



# **STRETTON NEIGHBOURHOOD DEVELOPMENT PLAN**

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

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**9th NOVEMBER 2015**

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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 Stretton Parish Council which included interested residents. The Borough Council and Planning consultants Kirkwells have assisted the process.

1.3 The Plan has been previously been through an Examination process. A series of modifications and amendments suggested by the Independent Examiner were accepted and have been made since then and the Plan has now been resubmitted for re-examination. There was one objection to this approach. The Council considered the objection and are satisfied that they have not contravened the regulations. I have reviewed the regulations and concur with the Council view that their approach has been in line with paragraph 13 of Schedule 4B of the Town and Country Planning Act 1990 (as inserted by Schedule 10 of the Localism Act 2011). I therefore consider that the recent consultation has been carried out in line with paragraph 13 (1) of Schedule 4B and the subsequent referral to an independent examiner was in accordance with paragraph 13(2).

1.4 The Plan document is well presented with good use of illustrations. It is clear that considerable work has been undertaken to produce the document. However the page numbers are not visible at the bottom of each page. There is an Executive Summary that outlines the process of Plan development. The Introduction and Background describes the process leading to potential adoption of a NP with a helpful diagram. A description of the Planning Policy

background in Section 2 is followed by a detailed section on the historical development and description of Stretton today. This leads in to the Vision and Objectives for the Plan and the subsequent policy proposals. There are a series of Plans that illustrate the policies and proposals within the Plan.

1.5 The Plan explains that the reason for promoting the Neighbourhood Plan for Stretton is to create a place “where the health and wellbeing of the community is of paramount importance, and a high quality of life is enjoyed by everyone.” The vision seeks to foster a strong sense of community in a place with a unique identity while protecting the open countryside.

1.6 Stretton is a suburb three miles north of Burton on Trent town centre and has a population of just over 8600. The Plan area consists of the Parish of Stretton. The Plan supports the policies and land use proposals that are included within the East Staffordshire Local Plan. The Plan identifies 14 key policies and 13 objectives to achieve the vision. It also includes a number of Parish proposals that it will seek to implement to help achieve the Plans objectives which are not land use planning matters.

1.7 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

1.8 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 Stretton Parish by East Staffordshire Borough Council.

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

2.1 I was appointed by East Staffordshire Borough Council in September 2015, with the agreement of the Stretton 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 Stretton 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 Stretton 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 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. The development process of the Plan has been unusual in that it has already been subject to both a Health Check and an Independent Examination. However in view of the relatively straight forward nature of the plan proposals, the lack of land use allocations 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 forms the north east and part of the western boundary of Burton on Trent. It contains a mixture of housing, industry and commercial properties. The Plan area is bisected by the A38 and the Trent and Mersey canal. There are few through routes.

3.2 There is evidence that human activity in the area dates back many centuries with Stretton being mentioned in the Domesday Book. The historic core of the village is situated to the north of the A38 and concentrated around the Green, which is currently undergoing improvements.

3.3 The age and physical appearance of the housing stock varies considerably with the older housing concentrated south of the A38. The housing tenure is predominantly owner occupied or private rental. There has

been significant new housing development in the last twenty years with further major new housing either on site or planned.

3.4 The area to the south and east of the A38 is a mixture of older housing and industrial and commercial properties either side of the Derby Road. The large Pirelli site is located in this area, part of which has been released for new housing development. There are a number of vacant sites off the Derby Road that could be suitable for industrial or commercial development.

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

4.1 There are a number of basic conditions that the Stretton 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 Stretton Parish Council Steering group with support from consultants Kirkwells and officers from East Staffordshire Borough Council. This was published in July 2015.

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

4.3 East Staffordshire Borough Council supported a bid from the Stretton 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. Stretton therefore became part of the fifth wave of Neighbourhood Planning Frontrunners.

4.5 In May 2012 Stretton Parish Council submitted an application for the designation of Stretton 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 from 10<sup>th</sup> October to 21<sup>st</sup> November 2012. The application was published on the Council's website and was available at various locations throughout Stretton 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 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 Stretton 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 Stretton 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 Stretton Parish Council.

