

Uttoxeter Neighbourhood Plan 2012-2031

**A report to East Staffordshire Borough Council on
the Uttoxeter Neighbourhood Plan**

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Executive Summary

- 1 I was appointed by East Staffordshire Borough Council in August 2016 to carry out the independent examination of the Uttoxeter Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 2 October 2016.
- 3 The Plan proposes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It is distinctive to its historic character and its wider landscape setting. It includes an extensive range of policies with a specific concentration on the town centre, design and conservation, open spaces and its landscape setting.
- 4 The Plan has been significantly underpinned by community support and engagement. It seeks to achieve sustainable development in the plan area and which reflects the range of social, environmental and economic issues that it has identified.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Uttoxeter Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood plan area.

Andrew Ashcroft
Independent Examiner
21 October 2016

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Uttoxeter Neighbourhood Plan 2012-2031 (UNP).
- 1.2 The Plan has been submitted to East Staffordshire Borough Council (ESBC) by Uttoxeter Town Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework in 2012 and which continues to be the principal element of national planning policy.
- 1.4 This report assesses whether the UNP is legally compliant and meets the Basic Conditions that apply to neighbourhood plans. It also considers the content of the plan and, where necessary, recommends changes to its policies and supporting text.
- 1.5 This report also provides a recommendation as to whether the UNP should proceed to referendum. If this is the case and that referendum results in a positive outcome the UNP would then be used to determine planning applications within the plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by ESBC, with the consent of the Town Council, to conduct the examination of the Plan and to prepare this report. I am independent of both ESBC and the Town Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles I have over 30 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the UNP is submitted to a referendum; or
 - (b) that the UNP should proceed to referendum as modified (based on my recommendations); or
 - (c) that the UNP does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

The Basic Conditions

- 2.5 As part of this process I must consider whether the submitted UNP meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
 - contribute to the achievement of sustainable development; and
 - be in general conformity with the strategic policies of the development plan in the area; and
 - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined the submitted UNP against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth bullet point above in paragraphs 2.6 to 2.9 of this report.

- 2.6 In order to comply with the Basic Condition relating to European obligations the Town Council commissioned a Strategic Environmental Assessment exercise. This exercise was supported by separate work by ESBC. This process was followed to determine whether or not the Plan would require a Strategic Environmental Assessment (SEA) and/or a Habitats Regulations Assessment (HRA). Following an

analysis of likely significant effects both the Town Council and ESBC considered that the UNP was unlikely to have any significant effects on the environment. It therefore determined that a strategic environmental assessment of the UNP was not required. Appropriate consultation was undertaken with all three statutory bodies.

- 2.7 ESBC also used the analysis of likely significant effects to consider whether the UNP would be likely to give rise to significant environmental effects on European designated sites. ESBC concluded that a Habitat Regulation Assessment would not need to be carried out as it is not considered to be a large enough plan area or involve any policies which are likely to lead to a level of development significant enough to have a negative impact on a SAC, SPA or Ramsar site. In any event the Sustainability Appraisal for the Local Plan had earlier taken into account the impact on all relevant protected sites and that Plan's policies reflect the actions that will need to be taken.
- 2.8 Having reviewed the information provided to me as part of the examination I am satisfied that a thorough, comprehensive and proportionate process has been undertaken in accordance with the various regulations. The information provided is succinct and proportionate to the UNP. It has been independently verified by external consultants. The whole process provides confidence both in general and in terms of the liaison and responses as part of the consultation process in particular. None of the statutory consultees have suggested that any further environmental work is required. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted UNP is compatible with this aspect of European obligations.
- 2.9 In a similar fashion I am satisfied that the submitted UNP has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis I conclude that the submitted UNP does not breach, nor is in any way incompatible with the ECHR.

Other examination matters

- 2.10 In examining the UNP I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.11 Having addressed the matters identified in paragraph 2.10 of this report I am satisfied that all of the points have been met subject to the contents of this report.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted UNP.
- the UNP Basic Conditions Statement.
- the UNP Consultation Statement
- the representations made to the UNP.
- the adopted East Staffordshire Local Plan 2015
- the National Planning Policy Framework (March 2012).
- Planning Practice Guidance (March 2014 and subsequent updates).
- Ministerial Statements (March, May and June 2015).

3.2 I carried out an unaccompanied visit to the Plan area on 2 October 2016. I looked at the overall character and appearance of the Plan area and at those areas affected by policies in the Plan in particular. My site inspection is covered in more detail in paragraphs 5.9 to 5.14 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the UNP could be examined without the need for a public hearing. I advised ESBC of this decision early in the examination process.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Town Council has prepared a Consultation Statement. This statement is provided in three separate parts and which reflect the different stages of the process. The overall effect of these three documents is to provide information on who was consulted on the proposed neighbourhood plan, a summary of the main issues and concerns raised through consultation and a description of how these issues were considered, and where relevant, addressed in the submitted neighbourhood plan. The documents are supported by a range of information which provides a very significant level of detail. It also provides specific details on the consultation process that took place on the draft version of the Plan in February and March 2016. The second section of the Statement set out how the emerging plan took account of the various comments and representations.
- 4.3 The Statement also sets out details of the wider consultation process that has been carried out as part the evolution of the Plan. Details are provided on:
- the range of meetings with groups and organisations in the plan preparation stage including the Issues and Options Exhibitions in December 2014;
 - the initial engagement with businesses;
 - the community questionnaire;
 - the exhibition events in the Town Hall;
 - the consultation on emerging policies in Summer 2015;
 - the engagement strategy used at the draft plan stage and which included exhibitions and a roadshow;
 - the developer stakeholder meetings.
- 4.4 It is clear to me that consultation has underpinned the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. Consultation and feedback has been at the heart of the Plan throughout the various stages of its production. The engagement of specialist consultants has facilitated the preparation of high quality consultation and exhibition documents.
- 4.5 Part 2 of the Consultation Statement (Section 4) has been particularly informative to my examination of the Plan. It sets out how the Plan evolved between the pre-submission and submission phases. The positive approach that was taken in responding to the earlier comments is reflected in the nature of the representations

received to the submitted plan (see paragraph 4.7 below) and their generally positive nature.

