



# **ANGLESEY NEIGHBOURHOOD DEVELOPMENT PLAN**

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

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**13 April 2016**

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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 a steering group set up by Anglesey Parish Council which included Parish Councillors, local residents and stakeholders. The Borough Council and Planning consultants' BPUD have assisted the process.

1.3 The Plan document is attractively and clearly presented with extensive use of illustrations. It is evident that considerable thought has been given to the style of the document in an effort to make it of interest to the diverse community in the Plan area. There is an introductory section that outlines what a Neighbourhood Plan is. This is followed by a section outlining how the Plan can be used which describes in a linear table the steps leading to the potential adoption of the Plan. A brief description of the key features of the area is included in Section 4. This is followed by a section on the historical development and description of Anglesey today. The following sections provide details of the Plans and Policies that are relevant in the area and the consultation process. This leads in to the Vision and Objectives for the Plan and the subsequent Policy proposals. There is a Strategic Map that illustrates some of the key features of the area and the policies and proposals within the Plan.

1.4 The Plan explains that the reason for promoting a Neighbourhood Plan for Anglesey is to “build upon the vibrancy of Anglesey Parish whilst promoting best use of our assets and ensuring maximum accessibility for all” The vision seeks to increase well being and community cohesion, enhance

services, improve the quality of the public realm, protect existing industrial and commercial facilities whilst safeguarding historical buildings of architectural significance. The creation of strategies for under utilised key sites is seen as a central objective.

1.5 Anglesey is a suburb which borders the centre of Burton on Trent. It had a population of just over 6800 according to the 2011 census. The Plan area consists of the Parish of Anglesey. The Plan supports the policies and land use proposals that are included within the East Staffordshire Local Plan. The Plan identifies 15 key policies under the broad themes of Community Facilities; Employment and Housing; Environment and Green Space and Key sites. It recognises that a number of proposals are not land use planning matters and the Parish Council will seek to facilitate or encourage their implementation to help achieve the Plans objectives.

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 Anglesey Parish by East Staffordshire Borough Council.

## **2.0 Role of the Independent Examiner**

2.1 I was appointed by East Staffordshire Borough Council in February 2016, with the agreement of the Anglesey Parish Council to conduct this examination. The role is known as Independent Examiner.

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 Anglesey Neighbourhood Plan boundary.

2.4 I am a Chartered Town Planner with nearly 40 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 Anglesey 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. I am a member of the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) and have carried out the independent examination of five Neighbourhood Plans.

### **The Examination Process**

2.5 The general presumption is that most Neighbourhood Plans will be considered through written evidence. East Staffordshire Borough Council has 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 relatively straight forward nature of the plan proposals, the limited number of land use recommendations and the fact that there have been limited representations through the recent 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. ***Where modifications are recommended in this document they are highlighted in bold and italics.***

### **3.0 The Neighbourhood Plan Area**

3.1 The Neighbourhood Plan area consists of the whole of the Parish of Anglesey which is situated close to the centre of Burton on Trent. It is bounded by the River Trent and railway lines to the south and west and by the A5189 to the north.

3.2 The area contains a mixture of housing, industry and commercial properties. The major areas of industrial and commercial use are in the north of the area though there are significant industrial or former industrial premises situated throughout the area. Two breweries occupied the northern part of the Parish. Trent brewery was built in 1881 and closed in 1985. The Clarence Brewery was demolished in the 1970's. The area of the former breweries has been declared a Conservation area and two of the buildings have listed building status.

3.3 The majority of the area consists of terraced housing built in the late 19<sup>th</sup> or early 20<sup>th</sup> century, much of which originally housed workers for the brewing industry. Much of the housing is high density terraces with no front gardens although there have been a number of more recent housing developments. There are few through routes through the narrow streets and limited off street parking. A number of streets have been made one way and

traffic calming measures introduced. High levels of parking on both sides of the streets create difficulties for traffic movement through the area.