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

4.11 I am satisfied that the Stretton 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 Stretton 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 Stretton Plan covers the period 2014 – 2031. It therefore covers the period of the recently adopted East Staffordshire Local Plan 2015, which relates to the period 2012 -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 Stretton 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 initially considered the Stretton 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 Soon after my appointment the Local Authority confirmed that the Local Plan Examiners report was imminent. In view of this it was agreed that it would be sensible to defer completion of the NP examination until the Local Plan report had been received and considered. The report was received on October 7 2015. The Local Authority accepted the Main Modifications made by the Inspector.

5.4 The modified Local Plan was considered at an Extraordinary meeting of the Council on 15<sup>th</sup> October 2015. The Council resolved “to adopt the Local Plan 2012-2031 incorporating the Main Modifications set out in the Appendix to the Inspectors Report and other additional modifications subject to previous consultation and any presentational changes required.” The Council also resolved to revoke the Saved Policies in the East Staffordshire Local Plan 2006 (adopted July 2006) and to revoke the Housing Choice SPD (adopted February 2014).

5.5 I have, therefore, now considered the Neighbourhood Plan in light of the newly approved Local Plan. ***Since the Stretton Neighbourhood Plan was produced before the Local Plan was adopted it has made reference***

***throughout to the relevance of the saved policies from the previous Local plan. These will all now need to be amended.***

***In the Introduction and Background Section the last sentence of 1.8 should include the phrase “subject to confirmation from an Independent Examiner that the Plan meets the Basic Conditions”. I recommend that paragraph 2.5 is deleted and the original section 2.6 should be numbered 2.5 and titled East Staffordshire Local Plan 2012 – 2031. The last sentence should read “The Local Plan was adopted by the Council on 15<sup>th</sup> October 2015”. This section refers to Appendix 3 which provided a useful explanation of the policies from the emerging Local Plan. This will need to be amended to reflect the relevant policies in the adopted plan.***

5.6 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.

5.7 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. The Plan does not seek to allocate any additional housing sites since there are a number of housing developments within the area that are either on site or planned. The Plan area contains two of the Strategic Housing sites in the Local Plan (Pirelli with 300 homes and Guinevere Avenue with 100 homes). In addition a further 37 homes are to be developed off St. Mary's Drive.

***5.8 In order to meet the Basic Conditions the Neighbourhood Plan will need to include a section outlining proposals for Monitoring the policies in the plan. This should outline that the NP will be monitored and***

***reviewed in accordance with the Local Plan review process and timetable.***

5.9 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)**

5.10 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.

5.11 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.

5.12 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 comprehensive Basic Conditions Statement prepared in support of the draft Plan by Stretton Parish Council Neighbourhood Plan Steering group.

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

5.14 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 to enhance existing local centres and support for local business development.

5.15 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 Stretton NP support the principle of sustainable development. This is evidenced by policies supporting appropriate business and economic growth, protecting retail facilities, promoting new communication technologies 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 Stretton.

## **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. It was appropriate and beneficial that the Plan was prepared taking account of the emerging Local Plan and the likely modifications. This should mean that the Plan can be modified relatively easily to refer to the newly adopted as opposed to the 2006 Plan. ***The principal additional work to enable the Plan to meet the conformity with Strategic Policy Basic Condition will be the need to delete references to the saved policies and replace them with the appropriate adopted Local Plan reference.***

7.2 The vision for the Neighbourhood Plan is clearly outlined in Section 5. 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. The Basic Conditions document provides evidence that the Plan contributes to 18 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.

7.4 Subject to these changes I am satisfied that the Stretton 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 2014 and updated in August 2015. The Council concluded that the Neighbourhood Plan would not have significant environmental effects and, as a result, a Strategic Environmental Assessment of the Plan would not be required.

8.3 The Parish Council received an objection to the Draft Consultation Stretton Neighbourhood Plan from Gladman Developments Ltd. Gladman consider that an SEA is required because Policy S1 has the effect of not

permitting any further housing in the Parish, by protecting certain green field areas from inappropriate development and Policy S11 allocates land for development for a burial ground.

8.4 The Council has considered this objection and provided a comprehensive rebuttal confirming in particular their view that the Plan will allow appropriate development. The Council consider that a site for a burial ground is not allocated in the Plan. I consider that while Policy 12 supports the principle of identifying and allocating a site for a burial ground it does not allocate a site and therefore I agree with the Council view. I do not consider, therefore that an SEA is required.