- 4.6 From all the evidence provided to me as part of the examination, I can see that the UNP has promoted an inclusive and comprehensive approach to seeking the opinions of all concerned throughout the process. ESBC is satisfied that the consultation process was of an appropriate nature.

Consultation on the submission Plan

- 4.7 Consultation on the submitted plan was undertaken by the Borough Council for a six-week period and which ended on 26 September 2016. This exercise generated comments from the following persons or organisations:

- Sport England
- Historic England
- The Coal Authority
- Uttoxeter Third Age
- Gleesons
- St Modwen
- Gladman Developments
- Mark Roberts
- Mark Kelsall
- ESBC
- Miller Homes
- Andrew Griffiths M.P.
- Staffordshire County Council
- Uttoxeter Town Council
- Natural England
- Picknal Valley Preservation Group

5 The Plan Area and the Development Plan Context

The Plan Area

- 5.1 The Plan area covers the whole of the area administered by Uttoxeter Town Council. It was formally designated as a neighbourhood area in December 2012.
- 5.2 The Plan area is located in the central part of the East Staffordshire Borough. The town is located approximately ten miles to the north-west of Burton upon Trent. The town is to the immediate south of the A50 which provides effective communications to Stoke to the west, and Derby and Burton to the east. The town is also served by a railway station on the Stoke to Derby East Midlands route.
- 5.3 The Plan area is predominantly urban in character. Nevertheless, it also includes the traditional agricultural and landscape hinterland to the town. The Racecourse sits to the south and east of the town centre. The urban footprint of the town sits comfortably within its landscape setting. Key elements of this setting are defined by the three river valleys. The town centre displays a rich wealth of historic buildings of different ages.

Development Plan Context

- 5.4 The development plan context is comprehensive and has provided a clear framework for the preparation of the neighbourhood plan.
- 5.5 The East Staffordshire Local Plan was adopted in October 2015. It covers the period from 2012 to 2031. The Plan provides an up to date context against which the UNP can be assessed against the development plan element of the basic conditions.
- 5.6 Strategic Policy 2 of the Local Plan establishes a settlement hierarchy in the Borough. Uttoxeter is classified as a Main Town. Strategic Policy 4 sets out the quantum of housing growth to be delivered in Uttoxeter and Burton in their capacities as Main Towns. Uttoxeter is identified as being expected to deliver 1497 new dwellings on four specified sites. Strategic Policy 3 addresses the housing trajectory planned throughout the Plan period.
- 5.7 Strategic Policy 5 of the Local Plan identifies two employment sites in Uttoxeter with a combined site area of 20 hectares. Strategic Policy 6 addresses the release of housing and employment land. It also sets out measures that will underpin the monitoring and review of the Plan. This policy also establishes a clear and strong relationship between local plans and neighbourhood plans and the role of the latter in promoting development.
- 5.8 Neighbourhood Policy 1 identifies the policies in the plan that are strategic policies for the purpose of neighbourhood planning. This is good practice. It is clear that the Local Plan has been designed to assist the roll out of the comprehensive

neighbourhood planning agenda in the Borough. The policy identifies that for the purposes of meeting the basic conditions in the neighbourhood plan agenda, East Staffordshire Borough Council consider the following Local Plan policies to be strategic:

- P1 Principle of Sustainable Development
- SP1 East Staffordshire Approach to Sustainable Development
- SP2 Settlement Hierarchy
- SP3 Provision of Homes and Jobs 2012-2031
- SP4 Distribution of Housing Growth 2012 - 2031
- SP5 Distribution of Employment Growth 2012 – 2031
- SP8 Development outside Settlement Boundaries
- SP13 Burton and Uttoxeter Existing Employment Land Policy
- SP14 Rural Economy
- SP16 Meeting Housing Needs
- SP17 Affordable Housing
- SP18 Residential Development on Exception Sites
- SP20 Town and Local Centres Hierarchy
- SP32 Outdoor sports and Open Space

In addition, Neighbourhood Policy 1 sets out an expectation that all Neighbourhood Plans should include proposals for monitoring the effect of their policies. Should monitoring indicate that the development is not coming forward as envisaged in the relevant neighbourhood plan action will be taken by the Borough Council to bring forward sites through a Development Plan Document in accordance with Policy SP6.

Site Visit

- 5.9 I carried out an unaccompanied visit to the Plan area on 2 October 2016. I enjoyed a very pleasant afternoon and early evening in the Autumn sunshine.
- 5.10 I parked off Bramshall Road and initially looked in detail at the concentration of proposed local green spaces in this part of the town. It was helpful to be able to relate the information in the Technical Baseline on this matter to the various sites. I saw first-hand the range of facilities in the Bramshall Road Park and its excellent maintenance regime. The evidence of a wet week was very clear as I approached the Brook at its southern extent.
- 5.11 I then walked along the Brook towards the town centre. In doing so I saw several of the other proposed local green spaces from the south. The popularity of the Valley Walk was equal to that of the Park. I was accompanied on my walk by a range of families, joggers and dog walkers.
- 5.12 I then followed the footpath past the Leisure Centre and into the town centre. I saw its historic core and in particular the purpose of the design and heritage policies in the Plan. I looked in particular at the two areas identified in Policy TC2. I also saw the Asda and Waitrose stores and their relationships with the historic core.

- 5.13 I then walked to the railway station. I saw first-hand its relationship with the town centre and which is addressed in policy T2. I was rewarded with the view of the cobbles in Brookside Road and the award-winning station garden area.
- 5.14 I then walked to the north to look at the range of proposed local green spaces between Park Avenue and the A518. I then walked back to Bramshall Road and drove to the more outlying parts of the town including the Racecourse and the Cemetery.