3.4 The area to the south and east of the Plan area is known as “The Washlands”. This area lies on the flood plain of the River Trent. It is of special interest and provides a range of habitats for a variety of wildlife.

#### **4.0 Consideration of the Basic Conditions**

4.1 There are a number of basic conditions that the Anglesey 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 Anglesey Parish Council Steering group with support from consultants’ BPUD and officers from East Staffordshire Borough Council.

## **Qualifying Body and Neighbourhood Area Designation**

4.3 East Staffordshire Borough Council made a bid in November 2011 to the Department of Communities and Local Government for a number of Parishes to receive 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. Anglesey therefore became part of the fifth wave of Neighbourhood Planning Frontrunners.

4.5 In June 2012 Anglesey Parish Council submitted an application for the designation of Anglesey Parish 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 Anglesey Parish.

4.7 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.

4.8 ***The Steering Group may wish to consider including details of the application date and the designation confirmation in the Basic Conditions statement. They may also wish to insert the following sentence in the Basic Conditions Statement: "On 29 November 2012 East Staffordshire Borough Council approved a report via delegated Executive Decision of the appropriate Deputy Leader to designate the area as the Anglesey Neighbourhood Development Plan Area and to***

***publicise the designation as required under the Neighbourhood Planning (General) Regulations 2012.”***

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

4.10 I am satisfied that the Anglesey 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 Anglesey Parish Council.

#### **Basic condition: Neighbourhood Plan Area**

4.11 I am satisfied that the Anglesey 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.

4.12 I am also satisfied that the Anglesey 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.

4.13 The Anglesey Plan covers the period 2014 – 2031. It therefore covers the period of the East Staffordshire Local Plan 2015 adopted in October 2015, which relates to the period 2012 -2031. ***On page 3 of the Plan the title should read 2014 -2031 not 2013-2031.***

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

4.15 The Basic Conditions Statement prepared by the Anglesey 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 therefore considered the Anglesey Neighbourhood Plan in line with National Guidance, the East Staffordshire Local Plan 2015 and various East Staffordshire Borough Council Strategies.

5.3 The adopted Local Plan has 35 Strategic Policies. For the purposes of meeting the NP Basic Conditions the Local Plan identifies 14 policies that it considers strategic. In the section on Policies I will outline my view on whether the Plan can demonstrate that it supports these policies and recommend modifications where necessary.

5.4 A number of the Local Plan Strategic Policies are of particular importance when considering this NP. SP2, the Settlement Hierarchy, in particular seeks to locate new development within the settlement boundary of Burton.

***5.5 In order to meet the Basic Conditions the Monitoring section of the Neighbourhood Plan will need to identify that the policies in the plan will be monitored and reviewed in accordance with the Local Plan review process and timetable. I recommend that in Section 2.1 on Page 5 delete “16” and insert “17 years”. Replace “it’s” with “its”. In paragraph 2.2 delete “Replace with”. In 2.4 replace “will be” with “has been”. Paragraph 2.5 needs updating to reflect the current status of the Plan. I recommend starting with “In order to produce the Plan we have spent time meeting...” After “aspirations for the area” insert “Having considered all of the responses we have now produced the Neighbourhood Plan which will be subject of a referendum if agreed by***

***an Independent Examiner”. Delete the rest of the paragraph. In 3.1 delete “is” and replace with “are”. In 3.3 insert “and organisations” after “people”. In 3.6 delete “for implementing the Plan”. I also recommend changing the progress chart at the bottom of page 6 to indicate that the Plan has reached stage 11 of 12.***

5.6 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 adopted 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”.

#### **National Planning Policy Framework (NPPF) (2012)**

5.7 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.

5.8 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.