8.5 The Council also concluded that a Habitat Regulation Assessment would not be necessary since in view of the relatively small area covered by the plan and the fact that it did not involve any policies which were likely to lead to a level of development significant enough to have a negative impact on a Special Area of Conservation, Special Protection Area or Ramsar wetland site. I agree with this.

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

8.7 An Equalities and Health Impact Assessment was been undertaken by the Council in July 2014 and updated in July 2015. The report concluded that the Plan will have positive effects and impact across many of the equality categories namely age; disability; health, mental health and well being; social, economic and environmental conditions. The Plan will have no impact on the other categories.

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



8.9 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 Stretton Parish Council I have considered the following documents:

- East Staffordshire Borough Council Local Plan 2012 – 2031 adopted October 2015
- 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 profile for Stretton and indices of Deprivation 2010
- 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 detailed consultation responses to the consultation

9.2 There were 21 representations made during the formal consultation period (one of which had no content). 15 were from individuals or couples who broadly supported the Plan stressing in particular the need to protect agricultural land and opposing additional housing development suggesting further development would erode the gap between Stretton and Rolleston. There were two objections from individuals or organisations promoting development whose concerns I address in the report.

9.3 There were three representations from the statutory consultees. The Environment Agency had no objections to the Plan. Staffordshire County Council Education Department provided detailed objections stating that the Plan needed to allow land to be developed for educational purposes that could be outside the existing development boundary should the need arise. I understand the concern from the Education Department. The Council has confirmed, however, that if an application came in for a school, the Local Plan policies SP8 and SP10 would be also used in weighing up the balance of the application. Since at this stage there is not a requirement for additional land I consider that it is only a prospective future requirement therefore I consider that the Plan does meet the Basic Conditions.

9.4 ESBC provided a detailed response. This outlined the history of the Plan and explained that the original Plan had been withdrawn and the Plan amended prior to resubmission for examination. The Council consider that the Plan as amended now meets the Basic Condition requirements.

9.5 In addition, I visited the area unaccompanied for one day in October 2015.

## **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 Stretton Parish Council has provided information regarding the public consultation that took place in preparation of the Plan in the Neighbourhood Plan Consultation Statement published in July 2015. This confirms that as the designated relevant body they carried out extensive consultation 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. A Steering Group chaired by a Parish Councillor was set up in October 2012. A consultation launch event took place in November 2012 followed by a survey to over 100 local businesses in April 2013. Responses from these helped shape an Issues and Options document that was consulted on for six weeks over the summer of 2013.

10.5 Following this a Draft Plan was prepared and subject to formal public consultation between April 14 and May 23, 2014. It is clear that this 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. In addition there were drop in sessions.

10.6 The consultation received 130 responses. The majority of comments were supportive of the Plan. The Consultation Statement states that many constructive suggestions were made and taken on board. The Consultation statement identifies in tabular form how each comment was responded to. In many cases this led to amendments to the Plan.

10.7 There were a small number of objections. Staffordshire County Council objected to Policy S1 and Policy S9 on the grounds that redevelopment of schools should not be restricted. Two residents objected to the lack of consultation prior to the inclusion of their property in the draft local heritage list. Gladman Developments Ltd. objected on the grounds that they

considered that the Plan did not meet the Basic Conditions. This objection was considered and rejected on the advice of ESBC and Kirkwells.

10.8 It is clear 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 steps have been taken to respond positively to the comments.

10.9 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 Stretton Neighbourhood Plan Policies**

11.1 The Stretton Neighbourhood Plan has a comprehensive vision for the future. By 2031:

“Stretton will be a place where the health and wellbeing of the community is of paramount importance, and a high quality of life is enjoyed by everyone.”

11.2 The Plan’s vision for Stretton is that by 2031 it will be a desirable place with a strong sense of community and high quality of life enjoyed by all. The vision also includes attracting businesses and protecting the countryside and open spaces.

11.3 The Plan then outlines how the vision will be realised through 13 policy objectives. The Objectives are clearly written and aspirational.

11.4 The Council has confirmed that the Plan conforms to the policies of the 2015 Local Plan.

11.5 The Policies have been through two external assessments, firstly as part of a NPIERS Healthcheck and then as part of the initial Independent Examination. As a result of these a number of changes have been made to

the Policies. As part of this examination, however, each Policy needs to be considered again.