6 The Neighbourhood Plan as a whole

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and concise document. Its Appendix 2 is particularly impressive and informative.
- 6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the four basic conditions. Paragraphs 2.6 to 2.9 of this report have already addressed the issue of conformity with European Union legislation.

National Planning Policies and Guidance

- 6.3 The key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012.
- 6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Uttoxeter Neighbourhood Plan:
- a plan led system– in this case the relationship between the UNP and the adopted Local Plan.
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities.
 - proactively driving and supporting economic development to deliver homes, businesses and industrial units and infrastructure.
 - seeking to ensure high quality design.
 - taking account of the different roles and character of different areas.
 - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the ministerial statements of March, May and June 2015.

- 6.7 Having considered all the evidence and representations available as part of the examination, and having read the Basic Conditions Statement I am satisfied that the UNP has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the plan area and promotes sustainable growth. At its heart are a suite of policies that set out to implement the strategic approach included in the adopted local plan whilst respecting the very distinctive landscape and heritage of the Plan area in general and the town centre in particular.
- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted UNP has set out to achieve sustainable development in the plan area. In the economic dimension the Plan includes policies for the town centre (TC1-4). It also promotes business and economic growth development (B1-4 and L1). In the social role it includes a policy to protect community hubs (C1) and to promote health and childcare provision (C2/3). It also promotes proposals for skills and training (B3). In the environmental dimension the Plan positively seeks to protect the natural, built and historic environment of the town. In particular, it includes detailed policies on design (D1-4), local green spaces (L2), open spaces (L3) and its wider landscape setting (E1-3).

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in the East Staffordshire Borough area in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted UNP delivers a local dimension to this strategic context and supplements the detail already included in the adopted Local Plan. It is clear that the authors of the UNP have set out to produce a Plan that develops the strategic dimension into local action. This is best practice and results in a practical plan that underpins the Local Plan.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is thorough and distinctive to the Plan area. Other than to ensure compliance with national guidance I do not propose that major elements of the Plan are removed or that new sections are included. The wider community and the Town Council have spent considerable time and energy in identifying the issues and objectives that they wish to be included in their Plan. This gets to the heart of the localism agenda.
- 7.4 The Plan has been well-prepared and is land use in its nature and design. This approach directly reflects Planning Practice Guidance (41-004-20140306) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. In some cases, there are overlaps between the different policies. I have made some general comments in the Housing section of the Plan to reflect some of the representations and the extent to which this part of the Plan has regard to national policy.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

Sections 1 to 5 of the Plan

- 7.8 These introductory elements of the Plan set the scene for the range of policies. They do so in a concise and proportionate way. The Plan is well-presented and arranged and features Light Up Uttoxeter artwork prepared by Ella Kasperowicz. This gives the document a very distinctive appearance and character.
- 7.9 The Introduction to the Plan provides a very clear context to the role and purpose of neighbourhood planning and the designation of the neighbourhood planning area. It usefully sets out the strategic context provided by the local plan and how the two

documents will combine in their operation as the development plan. Section 2 sets the scene for the Plan and how it builds on the strategic approach taken in the adopted local plan. Section 3 sets out a good summary of the history of the Plan's preparation and the associated consultation process. It overlaps with the separate Consultation Statement. It helpfully summarises the key feedback from consultation on the topics that form the structure of the Plan itself. Section 4 then sets out the Vision and Objectives for the Plan. The objectives are again set out against the key elements of the Plan. They are both appropriate and distinctive to the Plan area. Section 5 sets out the aspirations for the town. It does so in a visually interesting and compelling way. The overarching aspiration is for the town to provide 'All you need in one place'. This gets to the heart of achieving sustainable development through the implementation of the Plan. Other diagrams in this section include 'A Great Place for Business', 'A Well Connected Community' and 'A Vibrant Town Centre'.

- 7.10 These introductory sections provide assurance that the UNP has been prepared and submitted in a professional way. The policies have been developed in an iterative fashion and are the outcome of proper research and the assessment of available information.

Policies in General

- 7.11 The Plan policies are helpfully set out in major blocks as follows:

- Town Centre
- Design and Heritage
- Business and Economy
- Transport
- Leisure and Recreation
- Environment
- Housing
- Community

The presentation of the Plan makes a clear contrast between the policies themselves and the supporting text. This will ensure that decision-makers have clarity on the policies in the UNP. In appropriate circumstances the policies are criteria-based.

TC1 – Shop Frontages

- 7.12 This policy seeks to retain retail uses in the primary and secondary shopping frontages. In doing so it is in conformity with the local plan. The policy is wholly appropriate and relates to the conservation-led agenda of the Plan.
- 7.13 I recommend that the policy title is changed to 'Shopping Frontages'. As submitted it implies a reference to an individual shop front rather than a wide collection of shopping frontages.
- 7.14 I also recommend some wording changes in the policy itself to ensure that the language used is both clearer and relates to effect that the policy has in mind.

Modify policy title to read ‘Shopping Frontages’

Replace ‘shown’ with ‘demonstrated’ and ‘identity’ with ‘vitality’

TC2 – Key Town Centre Sites

- 7.15 This policy sets out a context for the potential redevelopment of both the Maltings Shopping Centre and Trinity Square. I looked at both sites on my visit to the town. There is a clear purpose and role for this policy.
- 7.16 The policy is positively designed and has the ability to bring forward the imaginative and sensitive redevelopment of these two sites. I recommend a series of modifications to provide the clarity to this policy as required by the NPPF.

First paragraph – replace ‘not detract from’ with ‘respect’ and ‘help with’ with ‘contribute as appropriate to’

2.1.6 – replace with ‘Development should demonstrate high overall planning and design standards’

2.2.1 – include ‘its’ between ‘respect’ and ‘frontage’.

