not strictly necessary.

Policy LE1-

- a. *“it can be demonstrated that there will be no **significant** adverse impact resulting from increased traffic, noise, smell, lighting, vibration or other emissions or activities generated by the proposed development;*
- b. *it would ~~have~~ **not have** an **unacceptable** impact on the character ~~and scale~~ of the site and/or buildings, **by virtue of its scale or design, or on including** the setting in the local landscape;*
- c. *where relevant, opportunities are taken to secure the re-use of vacant or redundant historic buildings (**designated** and non-designated).”*

GJ/COH/NP 16/12/15

Email 03/12/2015 to ESBC Here is the revised NP document as promised. It still needs proofing and formatting, but the meat of the significant changes is there and I have highlighted these in red.

In addition, I have included all of the more minor comments from ESBC and other consultees. These are not highlighted, but you will be able to cross refer your original comments (e.g. on the adoption of the Local Plan, the glossary etc. to the relevant paragraphs and sections. There are chunks of factual material that I have added following suggestions from SCC, and the EA.

I will be updating the policy summary table next week and completing a summary report on the outcomes of the recent consultation.

On timing and the SEA screening, I am not aware of a legislative requirement for this to be carried out prior to Reg. 14 Consultation. I would agree that it is good practice when a plan has not been seen by the LPA and the relevant agencies, but that is not the case with Marchington and in effect the revisions and the second consultation are driven by some extent by the need to satisfy the EA that we are not making a site allocation at the barracks – which now clearly we are not. The SG and I are therefore confident that the EA will conclude that an SAE is not required on the revised plan. Any minor further amendments that arise will be picked up by the second consultation and can be done before submission.

I hope that ESBC will appreciate the level of interest in the NP (and planning in general) that the PC and the local community has developed and that this is a very positive outcome from a Localism and Neighbourhood Planning perspective. This interest means that the SG/PC needs and wishes to explain to the local community why changes have been made as soon as possible.

Awaiting the outcome of re-screening would be seen as an unnecessary bureaucratic hurdle and would mean that consultation could not begin until mid-January when logistics/availability of key people means that it will be difficult to achieve. This will delay submission until at least April which is not what the SG and the local community wants. I

hope therefore, that ESBC can be accommodating on this matter, especially given the good will, pragmatism and flexibility that the SG has shown.

Email 03/12/2015 from ESBC Many thanks for the report, we are encouraged by the pragmatic approach the SG are taking. We await the revised NP and will look at it as soon as it arrives.

I would caution over going to Reg14 too quickly, before a screening opinion is known from the statutory. We can try and assist in getting a quick response from them but if an SEA is required it would delay submission consultation whilst this was written.

E-mail 03/12/2015 to ESBC Thank you for the helpful comments and suggestions in our informal conversation yesterday. We had a good SG meeting last night and as promised, I attach a copy of the report which was considered/approved. I have marked it up so that you can see the points agreed and I hope that you and your colleagues at ESBC will be able to take reassurance from it that the SG is willing to modify the NP to overcome your substantive concerns.

Based on this hope/assumption, the SG would like to move quickly towards the second 6 week consultation (with the SEA re-screening to run in parallel with that) such that submission can be achieved in February. There is a PC meeting next Tuesday which will formally approve the second consultation to begin on Friday 11th, with a planned public meeting on Sat. 19th. I attach a copy of the newsletter which is to be circulated on the 11/12/13th Dec. to that effect.

Appendix 10 Second (Reg. 14) Consultation on Draft Plan – email dated 04/01/2016

Good afternoon,

As you will be aware from previous consultations, Marchington Parish Council is preparing a Neighbourhood Development Plan (NP) covering all of the Parish area. In accordance with Regulation 14, a full draft version of the NP was the subject of formal consultation for a period of just over 6 weeks from 28th September 2015 to 10th November 2015. That consultation was successful, but there were some issues to address. The public response was very supportive and there was no need for significant alteration to policies. There was a good response from statutory consultees and helpful suggestions were made, but there were also some substantive comments, as summarised below, which required changes:

- Borough Council requirements that new housing sites in the village reflect the adopted Local Plan and that housing is not promoted on the former Barracks,
- Environment Agency concerns over the Barracks,
- Hortons concerns over the industrial estate policy.

Accordingly, a second (Regulation 14) consultation is being held over a 6 week period, running from Monday 4th January to Tuesday 16th February 2016.

