



**THE HORNINGLOW AND ETON NEIGHBOURHOOD
DEVELOPMENT PLAN**

**INDEPENDENT EXAMINERS REPORT TO EAST
STAFFORDSHIRE BOROUGH COUNCIL**

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1.0 Introduction: Preparation of plan, legislative background and summary of findings

1.1 Neighbourhood Planning is a relatively new process. It was introduced in the Localism Act 2011. It allows local communities to prepare plans and allocate sites for housing and other uses in their own neighbourhood. The Plan once approved will guide future development and become part of the Development framework and will be taken into account when considering future development proposals.

1.2 The Neighbourhood Development Plan (the Plan) has been developed by the Horninglow and Eton Parish Council. It is one of the first Neighbourhood Plans that have been produced for an urban area following approval of the Localism Act and the National Planning Policy Framework.

1.3 The Plan has been prepared by a steering group of interested residents and parish councillors, assisted by the Borough Council and Planning consultants Kirkwells.

1.4 The Plan explains that the reason for promoting the Neighbourhood Plan for Horninglow and Eton is to create an attractive and safe residential neighbourhood. The Plan sets out a wide ranging vision that seeks to create an area where local people will feel proud to live, older housing will have been improved, through traffic will be well managed and local green spaces enhanced.

1.5 The area is located one mile north east of Burton on Trent town centre and has a population of just under 15,000. It consists of the two wards of Eton Park and Horninglow. The Plan supports the policies and land use

proposals that are included within the East Staffordshire Local Plan pre submission Local Plan. The Plan identifies 16 key objectives. These relate to:

- increasing provision of car parking; improving public transport provision;
- promoting environmental improvements on major transport corridors;
- encouraging the use of developer contributions to improve traffic flow and junctions;
- reducing housing densities and ensuring new developments on the periphery consider the impacts on the Plan area;
- protecting local shops and heritage assets;
- developing a series of high quality Green Infrastructure networks;
- protecting, enhancing and providing new areas of public open space and promoting improvements to drainage;
- supporting the regeneration of the Derby Road corridor;

1.6 Having carried out the examination, for the reasons set out below and subject to all of the modifications indicated in the following sections of this examination report being accepted, I consider that the Plan meets the basic conditions in terms of:

- having appropriate regard to national planning policy
- contributing to the achievement of sustainable development
- being in general conformity with the strategic policies in the development plan for the local area
- being compatible with human rights requirements
- being compatible with European Union obligations

1.7 If the Plan becomes subject of a referendum and achieves more than 50% of votes in favour, then the Plan would be “made”. The Plan would then be used to guide and determine planning decisions in Horninglow and Eton wards by East Staffordshire Borough Council.

2.0 Role of the Independent Examiner

2.1 I was appointed by East Staffordshire Borough Council in September 2014, with the agreement of the Horninglow and Eton Parish Council to conduct this examination. The role is known as Independent Examiner. My selection has been facilitated by the Neighbourhood Planning Independent Examiner Referral Service.

2.2 Under the terms of the NP legislation I am required to make one of three determinations:

- The Plan should go forward to referendum because it meets all the legal requirements, “the Basic Conditions”
- The Plan should proceed to Referendum if modified
- The Plan should not proceed to Referendum because it does not meet all the legal requirements

2.3 In making my recommendation I must also determine whether the referendum should involve a wider area than the boundary of the Horninglow and Eton Neighbourhood Plan boundary.

2.4 I am a Chartered Town Planner with over 35 years experience working in senior roles in Local Government, regeneration agencies and the private sector. I am independent of East Staffordshire Borough Council and the Horninglow and Eton Parish Council. I am independent of residents and stakeholders in the area and have no interest in any of the land within the Neighbourhood Plan area.

The Examination Process

2.5 East Staffordshire Borough Council and Horninglow and Eton have indicated that in their opinion no public hearing will be necessary for the

Neighbourhood Plan and that the examination should consider written evidence only. An Examiner can ask for a public hearing if it is considered that certain aspects need to be more fully explored or to allow individuals to outline their case more fully. In view of the straight forward nature of the plan proposals and the fact that there have been limited representations through the consultation period I consider that no public hearing is required. I consider that I am able to make a recommendation based on the extensive evidence that has been provided.

3.0 The Neighbourhood Plan area

3.1 The Horninglow and Eton parish area is located 1.0 mile to the north east of Burton upon Trent town centre. The Neighbourhood Plan area contains a mixture of housing, industry and commercial properties. Although the largest concentration of industrial and commercial uses is situated closest to the town centre there are significant non residential uses, including a hospital, throughout the Plan area.