2.2.4 – replace with identical modifications to 2.1.6 (as set out above).

TC3 – Other Sites

- 7.17 This policy sets out a similarly supportive policy for other developments in the town centre. It positively seeks to encourage economic development and actively recognises that a variety of uses contribute to town centre vibrancy.
- 7.18 However some of the language used in the policy is unclear in general, and the use of ‘smaller’ development is not defined. I recommend modifications to bring both clarity and simplicity to this policy.

Replace ‘smaller developments’ with ‘other developments’.

Replace ‘from smaller scale retailers’ with ‘for small scale retail units’.

In the second paragraph place the second sentence before the first sentence and change the first sentence in the submitted plan to read – ‘Proposals that fail to deliver high quality design will not be supported’

TC4 – Outdoor Spaces

- 7.19 This policy continues the design-led theme of this element of the Plan. It requires that all schemes should contribute appropriately to the improvement of the public realm.
- 7.20 I recommend two modifications. The first clarifies the distinction between the use of undefined language in the submitted Plan (smaller/larger). The second is a variation of the first matter in terms of defining the type of development referred to by the number '10' in the submitted plan.

In the second paragraph replace 'Smaller schemes' with 'Proposals for up to 10 dwellings'.

In the third paragraph insert 'dwellings' after '10'.

D1 – Residential design

- 7.21 This policy puts design at the heart of new residential development. It is well considered and constructed. It is precisely the type of a neighbourhood plan design policy envisaged by the NPPF.
- 7.22 As part of the examination process the Town Council clarified the nature of green and blue infrastructure as set out in criterion 1 of the policy. The approach intended is entirely appropriate and I recommend that their definitions should be included in the Plan's Glossary. I also recommend a modification to the final component of the policy insofar as it applies to the development management process.

Define blue and green infrastructure in the Glossary to the Plan

Modify final sentence to read: 'In appropriate circumstances planning conditions may be placed on planning applications to ensure that any design codes and planning briefs are respected as part of the development concerned'

D2 – Non -residential development

- 7.23 This policy seeks to ensure that all non-residential developments are of a high quality design. It is a well-developed and constructed policy. At its heart is the promotion of a high quality built form in the town. The range of criteria are appropriate to the circumstances in the town, and have a strong overlap with other Plan policies.
- 7.24 I recommend a modification to the third criterion in relation to residential amenities. As drafted it does not have the clarity required by the NPPF.

Replace the third criterion with the following:

'The proposal will have no significant detrimental impact on residential amenities in the immediate locality'.

D3 – Space between buildings

- 7.25 This policy sets out the Plan's approach to establishing a high quality environment within streets and the public realm. It is both comprehensive and beautifully-written.

- 7.26 Historic England comments that the Plan is a well-constructed, concise and fit for purpose document that effectively embraces the ethos of constructive conservation. I fully agree. I can see that this policy sits at the heart of this important aspect of the Plan. In doing so it meets the basic conditions.

D4 – Heritage Assets

- 7.27 This is another important policy in the Plan. It sets out to ensure that new developments take appropriate account of the range of heritage assets in the town.
- 7.28 I recommend a series of modifications to ensure that the policy meets the basic conditions. The first strand identifies that the policy includes certain sections that are supporting text rather than part of the policy as such. The second strand provides clarity to some elements of the retained policy. Nevertheless, its importance and purpose remains the same.

Delete second sentence of the first paragraph of the policy

Delete second sentence of the final paragraph of the policy

In the second paragraph delete ‘seek to’ and replace ‘are likely to’ with ‘will’

In the third paragraph replace ‘be refused’ with ‘not be supported’.

In the fourth paragraph replace ‘must’ with ‘should’ and ‘are protecting and enhancing’ with ‘propose to protect and enhance’.

Add the deleted second sentence of the final paragraph of the policy to the end of the supporting text (6.16) as a separate sentence and with the inclusion of ‘In addition’ at its start.

B1 – Employment Land

- 7.29 The policy seeks to protect employment sites within the town. This policy is appropriate both in its own right and given the range of housing sites being brought forward within the Plan area. The policy also seeks to promote the use of brownfield sites for employment use.
- 7.30 I recommend modifications to the first part of the policy to recognise that some of the changes of use envisaged by the policy may be permitted development. I also recommend the introduction of clarity into the element of the policy and which supports a degree of residential use in order to enable development to take place. I recommend modifications to the second part of the policy for clarification purposes.

In the first paragraph of the policy insert ‘insofar as planning permission is required’ after ‘employment uses’. Replace ‘Residential use’ with ‘The partial use of land in employment use for residential purposes’.

In the second part of the policy after ‘supported’ insert ‘subject to’ and replace ‘subject to’ with ‘and’. In the final sentence replace ‘be strongly resisted’ with ‘not be supported’.

B2 – Supporting Business Start Ups

7.31 This policy seeks to encourage small businesses to establish and flourish. It is entirely within the spirit of the NPPF.

7.32 I recommend modifications to provide clarity and simplicity to the policy.

In the first paragraph break the sentence into two sentences as follows: ‘... will be supported. Support will also be given to the development of flexible units.... businesses’.

In the third paragraph replace ‘Schemes’ with ‘Planning applications’

B3 – Skills and Training

7.33 This policy supports planning applications for adult education and training facilities. It sits comfortably within the overall approach set by the Plan.

7.34 I recommend a modification to the wording of the policy to bring the required clarity required by the NPPF. In doing so the policy will take on a similar format to other Plan policies.

Replace ‘are to’ with ‘will’

B4 – Overnight Accommodation

7.35 The policy sets out support for proposals for overnight accommodation in the town centre or in association with the Racecourse.

7.36 The policy consolidates other measures and policies in the Plan. It meets the basic conditions.

T1 – Sustainable Transport

7.37 The policy seeks to encourage safe and walkable communities. Sustainable modes of transport are expected through the implementation of this policy.