5.9 I am satisfied, that the Plan has adequate regard to the policies in the NPPF. In reaching this opinion I have been assisted by the Basic Conditions Statement prepared in support of the draft Plan by Anglesey Parish Council Neighbourhood Plan Steering group and BPUD. ***The Steering Group may wish to consider inserting page numbers at the bottom of each page of the Basic Conditions Statement and a publication date on Page1, on page 2 inserting “is” after “The Plan” in first section and on page 4 third section deleting “The Parish” which appears twice.***

5.10 Appendix 2 of the Basic Conditions statement outlines how the Anglesey Neighbourhood Plan contributes positively to 11 of the core planning principles that underpin the framework (paragraphs 18 -149).

5.11 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 policies to support and enhance existing community hubs, improvements to shopping areas and support for local business development.

5.12 I consider that the Plan provides a series of policies aimed at enhancing the character and amenity of the area 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 Local 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 East Staffordshire Borough Local Plan.

6.4 The Neighbourhood Plan Basic Conditions Statement provides details how the policies contained in the Anglesey NP support the principle of sustainable development. This is evidenced by policies promoting sustainable transport, in particular encouraging more walking and cycling, supporting appropriate business and economic growth and protecting retail facilities, and promoting accessibility improvements.

6.5 I consider that the development that will be delivered through the proposals in the Plan should deliver sustainable development within the Parish of Anglesey.

## **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 East Staffordshire Borough Council Local Plan 2015.

7.2 The vision for the Neighbourhood Plan is outlined in Section 6. It is consistent to that of the 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 adopted Local Plan identifies 35 key Strategic Policies. Appendix two of the Basic Conditions document is a detailed checklist providing evidence that the Plan contributes to 22 of these to some degree. It should be noted that there are a number of objectives in the Local Plan that are not relevant to the Plan area.

7.4 I am satisfied that the Anglesey Neighbourhood Plan is in general conformity with the adopted 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 June 2015. The Council concluded that the Neighbourhood Plan area contained built and natural heritage assets. One of the statutory consultees, Historic England advised that in their opinion an SEA would be required. The Council concluded that the Plan could have significant environmental effects and, as a result, a Strategic Environmental Assessment of the Plan would be required. It concluded that no Habitat Regulations Assessment would be needed.

8.3 The Neighbourhood Plan steering group, supported by BPUD, therefore undertook a Sustainability Appraisal of the Plan which was published in December 2015. The Sustainability Appraisal relates to the NP as a whole with particular emphasis on Policy A14, the Brewery Buildings on Clarence Street, known as Goat Maltings in response to the recommendation of Historic England.

8.4 The document identifies the relevant sustainability objectives in the Local Plan and confirms that these form the basis of Anglesey NP's Sustainability objectives. The NP sustainability objectives were used to assess the vision, objectives and draft policies and whether they 'complied', 'caused a potential conflict to occur' or were 'not applicable'. This confirmed that there were only minor potential conflicts with the NP Sustainability objectives or the Local Plan.

8.5 The Plan document outlines that options for the Grade 2 Listed Brewery Buildings site were considered. These included demolition or significantly altering the building but were not considered as appropriate. In view of the disused and derelict state of the buildings I consider the options considered to have been appropriate.

8.6 I am satisfied, therefore, 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 Anglesey Parish Council I have considered the following documents:

- East Staffordshire Borough Council Local Plan 2012 – 2031 adopted October 2015
- East Staffordshire Local Plan, July 2006
- East Staffordshire Ward profile for Anglesey Ward Profile and census results 2011
- East Staffordshire Revised Sustainability Appraisal Report (2014)
- Town and Country Planning Act 1990 (as amended)
- National Planning Policy Framework (NPPF) (2011)
- The Localism Act (2012)
- The Neighbourhood Planning Regulations (2012)
- Planning Practice Guidance
- The Environmental Assessment of Plans and Programmes Regulations 2004.
- The detailed consultation responses to the consultation

9.2 There were 11 representations made during the final formal consultation period. There were supporting comments from the Parish Council and the Steering group and a series of detailed comments from both ESBC and Staffordshire County Council. I will address these in the appropriate section of my report. ***There are numerous typing and grammatical errors in the report which need to be corrected. Many of these have been picked up in the helpful submission from Councillor Peter Davies.***

9.3 There were no direct objections to the Plan though the County Council have identified a couple of issues that I will address in the report.