3.2 The age and physical appearance of the housing stock varies considerably. The housing tenure is mixed. There has been significant new housing development in the last twenty years. There are few vacant or derelict sites. Much of the older terraced housing in Eton ward is back of pavement. Some traffic management measures including one way streets and speed humps have been introduced. High levels of on street parking and a lack of off street parking areas cause congestion.

3.3 The Plan area is bisected by the A38 (but not directly accessible) and the Trent and Mersey canal. The A511 runs from south east to north west of the area. There are few through routes. This places additional pressure on the heavily used A511.

3.4 The area exhibits evidence of the multiple deprivation that is typical of inner urban neighbourhoods. Unemployment is high, educational attainment low, crime levels very high.

3.5 Section 3 of the report contains a description of Horninglow and Eton today. Paragraphs 3.1 to 3.8 provide an overview of the area and include a descriptive quotation from the emerging Local Plan. Please note that in 3.7 this should refer to paragraph 1.122 of the local Plan not 1.22.

3.6 Paragraphs 3.9 and 3.10 include limited information about Eton Park Ward but do not highlight a number of the key features of the area which combine to result in the ward being a “deprived area” as defined by the national Indices of Deprivation. This is demonstrated by the average household income being the lowest in the Borough. Other significant issues not mentioned are the fact that 47% of the properties are terraced and the tenure pattern has 24% in the Private Rented Sector. I recommend that some of this information is included in this section of the Plan document since it provides further justification for the policies that are to follow.

4.0 Consideration of the Basic Conditions

4.1 There are a number of basic conditions that the Horninglow and Eton Neighbourhood Plan has to meet in order for it to go forward to a Referendum. These are set out in the Neighbourhood Planning (General) Regulations 2012 and paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011).

4.2 Paragraph 8 sets out the requirements for Neighbourhood Plans to meet these “**Basic conditions**”, before they may come into force.

“Neighbourhood Plans must:

- have appropriate regard for national policy
- contribute towards the achievement of sustainable development
- be in general conformity with the strategic policies of the development plan for the local area
- be compatible with human rights requirements and

- be compatible with EU obligations.”

A Neighbourhood Plan Basic Conditions Statement has been prepared by the Horninglow and Eton Parish Council Steering group with support from consultants Kirkwells and officers from East Staffordshire Borough Council. This was published in August 2014.

Qualifying Body and Neighbourhood Area designation

4.3 East Staffordshire Borough Council supported a bid from the Horninglow and Eton Parish Council for grant funding under the Neighbourhood Planning Front Runners Programme to support preparation of a Neighbourhood Development Plan.

4.4 This bid was successful and approved by the Department of Communities and Local Government in March 2012. Horninglow and Eton therefore became part of the fifth wave of Neighbourhood Planning Frontrunners.

4.5 In June 2012 Horninglow and Eton Parish Council submitted an application for the designation of the Horninglow and Eton wards as a **Neighbourhood Planning Area** to East Staffordshire Borough Council as the relevant Planning Authority.

4.6 The Local Planning Authority publicised the application for designation as a Neighbourhood Area for a six week consultation period. The application was published on the Council’s website and was available at various locations throughout Horninglow and Eton wards. The application received no objections.

4.8 The Council assessed that there was no overlap with any other proposed neighbourhood plan area and that the proposed boundary did not overlap with any adjoining parish or designated area.

4.9 On 29 November 2012 East Staffordshire Borough Council approved a report via delegated authority to designate the area as the Horninglow and Eton Neighbourhood Development Plan Area and to publicise the designation as required under the Neighbourhood Planning (General) Regulations 2012.

4.10 The Council considered that the Parish Council satisfied the conditions required for a Qualifying Body and Neighbourhood Forum.

4.11 I am satisfied that the Horninglow and Eton Neighbourhood Development Plan meets the basic condition of having a suitable Qualifying Body, a relevant body in accordance with section 61F (5) of the 1990 Town and Country Planning Act, the Horninglow and Eton Parish Council.

Basic condition: Neighbourhood Plan Area

4.12 I am satisfied that the Horninglow and Eton Neighbourhood Plan meets the basic condition of having a suitable Neighbourhood Plan area designated as outlined in Section 5 of the Neighbourhood Planning (General) Regulations 2012.

4.13 I am also satisfied that the Horninglow and Eton Neighbourhood Plan (the Plan), does not relate to more than one neighbourhood area and that there is no other Neighbourhood Development Plan in place within this neighbourhood area.

4.14 The Horninglow and Eton Plan covers the period 2013 – 2031. It therefore covers the period of the emerging East Staffordshire Local Plan 2013, which relates to the period 2012 -2031.

4.15 I am, therefore, satisfied that the Plan meets the Basic Condition relating to the timeframe of the Plan period.

4.16 The Basic Conditions Statement prepared by the Horninglow and Eton Parish Council confirms that the Plan does not deal with County matters, any nationally significant infrastructure or any other matters set out in S61K of the Town and Country Planning Act 1990.