## **12.0 Policy S1 Development in the Countryside.**

12.1 This section outlines the benefits that Stretton enjoys because of its urban fringe location and the attractive surrounding countryside. It seeks to protect open space, landscapes and wildlife. There are many areas that are valued and well used by local residents. These include the Jinny Nature trail that provides an attractive walk along the former railway line between Stretton and neighbouring Rolleston. The early version of this proposal was recommended for deletion by the initial examiner on the basis that it did not support the NPPF sustainable development requirements. Since that time the Policy has been amended to recognise that it will support a range of development in the open areas relating to agriculture and recreational uses.

12.2 Map 3 identifies the areas of protected open space. ***This map is confusing and does not describe the situation on the ground. I recommend the deletion of Map 3. This should be replaced with a map showing the areas of countryside shown in green and the adopted Local Plan Green Gap between Stretton and Rolleston. This map should also include the housing developments that are either on site or approved at Pirelli, Guinevere Road and St. Mary's Drive.*** This will demonstrate that the Plan has already contributed to meeting Burton's housing requirements and will contribute significantly more in the next few years.

12.3 ***The last sentence of 6.1.3 should read: Further "inappropriate" Development on green fields... The final sentence of 6.1.4 should be amended to read: "The emphasis in the Neighbourhood Plan therefore will be on protecting the settlement boundary while encouraging small***

***scale, infill development on vacant or underused sites within the built up area”***

12.4 In the recent consultation there was one objection relating to the inclusion of land adjacent to Forge Poultry Farm in the areas of open space to be protected from development where it was pointed out that permission has been granted recently for housing development. I consider that Policy S1 will not preclude future proposals coming forward for agricultural buildings, reuse and conversions in that area.

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

### **13.0 Policy S2 Protecting Landscape Character**

13.1 This is a long section that describes the area in terms of its landscape features and biological importance. It draws heavily on Staffordshire County Council’s Historic Landscape Assessment published in 2013. Map 4 identifies the open areas to the north and east of Stretton to be heritage assets of high sensitivity and the open areas to the north-west as heritage assets of moderate significance. The section also outlines the importance of Stretton in terms of bio diversity drawing extensively on the Staffordshire Bio Diversity Action Plan.

13.2 The Policy proposes that development proposals should recognise and seek to protect the local historic character zones. The proposals outlined will help to retain the historic character of the area.

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

### **14.0 Policy S3 Protection and Enhancement of Local Wildlife**

14.1 This section provides details of the natural environment within the Plan area highlighting the major assets of the Trent and Mersey Canal and the former railway line that has been turned into the attractive Jinny Nature Trail. The section provides details of the wide variety of wildlife that has been seen. The section is well illustrated with photographs.

14.2 The Policy requires new developments to demonstrate that the designs have taken the impact on habitats and species into account and where appropriate measures incorporated to protect or enhance biodiversity and habitats.

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

#### **15.0 Policy S4 Wildlife Corridors and Stepping Stones**

15.1 This Policy seeks to protect corridors and routes that wildlife may use along the River Dove, the Jinny Trail and the Trent and Mersey Canal. This clearly links to the previous proposal to protect the areas of landscape and bio diversity significance. Map 5 identifies the routes that should be protected. ***The Map needs a key.***

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

#### **16.0 Policy S5 Signage and Street Furniture**

16.1 This policy reflects the Parish Council concern about the extent and nature of street furniture and signage. This is a common concern for many Parish Councils. There is, however, no evidence to support the concerns. ***I recommend that specific problems are highlighted in the text. The Council's Conservation officer has suggested that the Parish Council should include in this policy a proposal to consolidate the signage to reduce clutter. I consider that it would be beneficial to include a statement to that effect.***

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

#### **17.0 Policy S6 Flooding**

17.1 This policy considers the issue of flooding. It uses data from East Staffordshire Strategic Flood Risk Assessment to identify the parts of the Plan area that could be affected by flooding. Maps 6 and 7 indicate that there

are Flood Zones in the areas to the south of the A38. The proposal is that where feasible proposals should incorporate sustainable drainage systems. *I recommend that to improve clarity the Neighbourhood Plan Boundary is added to Maps 6 and 7.*

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

### **18.0 Policy S7 Protecting Archaeology in Stretton**

18.1 Section 6.3 provides an extensive and informative history of the Stretton area. It details prehistoric sites, an Iron Age farmstead, reference in the Domesday Book through to the more recent significant developments of the North Staffordshire Railway and the Pirelli factory. Eight buildings or features of historic interest in or adjacent to the Plan area are identified on Plan 9.