9.4 In addition, I visited the area unaccompanied for one day in March 2016.

## **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 Anglesey Parish Council has provided information regarding the public consultation that took place in preparation of the Plan in the Neighbourhood Plan Consultation report produced by BPUD on behalf of the Parish Council and published in October 2015. This confirms that consultation took place with residents, community groups, schools, businesses and stakeholders at the key stages of Plan development in a variety of forms and locations.

10.4 The document provides a timeline and description of the consultation that took place. ***I recommend that the timeline table on Page 5 includes the year for each event since the consultation took place over a number of years.*** Production of the NP began in January 2014 and consultation took place from June to September 2014 to gauge initial thoughts about the area and suggestions for improvements. A local business survey took place and a

specially branded bus toured the area for two days in September 2014.

***There is no information about the number of responses to the survey and limited numbers attended the bus tour. I recommend adding the numbers attending if known.***

10.5 Following this a Draft Plan was prepared and subject to formal Regulation 14 public consultation between June 3 and July 13, 2015. A launch event took place but again no information is given about the numbers attending. The Regulation 14 responses were broadly favourable and raised no objections to the Plan.

10.6 ***The Consultation report in its current form does not provide sufficient evidence that the views of all of the community were taken into account.*** I was particularly concerned that there seemed little or no evidence that the minority communities had been involved in the process. This is particularly important in an area like Anglesey where the latest ward profile indicates that over 25% of the population are from minority populations and 10% could either not speak English or could not speak it well.

10.7 Further clarification has been therefore been sought from the consultants and it is clear that the diverse population was recognised at the outset and efforts made to ensure that their views were taken into account. ***In order to demonstrate this, the steering group may wish to amend the consultation document to include the following:***

10.8 ***The steering group was a mix of British and eastern European nationalities and had input from ward councillors from the Asian community.***

10.9 ***Overall, the steering group and parish council were extremely aware of the diversity of the parish and made great effort to make the plan as accessible to all backgrounds as possible. The plan is deliberately colourful and uses simple language to communicate the***

***planning ideas and policies to everyone regardless of literacy or language skills.***

***10.10 From the start of the project it was recognised that traditional consultation techniques might not be effective within Anglesey due to the large number of residents who spoke English as a second language or not at all in conjunction with high levels of deprivation in pockets of the Parish. We identified the key groups within the Parish were white British, white eastern European, afro-Caribbean and Asian/Pakistani communities. We tried a number of approaches to reach all of these groups.***

***10.11 A large number of parents of children at Anglesey Primary Academy are white British, eastern European and Asian and so we spoke to members of all of those groups when we had stalls at the school fetes and when on the bus tour.***

***10.12 We explored translation of the neighbourhood plan and consultation material. To get this done in a comprehensive manner was an expense that the parish council simply did not have the funds for. A Steering Group member spent time at events (particularly at the school) taking Polish and Latvian speakers through the Neighbourhood Plan and recording their views.***

***10.13 ...The majority of the business owners that we spoke to were Pakistani and Asian. They generally run the newsagents whereas the white British population run the timber and haulage businesses.***

***10.14 ...The luncheon club that we spoke to were a group of Afro-Caribbean origin residents. They had moved to Burton in post war times and were now an established part of the community.***

***10.15 ...We made a number of attempts (phone calls, visits in person, emails) to try and engage the mosque in the project. A number of***

***people were interested in the project but we were not successful in holding a session with them. One of the ward councillors attended Parish Council and Steering Group meetings and provided some comments on the neighbourhood plan. He also took the plan to people within the mosque community. The level of actual feedback received was minimal however.***

***10.16 ...One of the key groups that we spoke to was a new Polish community centre that had started in the Parish. We spoke with the owner through a translator.***