5.0 Regard to the National Planning Policy Framework

5.1 As outlined in paragraph 4.2 Neighbourhood Plans need to meet the basic condition of having regard to national and local planning policies.

5.2 I have therefore considered the Horninglow and Eton Neighbourhood Plan in line with National Guidance, the East Staffordshire Local Plan 2006, the emerging East Staffordshire Borough Council Local Plan, the East Staffordshire Borough Integrated Transport strategy and various East Staffordshire Borough Council Strategies.

5.3 Should the Neighbourhood Plan be confirmed after a referendum it will achieve a status in the Development Plan hierarchy. This is clarified in Section 1.15 of the emerging Local Plan which confirms that “Upon adoption, neighbourhood plans will become a statutory plan carrying equal weight to the Local Plan and be part of the suite of documents that guide development. They will be used in making decisions on planning applications by East Staffordshire Borough”. Section 4.0 of the Plan on Page 11 includes a diagram indicating the hierarchy of plans. East Staffordshire Borough Council has recommended that the diagram should be amended so the Neighbourhood Plan is located alongside the Local Plan. While it is correct to identify that Neighbourhood Plans consider a smaller geographical area than Local Plans I consider that in hierarchy terms it would be beneficial to clarify the diagram as suggested by the Council.

National Planning Policy Framework (NPPF) (2012)

5.4 Paragraphs 183 -185 of the National Planning Policy Framework (NPPF) outline the Governments view on Neighbourhood Plans. Government consider that neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need and ...neighbourhood forums can use neighbourhood planning to set planning policies through neighbourhood plans to determine decisions on planning applications.

5.5 Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. 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. Provided that neighbourhood plans do not promote less development than set out in the relevant Development Plans or undermine the strategic policies, neighbourhood plans may shape and direct sustainable development in their area.

5.6 Section 4.1 of the Plan on pages 11 to 13 is a long section of the National Planning Policy Framework. I recommend that the majority of it is moved to an Appendix. It would be beneficial to include some of the information included in the Basic Conditions statement to confirm that the Plan is in accordance with the NPPF. I am satisfied, however, that the Plan has adequate regard to the policies in the NPPF. In reaching this opinion I have been assisted by the comprehensive Basic Conditions Statement prepared in support of the draft Plan by the Horninglow and Eton Parish Council Neighbourhood Plan Steering group.

5.7 The Basic Conditions statement outlines how the Horninglow and Eton Neighbourhood Plan contributes positively to each one of the twelve core planning principles that underpin the framework (paragraph 17).

5.8 I consider that the Plan will provide a framework for future development and has evolved through extensive consultation with residents and relevant organisations and agencies. I consider that it will support sustainable economic development through support to enhance existing local centres and promotion of highway improvements.

5.9 I consider that the Plan provides a series of policies aimed at enhancing the local character and amenity and promotes alternative forms of transport such as cycling and walking. It provides a framework for promoting environmental improvements and open spaces.

6.0 Contribution to Sustainable Development

6.1 The United Nations General assembly defined sustainable development as “meeting the needs of the present without compromising the ability of future generations to meet their own needs” (Resolution 42/187).

6.2 The NPPF outlines the Government view in paragraphs 6 and 7. The purpose of the Planning system is to contribute to the achievement of sustainable development. There are three aspects of sustainability, namely economic, social and environmental.

6.3 East Staffordshire Borough Council has adopted a positive approach in seeking to meet objectively assessed development needs of the Borough. The policies in the emerging plan provide a clear framework to guide sustainable growth and the management of change, thereby following the Government’s presumption in favour of sustainable development. The Council has confirmed

that the Neighbourhood Plan is in general conformity with the emerging East Staffordshire Borough Local Plan.

6.4 The Neighbourhood Plan Basic Conditions Statement provides details of the policies contained in the Horninglow and Eton NP that support these principles. It would be helpful for the main Plan document to include some of the evidence of how it meets the economic, social and environmental aspects of sustainable development that is presented in the Basic Conditions statement.

6.5 Subject to these minor changes and additions I consider that the development that will be delivered through the proposals in the Plan should deliver sustainable development within the parish of Horninglow and Eton.

7.0 Conformity with the Strategic Policies of the Local Area

7.1 The Neighbourhood Plan Basic Conditions statement confirms that the Plan has been prepared in general conformity with the Emerging East Staffordshire Borough Council Local Plan 2012 and the saved policies from the 2006 Local Plan.

7.2 The vision for the Neighbourhood Plan is consistent to that of the Emerging Local Plan which is: “to be a Borough where people matter and where people want to live, work and spend leisure time”.