- 7.38 I recommend that the first element of the policy is simplified in order to bring the clarity required by the NPPF.

Delete ‘endeavour to improve’

T2 – Links to Town Centre

- 7.39 This policy sets out to improve links between the town centre and identified land uses elsewhere in the town. It serves a very clear purpose – I saw first-hand the separation between the town centre and the railway station.

- 7.40 I recommend two modifications to provide clarity to the policy.

Replace ‘will be expected’ with ‘should’

Add ‘will be supported’ to the end of the final paragraph of the policy.

T3 – Parking Standards

- 7.41 This policy requires that new development provides appropriate car parking for its own needs and to avoid detrimental impacts on the operation of the highway network. In addition, it proposes specific car parking standards for residential development and supports the development of new visitor car parking facilities.

- 7.42 I recommend two modifications to the policy. The first changes the emphasis in the first part of the policy from wider car parking issues to the provision of the necessary car parking spaces. The second deletes the word ‘normally’ in the second part of the policy. In the absence of any explanation in the policy or the supporting text on the application of ‘normally’ the policy as submitted will not have the clarity required by the NPPF.

Replace ‘avoid.... problems’ with ‘provide the necessary car parking to the Borough Council’s standards in operation at that time’

Delete ‘normally’ in the second paragraph of the policy

T4 – Traffic and the Town Centre

- 7.43 The policy recognises that major planning applications have the ability to generate a detrimental impact on the operation of the strategic highway network. On this basis it sets out a policy approach for safeguarding the traffic operation of the town centre, and for commercial routeing agreements. The policy is entirely appropriate given the distinction that exists between the historic street network and the more recent strategic highway network to the north and east of the town centre.

- 7.44 The policy refers to ‘strategic’ applications but such applications are not defined. This will make the policy difficult to apply in the development management arena. I recommend a modification to bring clarity to the parameters of this policy. I also recommend that its first paragraph is reconfigured.

**Replace 'strategic' with 'major'.
Delete 'in any location in Uttoxeter'
Insert full stop after 'town centre'.**

Start the second sentence as follows: Where appropriate major planning applications should be designed to reduce and.... safety impacts'.

T5 – Railway Provision

- 7.45 This policy recognises the importance of the railway station to the economy and accessibility of the town. I saw both the station and its surrounding area on my visit to the town.
- 7.46 I recommend that the policy title should reflect that its focus is on the station itself and not on the rail services. Plainly the latter is not a land use matter to be directly addressed in the Plan. I also recommend that elements of the policy are relocated into the supporting text.

Change policy title to 'Railway Station'

Replace the first sentence of the policy with the following:

'Proposals for enhancements to Uttoxeter railway station will be supported'.

In the second sentence of the policy replace 'incorporate' with 'respect and safeguard'.

Insert the following additional supporting text at the end of paragraph 6.30:

'Particular support will be given to proposals at the station that would result in better provision for passengers, new public conveniences and other similar proposals that will help to create an attractive gateway to the town'.

T6 – Electronic Communication

- 7.47 This policy supports the development of electronic communications. Such an approach is entirely appropriate.
- 7.48 I recommend that the final section of the policy is deleted.

Delete 'by the Neighbourhood Plan.'

L1 – Uttoxeter Racecourse

- 7.49 This policy sets out to support applications for the diversification of the Racecourse. It reflects the wider importance of the Racecourse within the town and the extent to which it attracts visitors, investment and economic development.

7.50 The policy meets the basic conditions.

L2 – Local Green Spaces

7.51 This policy proposes a series of local green spaces. In doing so the Plan recognises that the town is well-served by green spaces. Many of these are in public ownership and reflect the approach taken to a balanced urban landscape by previous and current local authorities. I looked at several of these proposed spaces on my visit to the Plan area.

7.52 There is an inconsistency in the submitted documents between the number of proposed local green spaces in the Plan and its Proposals Map (25) and in the Technical Baseline (24). The Town Council has clarified that proposed space 12 (Park Street Allotments) in the submitted Plan was removed between the draft and submission version of the Plan's production but was retained in error in the document. The schedule of sites in the Technical baseline is correct. Whilst this matter is unfortunate and may have not helped those making representations I am satisfied that all concerned have had the opportunity to make appropriate representations on this matter. I recommend the necessary modifications on this administrative matter.

7.53 The supporting text and the relevant section of the Technical Baseline identify the extent to which the various tracts of land comply with the criteria set out in paragraph 77 of the NPPF. Some of the representations raise general issues on the relationship of the proposed spaces to the NPPF and the extent to which the information is sufficiently robust. I have read these representations carefully. Having considered all the information available as part of the examination I am satisfied that the Technical Baseline provides the proportionate assessment that is necessary to designate local green spaces as part of the production of a neighbourhood plan. It assesses each site against the three criteria in the NPPF, identifies the nature of the 'demonstrably special' criterion and then provides an overall summary.

7.54 The County Council (in its capacity as the education authority and as a landowner) indicates that the proposed local green space at Mount Pleasant (shown as 17 on the Proposals Map and as 16 in the Technical Baseline) should not be designated for this use. The representation indicates that the site may be required for school expansion in the future. It also indicates that there is limited permissive access into the site. The County Council also contends that the proposed space, in combination with others in the locality constitutes a substantive tract of land. I am not persuaded by these arguments. The site sits to the south of Bramshall Road and provides an attractive tract of land within this part of the town as its name would suggest. Policy L2 provides sufficient flexibility for a sensitive school expansion which would retain the open aspect of the site in general, and its trees in particular. The issue of the concentration of proposed local green spaces in this part of the town is a result of history and civic planning. Each of the various sites are in separate ownership and with different management regimes. It would be inappropriate to delete any or all of these proposed local green spaces due to their proximity to each other.