***10.17 The experience of working in Anglesey is that the population is so diverse that in fact the vast majority of people that we spoke to in all kinds of setting (key groups meeting, school fetes, the bus tour) were from minority groups.***

***10.18 The final version of the Plan was widely publicised through Press releases, letters and emails with copies being available on web sites, hard copies in shops and with information delivered to every household. I recommend that the Neighbourhood Plan title is written in the key local languages on the front cover.***

***10.19 The Regulation 16 consultation took place between January 18 and February 29, 2016. There were 11 responses. The majority of comments were supportive of the Plan. There were a small number of objections expressed by Staffordshire County Council and I will address these later in the report.***

***10.20 There was a significant change in the final version that was subject to the Reg. 16 consultation. One of the key Policies from earlier versions relating to the Webb Ivory site was the omitted. I understand that this was the result of a Planning Application being approved for the site during the process of Plan preparation. Since this was one of the key Policies in the original Plan I recommend that a short section is included in the introduction to the Key Sites chapter of the NP to***

***provide an update on that proposal and explain why it was omitted from the final version.***

10.21 The additional information that I have received has enabled me to be now satisfied that considerable consultation has taken place throughout the various phases of the Plan development and that the Plan has received the overwhelming support from respondents. Where concerns have been raised it is clear that in most cases steps have been taken to respond positively to the comments.

10.22 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 Anglesey Neighbourhood Plan Vision and Objectives**

11.1 The Anglesey Neighbourhood Plan has a vision for the future. It seeks: “to build upon the vibrancy of Anglesey Parish whilst promoting best use of our assets and ensuring maximum accessibility for all”

11.2 The Plan’s vision for Anglesey is that by 2031 well being and community cohesion will have increased and the public realm and environment improved. The vision also includes protecting existing commercial and industrial facilities and historic buildings. It seeks enhanced services for the young and elderly and improved access with less reliance on the car. ***The title on page 16 should read Our Vision and Objectives for Anglesey”***

11.3 The Plan then outlines how the vision will be realised through 6 policy objectives. The objectives are clearly written and aspirational. The policies are split into four sections relating to Community Facilities, Employment and Housing, Environment and Green Space and Key sites. Each Policy provides

a statement indicating which of the Neighbourhood Plan Objectives it will help deliver.

## **12.0 Anglesey Neighbourhood Plan Policies**

12.1 The Anglesey Plan Policies begin in Section 8. ***There is a useful Strategic map that identifies the key proposals. I recommend that the conservation area boundary and listed buildings are included.*** There is a useful brief introduction on page 18 which outlines the four sections of Plan proposals. A number of the Plan Policies are not land use matters and it is clear that the Parish Council will need to use its best endeavours to influence the priorities of the key delivery agencies. This will be particularly important as there is likely to be a reliance on S106 or the possibility of Community Infrastructure funding being available to fund some of the projects. ***I recommend that these are differentiated from the land use proposals by naming them Parish Proposals.***

### **12.2 Parish Proposal A1 Protecting and enhancing existing Community Facilities**

12.3 The Plan lists the type of facilities that should be protected and enhanced if possible. There are photos of the area on Page 20 that highlight the aims of the policy. ***In paragraph two line three delete “or harm to”. In the explanatory note replace “parts” with “groups”. There are no specific land use proposals and this Policy would be better termed a Parish Proposal.***

12.4 Recommendation: Subject to the above amendments I do not recommend any changes to this Parish Proposal.

### **13.0 Parish Proposal A2 Establishing Community Hubs**

13.1 The Policy identifies five buildings and two outdoor venues that it considers community hubs. These are shown on the Strategic map. ***In line 1 delete “to be”. Further Community hubs are intended but none are identified in the Plan and there is no indication of how they would be funded. If this is through the Development Management system this should be acknowledged.***

13.2 ***There are no specific land use proposals and this Policy and I recommend that this is titled a Parish Proposal.***

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

#### **14.0 Policy A3 Improvements to Shopping Areas**

14.1 The Local Plan confirms that there are three local centres in the Anglesey area. These are shown on the Strategic map. The Policy identifies that planning applications in these locations will be supported subject to various conditions.