7.3 The emerging Local Plan identifies 35 key Strategic Objectives. The Basic Conditions document provides evidence that the Plan contributes to 17 of these. It should be noted that there are a number of objectives in the Local Plan that are not relevant to the Plan area since they relate to topics such as rural areas and Green Belt.

7.4 The Plan also contributes to the following Strategic Policies of the emerging Local Plan: Policy SO1: Well designed Communities; Policy SO2: Housing Choice; Policy SO3: Accessibility and Transport Infrastructure; Policy SO4: Neighbourhood Planning; Policy SO9: Historic Environment; Policy SO 11: Prudent use of Resources and Policy SO12: Protection of the Countryside.

7.5 I am satisfied that the Horninglow and Eton Neighbourhood Plan is in general conformity with the saved policies from the 2006 Local Plan and the emerging East Staffordshire Borough Council Local Plan 2012 – 2031.

8.0 European Union (EU) obligations, Habitat and Human Rights requirements

8.1 A Neighbourhood Plan must be compatible with EU regulations in order to be legally compliant. The Strategic Environmental Assessment (SEA) Directive seeks to provide high level protection of the environment by integrating environmental considerations into the processing of plans.

8.2 It is the responsibility of the local authority to decide whether or not any of the proposals of the Plan are significant enough for the Plan to require an SEA. East Staffordshire Borough Council undertook an SEA and Habitat Regulation Act screening exercise to establish whether a full SEA was required. This was published in September 2014. The Council concluded that although the policies taken together may have minimal negative effects, the cumulative beneficial impacts of other policies designed to enhance the natural and built environment, such as safeguarding and improvement of local green spaces, is likely to have a moderate to significant beneficial impact that outweighs these considerations. It concluded, therefore, that there were no policies included in the Neighbourhood Plan that would have a significant environmental effect. I agree with this view.

8.3 As part of this process the Council consulted Natural England, English Heritage and the Environment Agency and each confirmed that no SEA was required.

8.4 East Staffordshire Borough Council also concluded in September 2014 that a Habitat Regulation Assessment would not need to be carried out as it is not considered to be a large enough plan area or involve complex policies which are likely to have a negative impact on habitats. I agree with this.

8.5 Although I am not aware that an Equalities impact assessment has been undertaken there is evidence that extensive consultation has taken place in this area which has a multi cultural population. The Basic Conditions Statement confirms that the Plan is fully compatible with Article 1 of the First Protocol relating to the right to peaceful enjoyment of possessions. I accept this. It confirms that the NP process is in line with Article 6 relating to the right to a fair hearing. I accept this. It states that it conforms to Article 14 relating to discrimination but accepts that the allocation of a site for affordable housing could have a differential impact in favour of individuals who can demonstrate a need. I acknowledge the caveat but consider that the Plan does conform to Article 14.

8.6 I consider therefore that the Neighbourhood Plan does not breach and is compatible with the EU obligations and Human Rights requirements.

8.7 I am satisfied that the Neighbourhood Plan meets the European Union, Habitat and Human Rights Basic condition requirements.

9.0 Background documents and Information considered

9.1 In order to examine and reach conclusions on the Neighbourhood Plan Proposals of the Horninglow and Eton Parish Council I have considered the following documents:

- East Staffordshire Borough Council Emerging Local Plan 2012 – 2031
- East Staffordshire Local Plan, July 2006
- East Staffordshire Borough Integrated Transport Strategy 2014 – 2031
April 2014
- East Staffordshire Ward profiles for Horninglow and Eton
- Town and Country Planning Act 1990 (as amended)
- National Planning Policy Framework (NPPF) (2011)
- The Localism Act (2012)
- The Neighbourhood Planning Regulations (2012)
- The detailed consultation responses to the Examination Proposal

9.2 I have also considered the written responses of the statutory consultees.

9.3 There were 8 representations made during the formal consultation period. I note that the National Forest, Coal Authority and Environment Agency either had no specific comments or provided statements supporting the revisions that had been made. English Heritage and East Staffordshire Borough Council made a number of detailed comments which I will address later in the report. The comments of Bagshaws are addressed in the section on Policy HE11. The representation of Derek Roe representing Greif UK Ltd is addressed in Section on Policy HE4. I note also the representation from Sukhjinder Gill suggesting the need for land to be allocated for a health facility in the area. This may be an issue the Parish Council may wish to pursue in due course.

9.4 In addition, I visited the area unaccompanied for one day in October 2014.

10.0 Evidence base and Consultation

10.1 One of the most important principles in the Neighbourhood Planning Regulations 2012 is that local communities must be given ample opportunity to help to shape the future of their area. Section 15 (1) (b) of the Neighbourhood Planning Regulations 2012 requires a Consultation Statement to be produced and submitted with the Neighbourhood Plan.

