



Planning Workshop

Barton under Needwood
Parish Council
April 2018

Overall Aims

- To provide an understanding of the local authority planning roles in respect of the development control and plan making processes;
- To consider those role in the context of planning for Barton.



Planning – Origins 1

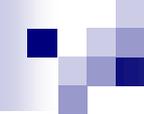
- Planning more or less since life on earth eg settlements in Euphrates
- Planning today is as a reaction to conditions of working class poor in Victorian times – see writing of Charles Booth and Frederick Engels
- Industrial revolution expanded population greatly mainly in the cities

Planning Origins 2

- Many examples of benevolent owners providing communities for workers eg. New Lanark, Saltaire, and Bournville;
- Following these initiatives Government legislated to control eg density, sanitation and street lighting;

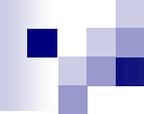
Planning Origins 3

- C20th pioneers such as Ebenezer Howard created Letchworth Garden city in early 1900s and Welwyn in 1920s – homes fit for heroes, after World War 1;
- 1960s saw Garden Cities morph into New Towns such as Stevenage and in WM Telford;
- Last New Town in UK was Milton Keynes;
- But idea still being used eg Gordon Brown's eco-towns and proposal for new towns in Oxford/Cambridge corridor.



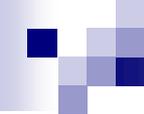
Workshop Programme

- What is planning ? – in the statutory sense;
- Background legislation esp. 1947 Act;
- Development Control;
- National Planning Policy Framework;
- East Staffordshire Local Plan;
- Neighbourhood Plans.



What is planning?

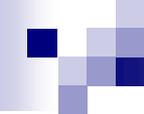
Planning is the system by which the use and development of land is managed for the benefit of all the community. The overall aim of the system is to ensure a balance between enabling development to take place and conserving and protecting the environment. The idea is to create better places for people to live, work and play.



Meaning of “development”

Town and Country Planning Act 1990

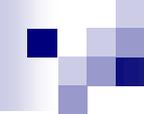
“carrying out of building, engineering, mining or other operations in, on or under land or the making of a material change in use of any buildings or other land ”.



Permitted Development

Development that can be carried out without planning permission eg.:

- some agricultural development;
- minor extensions;
- some conservatories;
- garden sheds.



Use Classes Order

This classifies uses into groups to determine whether planning permission is required. Planning permission is not normally required to change from one use to another within the same class. Such changes are not considered to constitute a material change in use.

Use Classes Order – example Use Classes A 1-5

Class	Permitted change
A1 Shops	No permitted change
A2 Finance and Professional Services	Permitted change to A1
A3 Restaurants and cafes	A1 or A2
A4 Drinking establishments eg pubs	A1, A2 or A3
A5 hot food takeaways	A1, A2 or A3

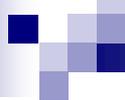
Development Control process 1

- Planning application received;
- LPA validates, registers and acknowledges application and charges fee. Details on ESBC website;
- Environment Statement required?
- Application is plotted, file created and site history recorded;
- Consultations with neighbours, Parish Council and statutory undertakers etc;



Development Control process 2

- Publicity – local newspaper, site notices, website details of documents;
- Case Officer allocated and site visit;
- Officers discuss application in light of policy implications, consultation responses and other material considerations;
- Application status confirmed – delegated or committee?;



Development Control process 3

- Report prepared with recommendations - Committee;
- Planning Committee makes decision;
- Approval with conditions;
- Refusal – reasons for refusal;
- Decision notice issued;
- Statutory time limit to determine applications.



Planning Conditions

- Necessary;
- Relevant to planning;
- Relevant to the development;
- Enforceable;
- Precise;
- Reasonable.

Planning Obligations

S 106 agreements

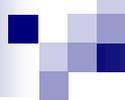
Legally enforceable agreement between the applicant and the LPA.

Planning obligations may be used :-

- restrict the development of use of land;
- require specified operations to be carried out on the land;
- require a sum or sums of money to be paid to LA eg for maintenance of open space.