***14.2 In the first bullet point insert “other than hot food take aways” at the end of the first sentence. Change the second bullet point to delete the word “interiors” because the appearance of shop interiors cannot generally be controlled through the planning process.***

***14.3 Replace 5<sup>th</sup> bullet point with “The applicant provides evidence that reasonable efforts have been made in the three months prior to submitting a planning application to attract an A1 use to the property.”***

***14.4 In the penultimate paragraph I recommend using the LA suggestion: “Proposals for temporary use will not normally be for a period greater than 12 months, to allow the review of the effects of the permission.”***

14.5 Recommendation: Subject to the above changes I do not recommend any changes to this policy.

#### **15.0 Parish Proposal A4 Walking and Cycling**

15.1 The Plan supports the creation and enhancement of a network of safe walking and cycling routes. This is understandable given the low levels of car ownership and relatively high proportion of residents in the area who walk to work. However the Plan does not provide any details on how the connections are to be improved, a point picked up by the County Council in their response. In view of the street layout it may prove very difficult to achieve a solution that provides improved walking and cycling through the developed part of the Plan area though potentially easier through the Washlands area. ***In order for this Parish proposal to be realised it will be essential for the Parish Council to recognise that it will need to work closely with the Local Authority and Highway Authority in order to achieve implementable schemes that achieve the desired outcome.***

***In paragraph 2 line four delete the comma after “out of”. In paragraph 3 the barriers to walking are not identified on the Strategic Plan so either delete or identify the barriers on the plan.***

15.2 Recommendation: Subject to the above amendments I do not recommend any changes to this Parish proposal.

## **16.0 Policy A5 Employment and Housing**

16.1 The second theme, Employment and Housing, starts with Policy A5. The Plan recognises the dual housing and employment role played by the area. The Policy seeks to guide new development and specifically supports a greater range of housing including, larger, aspirational and starter homes. On page 26 there are photos reflecting the housing vision for the future. It is not clear how many of the photos are from the area. ***It would be helpful to clarify this in the text.*** The first sentence of the explanatory section states that the community wishes to see a greater range of houses provided. It should be noted, however, that there are few opportunities in such a densely developed area for this to be realised. The Plan recognises the importance of retaining businesses and enhancing employment opportunities within the area.

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

#### **17.0 Policy A6 Houses in Multiple Occupation (HMOs)**

17.1 This policy seeks to encourage the de-conversion of HMOs and supports the conversion of suitably sized properties to flats. ***In bullet point 1 replace “Policy A10 with Policy A11”. In paragraph three first bullet point replace “at least 1 space per tenant” with “in line with policy”. In 3rd bullet point replace “tenant” with “bedspace”.***

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

#### **18.0 Policy A7 Supporting Employment and Industry**

18.1 The Plan proposes a very positive Policy regarding employment land use. It recognises that the local employment contributes to the vibrancy of the area. It therefore seeks to retain and protect existing employment sites. It identifies a number of potential employment uses that will be encouraged but proposes that general industrial or distribution uses will be not usually be permitted unless on the Crown Industrial site. ***In paragraph 2 delete “Parish of Anglesey”.***

18.2 Recommendation: Subject to the above amendment I do not recommend any changes to this policy.

#### **19.0 Policy A8 High Quality Residential Design**

19.1 This policy encourages high quality residential design. ***The title should include the word “residential” and the word “residential” should be included in the first sentence of the Explanatory section. The high density back of pavement design of much of the area would prevent front boundaries in many cases. I recommend bullet point 3 adds***

***“where feasible”***. ***The County Council have indicated that in line with NPPF Paragraph 128 a Heritage Statement needs to be prepared when considering a scheme that may impact on a heritage asset. This should be included in the text.***

19.2 Recommendation: Subject to the above I do not recommend any changes to this policy.

## **20.0 Policy A9 Heritage and Conservation**

20.1 This Policy recognises the considerable number of physical assets in the area and seeks to protect and enhance them where possible. The Parish Council have identified four buildings within the Plan area that are of particular significance and wish to work with the Local Authority to achieve local listings.