10.2 Section 15 (2) specifies that this must contain: details of the persons or bodies that were consulted about the proposed Neighbourhood Plan. It must explain how they were consulted and summarise the main issues and concerns raised by the persons consulted. Furthermore it must describe how these issues have been considered and, where relevant, addressed in the proposed Neighbourhood Development Plan.

10.3 The Horninglow and Eton Parish Council have provided information regarding the public consultation that took place in preparation of the Plan in the Neighbourhood Plan Consultation Statement published in July 2014. This confirms that as the designated Neighbourhood Forum they carried out extensive consultation with residents, community groups, schools, businesses and stakeholders at the key stages of Plan development.

10.4 The document provides a timeline and description of the consultation that took place. A Steering Group chaired by a local resident was set up in February 2013 and an Issues and Options Paper produced prior to launch events in April 2013. The Consultation Statement indicates that there was a low turnout at these events.

10.5 Further consultation took place on the Issues and Options paper between June and November 2013 at various venues throughout the area.

10.6 The Steering Group produced a summary document setting out the key issues and possible policy options. This was circulated widely and generated over 100 responses. There were no responses relating to the vision and this was therefore not amended. 85% supported the draft objectives. 3% objected but did not make any suggested amendments therefore the Objectives were retained.

10.7 Options were outlined for the seven key themes of the Plan. The final Plan reduced this to six key themes and I note that Issue 6 Protection of Local Shops was subsequently included in Policy HE2. Responses were overwhelmingly favourable to all of the options outlined with over 70% support in most cases with the lowest level of support being 59% (for the potential introduction of parking permits). Additional suggestions regarding Highway junctions were incorporated into Policy HE6 while the Consultation document states that comments on other Issues were used to inform the draft Plan.

10.8 The Draft Plan was subject to formal public consultation between 3rd March and 14th April 2014. It was widely publicised through Press releases, letters and emails with copies being available on web sites and paper copies available at various locations. In addition there was a drop in session, though this was poorly attended.

10.9 The consultation received 65 responses. The majority of comments were supportive of the Plan. The Consultation Statement states that many constructive suggestions were made and taken on board. It is clear from Appendix 7 that the Plan was changed in light of the comments.

10.10 There were a small number of objections. An objection from the County Council led to an amendment to Policy HE5. Objections relating to Policies HE10, HE11 and HE12 regarding developer contributions and queries about the Plan boundary led to a deletion of the wording and change of the map.

10.11 It is clear that considerable consultation has taken place throughout the various phases of the Plan development. Although low levels of responses

have been generated the proposals have received overwhelming support from respondents. Where concerns have been raised it is clear that steps have been taken to respond positively to the comments.

10.12 I am satisfied, therefore, that the Neighbourhood Plan Consultation statement, with the additions that I have recommended, complies with Section 15 (2) of part 5 of the 2012 Neighbourhood Planning Regulations.

11.0 The Horninglow and Eton Plan Policies

11.1 The Horninglow and Eton Neighbourhood Plan has a clear vision that by 2031 the area: “should be an attractive and safe residential neighbourhood, with good access to a range of shops and services.” The vision includes improving green spaces, improved traffic management and improvements to older housing. The Plan seeks to ensure that the impact of developments in neighbouring areas is minimised.

11.2 There is an emphasis in the vision on making people feel proud to live in the area. This is an understandable aspiration and reflects the urban nature and characteristics of the area which suffers from deprivation relative to other areas with Burton and nationally.

11.3 The Plan conforms to the saved policies of the 2006 Local Plan and the emerging East Staffordshire Borough Council Development Plan 2012 – 2031. This was published in 2013 and confirms that the regeneration of Horninglow and Eton is one of its priorities in light of the high levels of deprivation. The Pre-Submission Local Plan notes that the inner Burton area of which Horninglow and Eton forms part has pockets of deprivation, economic inactivity and socio-economic problems. The Plan identifies that the Inner Burton Initiative aims to “improve the visual amenity and sustainability for current residents and commercial ventures by encouraging inward investment and migration to these areas”.

11.4 The Horninglow and Eton Neighbourhood Plan has identified 6 Policy Themes and 16 Policy Objectives that will help the Plan deliver the vision.

These relate to:

- 1 Pride and Community Focus
- 2 On Street Parking
- 3 Highway Junctions and Traffic calming
- 4 Traffic Management
- 5 Protection and Enhancement of Local Green Spaces
- 6 Local Built Heritage

11.5 The 16 Policy objectives identify how the Parish Council will work with other agencies, principally East Staffordshire Borough Council and Staffordshire County Council to realise the vision for the area by 2031. The Plan indicates the desired timeframes within which each objective will be realised. The Plan aims to deliver the majority of the objectives over the short to medium term, identified as being between 1 to 10 years. It is clear that the Parish Council will use its best endeavours to influence the priorities of the key delivery agencies. This will be particularly important as there is little detail on the funding sources that will be available.