In summary, the key changes that have been made to the NP are:

- 1 To include the Local Plan designation of the Jacks Lane site, but as a location for 5 dwellings, subject to design (in particular height), with measures to keep land to the rear open, retain the hedge and on flooding/drainage matters.
- 2 To confirm the Local Plan designation of The Bagshaws as a location for 10 dwellings (conversion/new build) house type, size and design to safeguard the Listed Buildings and Conservation Area.
- 3 To confirm Thorntree Farm as an additional location for 2 to 3 dwellings (conversion/new build) including land around the farmhouse/orchard, with criteria to ensure that the hedgerow on Allens Lane is not substantially reduced.
- 4 There is no longer a designation of a Development Boundary around the former military depot and instead policies are set for the individual components of the area, but with no reference to the potential for new housing development on the former barracks.
- 5 The Industrial Estate – A locally based policy to enable investment and new development, subject to criteria on traffic, the impact on nearby housing, drainage and flooding.
- 6 The former Barracks - Locally based criteria are set for any development proposals to meet, including; traffic, impact on Forestside, drainage & flooding, pollution, accessibility, nature conservation, open spaces and local heritage.
- 7 Forestside - Criteria are set for any development on the estate to meet to minimise adverse impact on residential amenity, where possible to provide benefits for car parking/traffic circulation and access to the industrial estate and open space
- 8 Barracks Sports Field & Woodland – although other policies for adjoining land have been changed, the proposed designation of this land as a Local Green Space is retained.

Many other detailed changes and updates (especially relating to the adoption of the Local Plan) have been made and these can be seen through reference to the background paper “Steering Group reports and email correspondence with East Staffordshire Borough Council showing recent the outcomes from the (first) Regulation 14 Consultation” on the website (see below). Therefore, there is no need for you to re-iterate your previous comments where these have been considered and changes made to the NP. However, any new comments on the changes made to the NP are welcome and you may let us know if you are unhappy with any changes made following your original comments.

I attach a copy of the revised Draft Plan (with maps) and the associated newsletter. Other background documents are available from the Parish Clerk and they can also be seen on the Parish Council website http://www.marchington.info/parish_council.

I would be grateful if you could direct your comments to the Parish Clerk (Linda Hoptroff) in the first instance at: marchingtonpc@btinternet.com but, if you wish to discuss technical aspects of the Draft Plan, please contact me on 07815 950482 or by email.

Following the completion of this consultation, it is hoped that the Neighbourhood Plan will be submitted to East Staffordshire Borough Council in March, with an examination in Spring 2016 and a local referendum in the summer. The Borough Council will undertake a further 6 week consultation as part of the submission and examination process.



Newsletter No.4 January 2016

MARCHINGTON NEIGHBOURHOOD PLAN

ALMOST THERE! – BUT WE NEED YOUR VIEWS AGAIN

Results of recent Consultation

This was successful, but there are issues to address. The public response, showed much support and there is no need for significant alteration to Policies. There was a good response from statutory consultees and helpful suggestions were made, but there were some critical comments which require significant changes:

- 1** Borough Council **requirements** that sites for new houses in the village reflect the **new Local Plan**.
- 2** Borough Council **requirements** that policies should not promote housing on the former Barracks.
- 3** Environment Agency **concerns** over the Barracks.
- 4** Hortons **concerns** over the industrial estate policy.

However, work on the Neighbourhood Plan has helped to resist proposals for 40 rather than 20 houses in the village and the Jacks lane application (16 houses). In future the Plan will give you much more influence on the form and appearance of new development **so. please continue to**

The East Staffs. Local Plan is important

The Neighbourhood Plan (NP) must fit the Strategic Planning context of the Local Plan. If it does not, it will fail to meet one of the "Basic Conditions" and this means that it cannot move forward to referendum.

The East Staffordshire Local Plan (LP) was adopted in October, after consultation on the NP had begun. Despite consistent comments from the Parish Council, the Local Plan Inspector confirmed that the settlement boundary change at Jacks Lane should remain and so, whatever the Neighbourhood Plan says, planning permission could be granted for up to 7 houses there. In addition the LP does not support new housing in locations like the former Marchington Barracks.

Understandably, the Borough Council wishes to stand by the policies of the new LP and it is clear that ESBC will continue to object to parts of the NP. It is likely that an independent examiner would support this and recommend removal of policies before a referendum.