- 7.55 My visit to the Plan area identified an inconsistency with regards to the Cemetery off Hockley Road (Site 20 in the Technical Baseline). The proposed area is partly within the town centre inset and on which it is shown. The other part of the site is outside the inset area but is not shown on the overall proposals map. I recommend a modification to remedy this matter. In all other respects the cemetery meets the criteria for local green spaces in the NPPF. Its boundaries are clear on site and on other electronic map bases that I used to assist with the examination process.
- 7.56 The policy itself seeks to protect the identified local green spaces from inappropriate development. It also sets out certain circumstances where development may be supported. This approach is particularly helpful given the range of the spaces concerned, their differing uses and the unintended consequences that may arise if the policy was too restrictive. I recommend a reworking of the policy to provide the clarity required.

Replace the policy with the following:

The following areas and as shown on the Proposals Map are designated as Local Green Spaces due to their special character, significance and community value.

The sites will be protected from development that would be inappropriate to their designation as local green spaces. Sensitive proposals for educational, recreation and leisure uses will be supported where they contribute towards the use and effectiveness of the local green space concerned and where its overall open aspect is retained.

Re-configure the schedule of local green spaces to align to those in the Technical Baseline

Delete final sentence of the supporting text (6.35). Replace with a new paragraph as follows:

'Policy L2 identifies a series of 24 local green spaces in the town. Each of these spaces has been assessed against the NPPF criteria, and the results of this exercise are set out in the Technical Baseline. The policy ensures that the spaces will be protected from inappropriate development and which would detract from their functions as green spaces. However, given the range of sites and their different uses a degree of flexibility is introduced in the second part of the policy for educational, recreation and leisure uses. Nevertheless, any development that may be proposed will be expected to retain the overall openness of the local green space concerned'.

Renumber the spaces on the Proposals Map to align with those in the Technical Baseline.

Identify the full extent of the Cemetery (Site 20) on the Proposals Map.

L3 – Public Open Space

- 7.57 This policy addresses the retention of sports and playing pitches, the provision of new public open spaces on large residential developments and the ability for smaller residential proposals to contribute to off-site public open space.
- 7.58 Subject to the incorporation of appropriate modifications I am satisfied that the policy meets the basic conditions. Whilst it has attracted representations from developers the policy does not detract from the amount or standard of open spaces already agreed on strategic housing sites nor does it require additional open space provision. The recommended modifications provide the appropriate clarity for a policy of this nature. They also clarify the dimensions of smaller and larger residential proposals.

**In the first paragraph delete 'The Neighbourhood Plan resists'
Replace 'which are enhanced' with 'will not be supported'.**

**In the second paragraph replace the first sentence with 'The provision of new public open space as part of large residential developments will be supported'
In the third sentence replace 'encouraged' with 'supported'.**

In the third paragraph replace 'are to' with 'should'. In the second sentence of that paragraph replace '10' with '11' and 'will need to' with 'should'.

L4 – Cultural Activities

- 7.59 This policy supports social and cultural uses within or adjacent to the town centre.
- 7.60 The policy is entirely appropriate and consolidates the wider objectives adopted in the Plan. It meets the basic conditions.

E1 – Green Infrastructure

- 7.61 The policy identifies the key components of a green infrastructure network in the town.
- 7.62 It is appropriate to the Plan area and meets the basic conditions.

E2 – Landscape and Setting

- 7.63 This policy seeks to protect and enhance the sensitive landscape setting of the town. Particular emphasis is given to the Picknal, Tean and Dove Valleys. The policy has had regard to the Planning for Landscape Change Supplementary Planning Guidance produced by Staffordshire County Council. The policy also makes comments on renewable energy proposals and with a particular emphasis on their impact on the landscape.
- 7.64 The first element of the policy reads as both a land use and as an aspirational policy. In effect the policy sets out not to support planning applications that lead to the

fragmentation or loss of the landscape setting of the town in general, and the three river valleys in particular. I recommend a modification to address this matter. I also recommend modifications to the second and third paragraphs of the policy to bring the clarity required by the NPPF.

Replace the first paragraph of the policy with:

New development should protect and where appropriate enhance the landscape setting of the town, and with a particular emphasis on the Picknal, Tean and Dove valleys.

Planning applications that would result in the loss or fragmentation of this setting will not be supported. Planning applications that sensitively manage flood risk issues will be supported. All planning applications should demonstrate the extent to which they have respected and reinforced historic landscapes in general, and field patterns in particular.

Replace the second paragraph of the policy with:

Leisure and recreational uses will be supported in the Picknal, Tean and Dove valleys where the overall landscape setting of the town would be unaffected and where long term maintenance strategies are proposed to maintain the landscape setting concerned.

In the third paragraph of the policy replace ‘will be asked to’ with ‘should’.

E3 – Green Links

- 7.65 This policy continues the themes of landscape setting and accessibility as set out earlier in the Plan. It sets out a series of innovative and well-considered green links within the town. They will provide a very valuable sustainable travel and health facility within the town.
- 7.66 I recommend modifications to the final two paragraphs of the policy to provide the necessary clarity. In respect of the penultimate paragraph the modification ties the policy into the planning application process. This approach is continued in relation to the final paragraph and to ensure consistency with other policies.

In the penultimate paragraph replace ‘Furthermore...resists’ with ‘Planning applications that would result in’. Add ‘will not be supported’ to the end of the paragraph.

In the final paragraph insert ‘Planning’ at the start and replace ‘receive support’ with ‘also be supported’.

General Housing Matters

- 7.67 The UNP is clear on how it addresses the matter of housing growth in the town in the plan period. The adopted Local Plan housing allocations are referenced in paragraph 2.2 of the Plan and are shown on Map 2. Paragraph 2.1 identifies that the UNP has been designed to work alongside the Local Plan. Paragraph 6.43 continues this theme and indicates that the local plan site allocations are acknowledged in the UNP

and that its focus is to identify the right mix of new housing to meet the town's need. I recommend a modification to the wording of paragraph 6.43 later in this section of the report.