11.6 The Objectives are clearly written. They are aspirational and in some cases (e.g. Objective 1 increasing off street parking and Objective 10 providing new areas of open space) will be difficult to deliver in view of the densely developed nature of the area. I recommend that Objective 11 is changed to read: "The Parish Council will support any appropriate regeneration of the Derby Road corridor...

12.0 Policy Theme 1 Pride and Community Focus

12.1 The Plan aims to foster community pride and strengthen the sense of place and identity. The Plan considers that significant levels of traffic passing through the area have contributed to a poorer quality environment.

12.2 Policy HE1 Protection of Local Centres and Community Facilities

12.3 This proposes that development for local needs retail and community facilities will be permitted. There will be a presumption in favour of re use of local community facilities. The Plan proposes that the change of use of existing facilities to other uses will not be permitted unless alternative provision is made or the facility is no longer needed. Local centres such as those in Horninglow and Eton are under pressure from both the town centre and retail park developments and the Parish Council policy and support should be welcomed.

12.4 **Recommendation:** I do not recommend any changes to this policy.

Policy HE2 Improving the Environment of Local Centres

12.5 The Plan identifies support for development proposals that positively enhance the environment of local centres and support their sustainability. The Policy specifies the type of proposals that would be supported, all of which would serve to achieve the objective. The Parish Council have identified a number of future actions that it will pursue in collaboration with other parishes and East Staffordshire Borough Council that should contribute to achieving this objective.

12.6 In view of the considerable traffic issues in the area one of the most significant actions identified in the Plan is Action 2 on Page 23. This confirms that the Parish Council will work with neighbouring parishes to prepare a more detailed plan for the A511 corridor.

12.7 It would be helpful to identify the A511 on Map 1 on Page 3 and Map 2 on Page 22 since it has a major impact in the area and features in various sections of the Plan. The key at the bottom of Map 3 Potential Community Assets on Page 25 needs increasing in size and turning 90 degrees. The sentences in the key “Is anything missing from the Plan?” and “What other local facilities do you think we need” should be deleted.

12.8 Recommendation: Subject to the minor amendment outlined above I do not recommend any changes to this policy

Policy HE3 Re use of Empty Properties and HE4 Site Allocation Former Citroen Garage site, Horninglow Road.

12.9 The Plan supports a proposal for the development of the former Citroen garage for elderly or affordable housing with a maximum 35 residential units. There was a detailed objection to this proposal received from Derek Roe representing the adjoining business Greif UK Ltd.

12.10 I note the objection but understand that on 13th October 2014 the Local Planning Authority approved a planning application for 51 dwellings on the site (P/2014/00590) subject to signing a S106 agreement. The site will be developed by a Housing Association (Orbit Housing) and will be 100% affordable. **I recommend that the Plan is updated to reflect this decision and the Policy HE 4 deleted and subsequent numbering altered.**

Policy HE5 Lansdowne School

12.11 Policy HE5 relates to the potential relocation of Lansdowne School. It is included in the Pride and Community Focus theme. I consider it more appropriate to be considered as part of Theme 6 Local Built Heritage Assets.

13.0 Policy Theme 2: On Street Parking

13.1 Policy Theme 2 is the first of three themes that are linked to traffic issues. The Plan recognises that the area was developed before most households owned cars. Although some traffic measures such as one way streets and parking restrictions have been implemented, the terraced nature of much of the area and lack of car parking spaces remains a problem highlighted by the community throughout the consultation process.

13.2 Policy HE6 Off-Street Car Parks

The Plan proposes to support proposals for car parks on disused or under utilised sites subject to the requirements of the County Council. I do not recommend any changes to this policy

13.3 Policy HE7 Parking Standards

The Plan proposes minimum parking standards for new developments of 2 spaces for 3 bedroom properties and 1 additional parking space for each additional bed space. The Plan proposes that these standards will not apply to residential care homes and similar facilities. East Staffordshire Borough Council welcomed the exemption of supported accommodation, but noted that this policy is likely to be a problem for development of affordable housing. The Council have provided information regarding their Design & Quality Standards for affordable housing. This seeks only one space per dwelling plus visitor parking of one space per 3 dwellings resulting in 1.33 spaces per dwelling overall.

I agree with the Council's recommendation that for one-bedroom affordable housing a lower amount of car parking would be appropriate. I agree with their conclusion that 1.5 spaces per dwelling are appropriate for one-bedroom affordable housing and recommend including the following wording: "For one bedroom affordable housing a parking standard 1.5 parking spaces per dwelling shall apply." Subject to the changes outlined above I do not recommend any changes to this policy.