18.2 The Policy seeks to ensure that development proposals take account of potential archaeological deposits.

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

### **19.0 Policy S8 Locally Important Heritage**

19.1 This section provides the details of 27 buildings or features in the Plan area that have special merit and where the heritage asset should be protected. The proposal is for the list which is identified in Appendix 4 to be submitted to the Borough Council for consideration for inclusion in the Borough wide list that is being compiled. This proposal is in line with the NPPF. The Council's conservation officer has suggested a minor change to the third paragraph of the proposal which the Parish Council may wish to include. The paragraph would be amended to read "...such proposals will only be permitted should significant/substantial public benefit resulting from the proposal be demonstrated which would outweigh the loss or harm..."



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

19.3 Section 6.4 outlines five Actions for the Parish that are not part of the Plan since they are not land use proposals. These Parish actions seek to use developer contributions to support and promote the Parish walks and improve local bus services. These Parish actions are positive and complement the Plan Policies. If successfully implemented these actions will serve to enhance the environment in the Plan area and help to achieve the objectives of the Plan.

## **20.0 Policy S9 Protection of Local Facilities**

20.1 This section outlines the desire to protect local facilities. It provides a list of community, health, educational and leisure facilities that contribute to a stronger sense of community.

20.2 Policy S9 proposes that local retail and commercial facilities should be protected. The list in Table 2, however, does not appear to include any retail or commercial facilities. ***I recommend that Table 2 is renamed “Protected Community Facilities (as defined in Table 2)”.***

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

## **21.0 Policy S10 Local Employment**

21.1 This Policy seeks to limit changes of use of existing employment premises. It also confirms that it will encourage the use of brownfield sites and social enterprises. These are appropriate policy proposals in line with the NPPF but there is no text to explain or justify them. ***I recommend that a paragraph be included that outlines the reasons for supporting the proposal.***

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

**22.0 Policy S11 Outdoor Sports, Recreational facilities and Open Space.**

22.1 This section identifies 21 sites and facilities that are of importance to the community and should be protected. This is in line with the NPPF. It makes an important exception to the Policy with regard to school provision. It is therefore flexible. These are identified on Map11. ***I recommend that the Map references are amended to be sequential i.e. 1 to 21.*** I note that the Plan does not make any Local Green Space proposals. I also note that it identifies a further non land use action that the Parish Council will take to promote the use of the Priory Centre.

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

**23.0 Policy S12 Burial Ground Provision**

23.1 This section considers the current and future burial ground needs of the area outlining that the existing graveyard is reaching capacity and outlines support in principle for a new burial ground in or close to the Plan area.

23.2 I do not recommend any changes to this policy.

**24.0 Policy S13 Local Economic Facilities**

24.1 This section outlines that a range of businesses operate in the Plan area. These provide valuable services and employment and the Plan seeks to support the local business community. It makes specific reference to development that would provide additional community services or social enterprises.

24.2 I do not recommend any changes to this policy.

**25.0 Policy S14 New Communications Technologies**

25.1 This short section confirms that the Plan will support the development of high speed broadband infrastructure where it is sympathetically designed and located.

25.2 I do not recommend any changes to this policy.

## **26.0 Summary and Recommendation**

26.1 I would like to congratulate the Stretton Parish Council for the considerable amount of work that they have undertaken to produce the Stretton 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.

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

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

26.4 The Plan covers the period from 2015 to 2031. This is aligned with the East Staffordshire Borough Council Local Plan which covers the period 2012 to 2031.

26.5 I am satisfied that the Stretton 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.

26.6 I consider that the Stretton Neighbourhood Plan policies, subject to minor modification, 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.

26.7 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.

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

26.9 I consider that extensive public consultation has taken place, led by the Parish Council 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.

26.10 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.

26.11 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 Stretton is submitted for a Referendum.

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9th November 2015