***20.2 Although it is a worthy aspiration to retain and protect facades regardless of their subsequent use this is unrealistic particularly in relation to corner shops which may be converted to residential. I recommend adding the phrase “where feasible” to the final sentence in third paragraph.***

20.3 Recommendation: Subject to the above amendment I do not recommend any changes to this policy.

## **21.0 Policy A10 Streets and Spaces**

21.1 The third overall policy objective relates to Environment and Green Space and seeks to promote improvements to the public realm and open spaces in the Plan area. This is an appropriate policy objective in view of the densely developed nature of the area. The Strategic Map identifies Green links along three of the major streets. The back of pavement terrace design of these streets will make the creation of green links with trees very difficult to achieve. There is no reference in the Plan to how this will be achieved. ***I recommend, therefore, that within the Explanatory section a sentence is added to recognise that the Parish Council will need to work with the***

**Highway Authority to consider potential changes that could achieve an increased greening of these streets. I recommend the term “street trees” should be deleted from the Strategic Map key. In 10.3 mention is made of St. Matthew’s Park. It should be shown on the Strategic Plan. On Page 33 photos illustrating the vision for the area are shown. It would be helpful to clarify in the text that these are images from elsewhere and possibly add a phrase like “exciting examples from elsewhere”**

**21.2 This policy seeks high standards in new development. I agree with the Council who have recommended that the first sentence of the Explanatory section would be improved if it read “Improvements to public realm, [secured by a S.106 agreement], will be required by all new development where this is appropriate. Public realm improvements should be of very high quality and ensure that...” In paragraph 2 line 3 add “ensure” before longevity. 3<sup>rd</sup> par 2<sup>nd</sup> sentence should read “This Policy aims”**

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

## **22.0 Policy A11 Parking and Refuse Strategy (replace Strategy with Storage”**

22.1 This policy seeks to ensure that sufficient parking and storage space is provided in new developments. This is an understandable aspiration in view of the high density back of pavement terrace layout that is a feature of the area. **In line 1 delete “market”. In line 2 delete “where appropriate” and replace with “unless the type of development and / or location justify requiring a differing amount..” In bullets 1-4 replace household with dwelling. In bullet 2 insert “dwellings of 2 or 3 bedrooms. At the end of paragraph 2 add the ESBC wording “where this would not create on-street parking problems or exacerbate existing ones.” Delete last sentence and replace with: “On all applications for new developments, sufficient on-site refuse bin storage needs to be provided in a location**

***which has satisfactory access and is shielded from view as much as possible.”***

22.2 Subject to the above I do not recommend any changes to this policy.

### **23.0 Policy A12 Open Space and Recreation**

23.1 The Plan area has considerable open space but it is distributed at the edges of the Parish. Signage is poor and access limited. The Policy aims to protect these existing areas and seeks financial contributions towards their enhancement as part of new developments. ***Paragraph 3 of the Explanatory suggests that proposals should seek to secure the continued vitality and viability of the football club. There is little justification in the documentation for this proposal and I recommend that it is deleted. The Parish may wish, however, to add an additional aspiration that it will use its best endeavours to maintain the highly valued work of the Community Trust. The last paragraph of the explanatory should be excluded since it is unreasonable to expect all new developments to facilitate opportunities for food growing. Bullet 4 could be replaced by the ESBC suggestion: “protect and enhance current allotment provision and, where possible and appropriate, provide opportunities for local food growing in the design of new developments, including incorporating flexible landscaping that can provide growing spaces.”***

The Steering group may wish to explore the Incredible Edible approach that has been adopted in various new housing developments where soft landscaping areas have been designed to include fruit and herbs that can be used by the community.