- 7.68 The approach to housing delivery adopted in the UNP has attracted a degree of commentary from the development industry. In particular it is suggested that the Plan has missed an opportunity to look at other potential housing sites or to identify a reserve site in the event that other allocated development does not come forward. I have looked at these comments very carefully given the importance of Uttoxeter in the settlement hierarchy in the adopted Local Plan, the need in national policy to boost the supply of housing land and recent updates to Planning Practice Guidance on the relationship between local plans and neighbourhood plans. I have also sought clarification from the Town Council and ESBC on the strategic delivery of housing in the UNP area.
- 7.69 The UNP is in the fortunate place to have been prepared within the context of what is now the adopted Local Plan. Paragraph 41-044-20160519 of Planning Practice Guidance indicates that a neighbourhood plan can allocate additional sites to those in a local plan where this is supported by evidence to demonstrate need above that identified in the Local Plan. It also indicates that a neighbourhood plan can propose allocating alternative sites to those in a local plan. In these circumstances a qualifying body is expected to discuss with the local planning authority why it considers the local plan allocations are no longer appropriate.
- 7.70 Based on the information available to me I cannot see any reason why either of these scenarios apply to the UNP. The Local Plan is recently-adopted and includes a robust series of policies to meet the objectively-assessed housing needs of the Borough. In its response to my request for clarification on this matter ESBC advises that the Borough currently has 5.72 years housing land supply.
- 7.71 ESBC has also provided information on progress on the delivery of the strategic housing allocations. Several outline planning permissions are now in place and with detailed planning applications already submitted or shortly to be submitted. ESBC have been given information by relevant developers on delivery on these key sites. This information relates comfortably to the trajectory anticipated in the adopted local plan (see paragraphs 5.4 -5.8 of this report).
- 7.72 On the basis of this information I am satisfied that the UNP has had regard to national policy and is in general conformity with the strategic policies of the development plan. Housing delivery is taking place and is projected to continue in line with the strategic trajectory. The UNP does not seek to hinder the strategic delivery of housing in the Plan area and on the basis of current information there is no specific need either to identify additional sites in general or a reserve site in particular.
- 7.73 Plainly circumstances may change during the lifetime of the Plan. This is recognised in the submitted Plan. Its paragraphs 8.4 – 8.6 refer to future reviews. Paragraph 8.5 in particular identifies three circumstances in which a partial review of the Plan may be necessary. One of these circumstances would be if strategic sites do not come forward as planned. Paragraph 8.6 goes on to comment that a partial review of the

Plan will take place in 2020/21 and with a full review no later than 2025. This approach is also mirrored (more generally) in Strategic Policy 6 of the adopted Local Plan. On this basis I am satisfied that both ESBC and the Town Council have measures in place to address any under-delivery should it arise.

Modify the first sentence of paragraph 6.43 to read: The Neighbourhood Plan has been prepared within the context set by the now-adopted East Staffordshire Local Plan. The Local Plan has allocated strategic housing sites in the town and these have been acknowledged as this Plan has been developed. The various sites are shown on Map 2 on page 9.

H1 – Housing on Brownfield Sites

- 7.74 The policy offers support to housing proposals on previously used land. In doing so it makes appropriate connections with policy B1 which sets out to safeguard employment land. Nevertheless, the policy is generally supportive of development in its tone and approach.
- 7.75 The supporting text at 6.44 comments that ‘house building on previously developed land is normally preferable to development on greenfield land’. Whilst this reflects one of the twelve core planning principles in the NPPF to ‘encourage the effective use of land by reusing land that has been previously developed’ Section 6 of the NPPF specifically on the delivery of housing does not make a distinction between greenfield and brownfield housing sites. It does however (in its paragraph 48) indicate that appropriate allowance can be made for windfall sites to assist in housing supply. This aspect of national policy is reflected in Policy H1 to the extent that it refers to windfall sites.
- 7.76 Taking all these matters into account I recommend a series of recommendations to this policy. The effect of the modifications will be to focus the policy on the delivery of windfall sites, and with particular support being given to windfall sites that have been previously developed. Given that the policy is focused on potential sites adjacent to the town centre it is probable in any event that most sites will be of this nature. I also recommend that the elements of the policy that overlap with policy B1 should be combined and given greater clarity to assist both the developer and the decision-maker.

Modify policy title to read: Housing on Windfall Sites

Modify the first sentence of the policy to read:

Planning applications for housing on windfall sites outside and immediately adjacent to the Town Centre as shown on the Proposals Map will be supported. Planning applications of this nature that are on previously-developed land will be particularly supported.

Separate the second sentence of the first paragraph of the policy and combine it with the second paragraph.

Replace ‘However if this’ with ‘In the event that the proposed application would’. In the final sentence replace ‘In this case’ with ‘In these circumstances’ and ‘for example.... Neighbourhood Plan’ with ‘will be supported’.

H2 – Housing Mix and Standards

- 7.77 This policy seeks to provide a range and mix of housing types on sites outside the town centre and to facilitate higher density proposals within the town centre. This approach is entirely appropriate and reflects the geography and urban grain of the town. The Town Council has clarified that the use of the words ‘higher density’ is intended to promote innovation and design-led solutions within the town centre to bring forward housing to meet specialist and other needs. On this basis I am satisfied that it has the clarity required by the NPPF.
- 7.78 The final paragraph of the policy seeks to bring forward housing that will ensure that it is suitable for occupants as they enter old age. In doing so it refers to a specific standard (HAPPI). I can see that this standard is well-developed. Nevertheless, to have regard to national policy housing should be accessible and flexible for all persons. In addition, the HAPPI standard may not be in operation throughout the full extent of the Plan. I recommend a modification to ensure that new housing is accessible for all persons.
- 7.79 ESBC has drawn my attention to its Housing Choices Supplementary Planning Document. This was adopted in April 2016 as the UNP was being finalised. As a document it provides advice on the Council’s approach to creating and maintaining sustainable and inclusive mixed communities including affordable, market and specialised housing. I recommend that this document should be referenced in the supporting text at 6.45

In the first paragraph of the policy replace ‘will be expected’ with ‘should’.