13.4 Policy HE8 Garage Colonies and Residential Car parks

The Plan proposes that residential development of existing communal garage sites and residential car parks will not be permitted unless adequate off street parking is provided to replace those lost. The Plan does not identify the number of garages or their locations. There is no indication of the current level of usage of garage sites. From the site visit it appeared that most garage sites were in use and well maintained.

13.5 I agree with East Staffordshire Borough Councils view that this policy outcome will be hard to achieve. I consider that it would be more appropriate to consider each application on its merits and establish the level of usage at the time. It will also be important to establish the viability of repair of garages in poor condition. I therefore recommend inserting the following wording: “each application for changes to garage colonies will be considered on its merits and a level of use established at the time.”

13.6 In Section 6.2.1 line 4 the phrase “refuge collection” should be replaced with “refuse collection”

13.7 I recommend there should be an additional Action included that states that the Parish Council will work closely with East Staffordshire Borough Council to ensure that any redevelopment of garage sites provide appropriate levels of car parking.

14.0 Policy Theme 3: Highway Junctions and Traffic Calming

14.1 Policy HE9 identifies five junctions that would benefit from improvement schemes. It proposes that developer contributions will be required for junction and environmental improvements to these locations when the developments have traffic impacts in the area. From the site visit it is evident that these junctions would benefit from improvement measures. However this policy should only relate to Horninglow and Eton. It is not appropriate, therefore, to include the phrase ‘and adjacent to’ and this should be deleted. The Parish propose to work closely with East Staffordshire Borough Council to ensure

that these junctions are prioritised. It is not clear from the Plan, however, what type of development should fund these improvements or how the contribution would be calculated. The Council has indicated that two options worth considering are cost per dwelling or use of the Community Infrastructure Levy. I recommend, therefore, that Action 4 on Page 37 also includes a statement indicating that the Parish Council will work with the Council to agree how this should be implemented.

15.0 Policy Theme 4 Traffic Management - Horninglow Road / A5121

15.1 Policy Theme 4 outlines responses to the issues associated with the heavy traffic using Horninglow Road. It considers that improved traffic management and environmental enhancements could mitigate this. The Plan will encourage a range of improvements, including schemes that encourage walking and cycling and the introduction of new cycle and walking routes linking into green routes and cycle networks. There are two Actions associated with this theme.

15.2 The actions outlined in this Policy if implemented will serve to improve the overall environment in the area and encourage more healthy lifestyles.

Policy HE10 Horninglow Road and Green Routes

This Plan proposes that developer contributions will be required from any new developments that are likely to have traffic impacts on the area and identifies a series of priorities for such contributions. This proposal is unclear and I do not consider that this deliverable in its current form since it does not specify a development size/type or threshold of scheme nor provide any indication of the level of fees required. I recommend the deletion of the phrase “likely to have” on Page 41 and insertion of “are considered by the Local Highway Authority to have”.

15.3 Recommendation: Subject to the amendments outlined above I do not recommend any changes to this policy.

16.0 Policy Theme 5: Protection and Enhancement of Local Green Spaces

16.1 The Plan identifies 9 sites that should be protected from development. There are a number of drafting errors in this section. In 6.5.6 last bullet point the inverted comma should be deleted. In 6.5.10 the word “Strategy” should be replaced by “Study”. In 6.5.11 line 2 should read “green spaces are disappearing”. The title for Table 1 on page 46 is at the bottom of page 45. This is confusing. The title should appear at the top of Page 46. The heading for Map 8.4 on Page 50 is at the bottom of Page 49 and should be moved. Other titles should be moved up the page to relate to the relevant maps. There are also a number of minor drafting errors in the Appendix 1. The word ‘draft’ should be removed from the Integrated Transport Strategy. The reference to the Staffordshire and Stoke on Trent Structure Plan should be deleted.

16.2 I note that East Staffordshire Borough Council welcomed the inclusion of this policy as it protects important Local Green Spaces. However it did not consider number 9 – Addie Road garages meets NPPF paragraph 77. I understand that since the Plan was produced a Planning Application (P/2014/00886) for 8 dwellings on this site has been under consideration and that it was approved by the Council on 13 October 2014. This will provide 100% affordable housing by a Housing Association (Trent and Dove). Therefore I recommend deletion of this site from the list of sites to be protected and the map on page 52 deleted.

16.3 The Land adjacent to boxing club on Bradmore Road East (site 6) is identified as a green space protected from development. East Staffordshire Borough Council has indicated that this site has previously been considered as a suitable site for affordable housing. They have therefore questioned whether the site should be included since it might restrict affordable housing coming forward on that site in the future.

16.4 There are few opportunities for new housing development in the Plan area. This site does not have the environmental merit of others that are listed. It would be appropriate for new housing to meet the identified shortfall in housing development and I consider that this site should be deleted from the list of protected sites.