23.2 Subject to the above changes I do not recommend any changes to this policy.

### **24.0 Policy A13 The Washlands**

24.1 The Washlands is an important area and serves a number of purposes. The policy seeks to protect the special area from inappropriate development while encouraging greater community access. There is an important balance to be struck in relation to this area and the concerns expressed by the Council and the County Council need to be incorporated. ***I recommend a number of changes to the text to ensure that the emphasis is on maintaining and enhancing existing management of the area rather than encouraging new planting and development that would threaten its existing condition. Bullet 1 should therefore read “Encourage new native planting where it does not harm existing biodiversity”. Bullet 2 should read “Improvements to footpaths and connectivity within the site and with wider regional routes”. The following bullets should read “Improving”; “Encouraging”; “Improving”; “Developing” and “Promoting”.***

24.2 Subject to the above I do not recommend any changes to this policy.

## **25.0 Policy A14 Key sites – Brewery Buildings, Goat Maltings**

25.1 This Policy recognises that the community wish to see a number of underused or vacant sites and buildings brought into beneficial use. Two sites, Goat Maltings and the Crown Industrial Estate are featured. ***In previous versions of the Plan the Webb Ivory Site was identified as a key priority for the community but it is not mentioned in the final version. I recommend that a short section is included outlining the background to the site and that planning permission was obtained during the process of production of the Plan. The Steering group may wish to highlight that they were involved in discussions about the application and whether they felt they influenced the final outcome***

25.2 The Plan supports the redevelopment and conversion of the Goat building subject to a number of criteria. It proposes a wide range of potential uses for the site. ***In the first paragraph 4<sup>th</sup> sentence of the Explanatory I recommend rewording to “assess the balance between bringing forward***

***development proposals with community benefit versus the substantial harm to this listed building heritage asset”***

25.3 Subject to the above I do not recommend any changes to this policy.

**26.0 Policy A15 Crown Industrial Estate Anglesey Road**

26.1 This policy seeks to set out broad rules for future development of the Crown Industrial site on Anglesey Road. This is a gateway to both the Anglesey area and Burton town centre. The Plan will support light industrial, office and research, tourism and leisure uses and small scale convenience retail. Although not entirely ruling out residential the proposal it would only be considered as part of a mixed use development. ***The key of the plan on Page 41 should read “positive improvements to Green Link”.***

26.2 Subject to the above I do not recommend any changes to this policy.

**27.0 Summary and Recommendation**

27.1 I would like to congratulate the Anglesey Parish Council for the considerable amount of work that they have undertaken to produce the Anglesey Neighbourhood Plan. The 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.

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

27.3 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 Anglesey Parish Council is an appropriate Qualifying Body and is therefore able to produce and submit a Neighbourhood Development Plan for the Parish of Anglesey. I am satisfied that the area included in the Anglesey Neighbourhood Plan is appropriate and was designated accordingly by East Staffordshire Borough Council. I am also satisfied that the Anglesey 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.

27.4 The Plan covers the period from 2014 to 2031. This is aligned with the East Staffordshire Borough Council Local Plan which covers the period 2012 to 2031.

27.5 I am satisfied that the Anglesey 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.

27.6 I consider that the Anglesey Neighbourhood Plan policies, subject to minor modifications, will make a positive contribution to sustainable development. The policies could promote economic growth and serve to maintain and enhance the physical appearance of the area. The production of the Plan should provide confidence to the community.

27.7 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 policies included in the Neighbourhood Plan that had meant an SEA was required. This was produced. 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.

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

27.9 I consider that extensive public consultation has taken place, led by the Parish Council but supported by the Local Authority and BPUD 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.

27.10 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.

27.11 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 Anglesey is submitted for a Referendum.

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13 April 2016