As a result of this, we need to hold a second 6 week consultation from Mon. 4th Jan. to Tue. 16th Feb. but after that we hope to follow the programme below

Late February – complete consultation, review comments and prepare submission documents

Early March – Submit the Plan to East. Staffs. Borough Council

March/April – 6 week advertisement of Plan and independent examination

May – revise plan to reflect the recommendations made by the examiner

Summer 2016 – The Referendum

Discuss the changes to the Plan

There is an **Open Public Meeting** for you to find out about changes to the plan and ask questions of the Steering Group and the Planning adviser.

Saturday 9th January

14:00 – 16:00 at Marchington Village Hall

(A meeting, not an exhibition; please arrive at 2pm)

You can see the plan on the Parish Council website: http://www.marchington.info/parish_council and you can inspect hard copies **at the Community Shop** during normal opening hours and the **Village Hall**.

Overleaf, there is a summary of the changes to the Plan and a form for you to tear off, complete and return if you would like to make any comments

Your NP Steering Group

We now have seven people involved - are all volunteers there is a mix of local people and parish councillors. Let us know if you want to join or alternatively, if you could help on an ad hoc basis – organising events, photographs, graphic design, surveys etc.

Andrew Mann a.mann@btinternet.com
Darron Hayes darronhayes@hotmail.com
Paul Nixon nixon.private@btinternet.com
Reginald W-Husey reginaldandann@btinternet.com
Brian Darby b.darby041@btinternet.com
Julia Hayhurst juliahayhurst@btinternet.com
Mick Marrison mjmarrison@icloud.com
Or the Parish Clerk marchingtonpc@btinternet.com
Linda Hoptroff - 075491646

What are the main changes to the Plan?

The majority of the Policies have not been changed significantly, but if you are interested in detailed comments and changes, you can see the documents and reports on the website. The main amendments are summarized below;

1 To include the Local Plan designation of the **Jacks Lane** site, but as a location for 5 dwellings, subject to design (in particular height), with measures to keep land to the rear open, retain the hedge and on flooding/drainage matters.

2 To confirm the Local Plan designation of **The Bagshaws** as a location for 10 dwellings (conversion/new build) house type, size and design to safeguard the Listed Buildings and Conservation Area.

3 To confirm **Thorntree Farm** as an additional location for 2 to 3 dwellings (conversion/new build) including land around the farmhouse/orchard, with criteria to ensure that the hedgerow on Allens Lane is not substantially reduced.

4 No designation of a Development Boundary around the **former military depot**, instead using policies for individual parts of the area, but with **no reference** to the potential for new housing development on the former barracks.

5 The Industrial Estate – A locally based policy to enable investment and new development, subject to criteria on traffic, the impact on nearby housing, drainage and flooding.

6 The former Barracks - Locally based criteria for any development proposals to meet, including; traffic, impact on Forestside, drainage & flooding, pollution, accessibility, nature conservation, open spaces and local heritage.

7 Forestside - Criteria for any development on the estate to meet to minimise adverse impact on residential amenity, where possible to provide benefits for car parking/traffic circulation and access to the industrial estate and open space

8 Barracks Sports Field & Woodland - The proposed designation of this land as a Local Green Space is to be retained.

..... Tear Here.....

Response form (return by Tue. 16th February). Post to the Parish Clerk; Linda Hoptroff, The Hollies, 9 Chartley Gate Close, Uttoxeter, ST14 8DX, drop off at the Village Shop or scan/email to marchingtonpc@btinternet.com

Amendment 1 *To include the Local Plan designation of the Jacks Lane site as a location for 5 dwellings*

Agree	Disagree	Neutral
-------	----------	---------

Amendment 2 *To confirm the Local Plan designation of The Bagshaws as a location for 10 dwellings*

Agree	Disagree	Neutral
-------	----------	---------

Amendment 3 *To confirm Thorntree Farm as an additional location for 2 to 3 dwellings*

Agree	Disagree	Neutral
-------	----------	---------

Amendment 4 *No Development Boundary on the former military depot; reliance on individual policies*

Agree	Disagree	Neutral
-------	----------	---------

Amendment 5 *The Industrial Estate – A locally based policy to enable development subject to criteria*

Agree	Disagree	Neutral
-------	----------	---------

Amendment 6 *The Barracks – A locally based policy for development but with **no reference** to new housing*

Agree	Disagree	Neutral
-------	----------	---------

Amendment 7 *Forestside - criteria for new development to meet; recognising the established residential area*

Agree	Disagree	Neutral
-------	----------	---------

Amendment 8 *The proposed designation of open space and woodland as a Local Green Space is retained.*

Agree	Disagree	Neutral
-------	----------	---------

Any other comments.....

Name and address (optional).....