16.5 The Plan proposes that Site 2 Outwoods Hill should be protected from development. During the consultation period there was a representation made. This acknowledged that the Parish Council could bring forward a Plan in advance of a Local Plan but invited the Parish to await the outcome of the Local Plan inspection. It considered that the decision on overall housing land requirements might materially impact on the need to identify further housing land within the Parish during the Plan period. I acknowledge that the Local Plan will in due course identify new housing requirements but do not consider that this should preclude consideration of the site for protected status.

16.6 The Plan document considers that this site is special because the footpath offers extensive views over Burton and beyond to open countryside. I visited this site to consider its value. There is a formal footpath that runs along the south east side of the site from the adjoining park. While there is no formal footpath crossing diagonally across the site it is clear that the path has been used extensively. It does offer extensive views and I consider that it is appropriate to include it as a site to be protected.

16.7 Recommendation: Subject to the amendments outlined above I do not recommend any changes to this policy.

17.0 Policy Theme 6: Local Built Heritage

17.1 The Plan identifies that there are a number of built heritage assets situated within the area. Although some have statutory protection the Plan considers others have significance and should be protected. I note that English Heritage has commended the Plan for the identification of designated Heritage Assets for protection. They are particularly pleased to note the

emphasis placed upon the identification of a number of other local undesignated Heritage Assets as being worthy of protection including Landsdowne School. Policy HE5 of the Plan supports proposals to relocate the school but would wish the buildings to be retained and reused rather than redeveloped.

17.2 In Section 6.6.2 on Page 55 the sentence is incomplete and should read “particularly concerned to conserve a range of local heritage assets”

17.3 Recommendation: Subject to the minor amendments outlined above I do not recommend any changes to this policy.

18.0 Summary and Recommendation

18.1 I would like to congratulate the Horninglow and Eton Parish Council for the considerable amount of work that they have undertaken to produce the Horninglow and Eton Neighbourhood Plan. It is particularly pleasing to see communities in urban locations taking up the challenge of producing Neighbourhood Plans. The Horninglow and Eton Parish Council recognise that the Neighbourhood Plan will not solve all of the problems that face the residents in the area and that it will be necessary to use its best endeavours to support and influence the policies of key organisations such as East Staffordshire Borough Council and Staffordshire County Council. The Plan demonstrates, however, the clear vision and aspiration of the community to improve both the physical environment and the life chances of the residents.

18.2 It is evident that the Council have supported the process.

18.3 In accordance with Schedule 4B to the Town and Country Planning Act 1990, outlined below is a summary of my findings.

I am satisfied that the Horninglow and Eton Parish Council is an appropriate Qualifying Body and is therefore able to produce and submit a Neighbourhood Development Plan for the wards of Horninglow and Eton . I am satisfied that the area included in the Horninglow and Eton Neighbourhood Plan is appropriate and was designated accordingly by East Staffordshire Borough Council. I am also satisfied that the Horninglow and Eton Neighbourhood Plan does not relate to more than one neighbourhood area and that there is no other Neighbourhood Development Plan in place within this neighbourhood area.

18.4 The Plan covers the period from 2013 to 2031. This is aligned with the emerging East Staffordshire Borough Council Local Plan which covers the period 2012 to 2031.

18.5 I am satisfied that the Horninglow and Eton Neighbourhood Plan takes sufficient regard to the policies in the National Planning Policy Framework and that the Plan does not make any provision for any excluded development.

18.6 I consider that the Horninglow and Eton Neighbourhood Plan policies, subject to minor modification, will make a positive contribution to sustainable development. The policies could promote economic growth and serve to improve the physical appearance and image of the area. The production of the Plan should provide confidence to the community.

18.7 I understand that East Staffordshire Borough Council undertook an SEA and Habitat Regulation Act screening exercise to establish whether a full SEA was required. It concluded that there were no policies included in the Neighbourhood Plan that had not already been tested by the emerging Local Plan and Core strategy. I consider therefore that the legal requirements of the EU's SEA Directive have been met. The Neighbourhood Plan proposals will have no significant effects on the environment or any European sites.

18.8 I consider that the Plan complies with the rights outlined in the Human Rights Act.

18.9 I consider that extensive public consultation has taken place, led by the community but supported by the Local Authority and Kirkwells and am satisfied that it meets the requirements. I am satisfied that the public consultation meets the requirements of Section 15 (2) of Part 5 of the Neighbourhood Planning Regulations 2012.

18.10 I conclude that the Plan meets the basic conditions as defined in the Localism Act 2011, Schedule 10 and Schedule 4B, 8 (2) of the Town and Country Planning Act 1990.

18.11 In accordance with the Town and Country Planning Act 1990, Schedule 10 (2) (b) I recommend the modifications specified in this report are made and that the draft Neighbourhood Plan for Horninglow and Eton is submitted for a Referendum.

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