In the fourth paragraph of the policy replace ‘complies.... old age’ with ‘it will be suitable, flexible and accessible for all users and occupants’.

Insert an additional paragraph of supporting text to read: ‘Policy H2 sets out to ensure that housing is accessible and flexible for all users and occupants. The Plan area has an ageing population and developers should address the recommendations of the Housing Our Ageing Population (HAPPI) report in designing residential communities.

Insert a further additional paragraph of supporting text to read: ‘In April 2016 the Borough Council adopted its Housing Choices Supplementary Planning Document. It provides advice on the Council’s approach to creating and maintaining sustainable and inclusive mixed communities including affordable, market and specialised housing. This document is a material consideration in the determination of planning applications for housing development in the town. Developers will be expected to reflect its contents in the preparation of detailed proposals’.

C1 – Community Hubs

- 7.80 This policy identifies and safeguards a schedule of community hubs within the town. The schedule is well-balanced and appropriate. The retention and use of the hubs will contribute significantly to the promotion of the social element of sustainable development in the town.
- 7.81 The third paragraph of the policy sets out a policy approach to require contributions from new residential development towards the enhancement and diversification of the hubs. I can understand the approach that has been promoted in the submitted Plan and the supporting text suggests that new development will increase the pressures on community resources. However, this aspect of the policy fails to meet the basic conditions for two principal reasons. Firstly, there is no information provided on the amount of the contributions required or the circumstances where contributions may be either appropriate or reasonable. Secondly and in any event the approach adopted is contrary to national policy. Paragraph 204 of the NPPF indicates that planning obligations should only be sought where they meet three tests (necessary to make the scheme acceptable, directly related to the development and fairly and reasonably related in scale and kind). There is no evidence to suggest that this element of the policy has addressed these matters. On this basis I recommend the deletion of this part of the policy.
- 7.82 I also recommend modifications to the first and second parts of the policy. In the first part the modification will bring the necessary clarity. In the second part the modification makes a clearer difference between the identified community hubs and religious buildings and public houses.

Replace the initial element of the first part of the policy with:

The following schedule of community facilities are identified as Community Hubs. Planning applications that would result in their loss will not be supported.

**In the second part of the policy replace the second and third sentences with:
Planning applications that would result in the loss of religious buildings and public houses will not be supported**

Delete third part of the policy

Delete the third sentence of the supporting text in 6.47 (contributions from residential development)

Add the following to the supporting text:

The town benefits from a variety of religious buildings and public houses. In their different ways they contribute towards the provision of community facilities in the town. Whilst they are not individually identified as Community Hubs in policy C1 they are nevertheless protected within the wider context of the policy approach adopted.

C2 – Health Provision

- 7.83 The policy sets out to ensure appropriate contributions are made towards the development of primary health care infrastructure. It also sets out support for applications that would directly or indirectly improve the health of the local community. This corresponds with the approach adopted by ESBC in Strategic Policy 9 of the Local Plan.
- 7.84 The second element of the policy indicates that in appropriate circumstances contributions will also be sought to ensure that the provision of day to day medical and dental care. However as with Policy C1 the requirements are not specified and in any event GP and dental practices are separately funded from primary health care facilities. In the absence of detailed information or a wider strategic approach there is no basis on which such payments could be agreed or achieved. On this basis I recommend the deletion of this element of the policy.

Delete the second paragraph of the policy.

C3 – Education and childcare provision

- 7.85 The policy sets out support for any new education and childcare facilities that may be required on the identified sustainable urban extensions as included in the adopted Local Plan. The policy also supports small-scale childcare facilities in domestic properties. The policy is appropriate in an expanding town and it will contribute significantly to the promotion of the social dimension of sustainable development.
- 7.86 The policy refers to the existing three-tiered educational system in the County. Plainly this is not a land use matter nor is it a matter for this examination. Nevertheless, I recommend a modification to delete this aspect of the policy. Any changes to the educational system in the county in the lifetime of the Plan might otherwise hinder the wider intentions of the policy. I also recommend modifications to the other components of the policy for clarification purposes.

In the first element of the policy replace ‘new’ with ‘the’ and ‘a need framework’ with ‘an identified need’. In the second sentence delete ‘only’.

In the second element insert ‘should’ between ‘and’ and ‘comply’.

In the third element delete ‘encourages and’. Replace ‘homes’ with ‘private dwellings’ and replace ‘subject to...dwelling’ with ‘subject to the proposals having no unacceptable impact on the residential amenities of other dwellings in the immediate locality, the uses proposed are ancillary to the main dwelling and subject to the transport policies in this Plan’.

8 Summary and Conclusions

Summary

- 8.1 The UNP sets out a wide range of policies to guide and direct development proposals in the period up to 2031. It is thorough and distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following this independent examination I have concluded that the Uttoxeter Neighbourhood Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended a range of modifications to the policies in the Plan. Nevertheless, it remains fundamentally unchanged in its role and purpose.

Conclusion

- 8.4 On the basis of the findings in this report I recommend to East Staffordshire Borough Council that subject to the incorporation of the modifications set out in this report that the Uttoxeter Neighbourhood Plan should proceed to referendum.

Referendum Area

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view the neighbourhood area is entirely appropriate and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by East Staffordshire Borough Council in December 2012.
- 8.6 It is very clear to me that a huge amount of hard work and dedication has been put into the preparation of this Plan. It sets out a positive and conservation-led strategy for the future of the town within the context set by the recently-adopted local plan. I

would like to record my thanks to all who have assisted me in a variety of ways in its examination.

Andrew Ashcroft
Independent Examiner
21 October 2016