Appeals

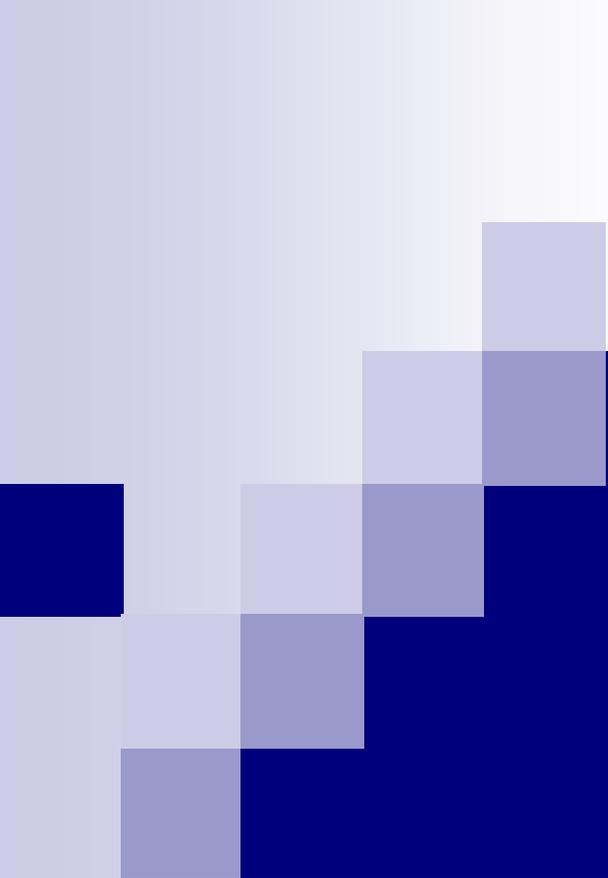
- Planning Inspectorate - independent inspector undertakes appeal process and seeks evidence from appellant and LPA
- Written Representations
- Hearing
- Public Inquiry



The basis of development control

S 38(6) of Planning and Compulsory Purchase Act 2004

“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise ” .



What might constitute
a material
consideration?



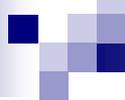
Material Considerations

- Highway safety/traffic generation
- Appearance and design
- Parking provision
- Impact on character
- Nuisance eg noise
- Overlooking
- Past planning history



Non-Material Considerations

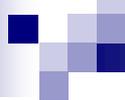
- Business competition
- Loss of views
- Moral issues
- Devaluation of property
- Other legislation
- Personal circumstances eg boundary disputes
- Disturbance during development



Material Considerations:

eg. St. George's Park – the National Football Centre

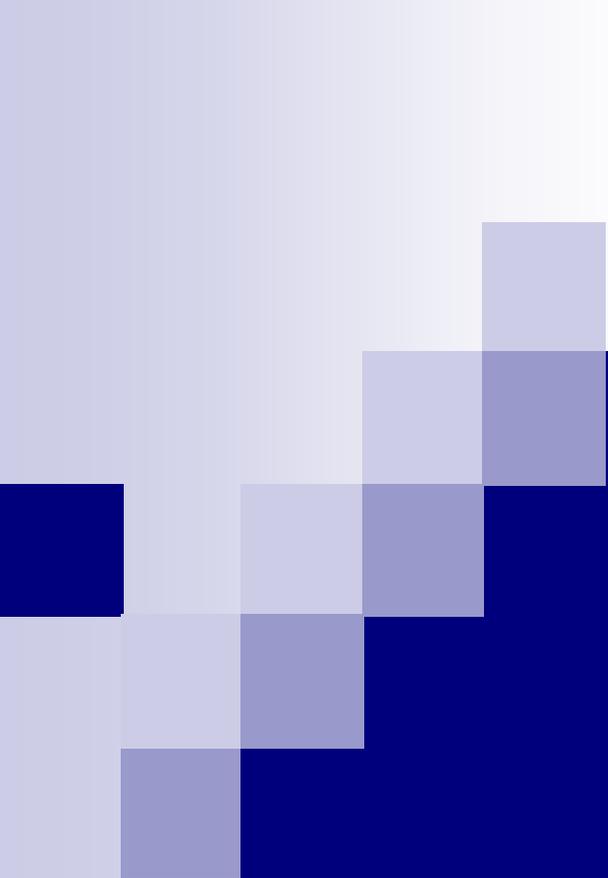
The assumed national need for the centre and its perceived economic benefit, outweighed strong Local Plan policy considerations, especially regarding development in the open countryside.



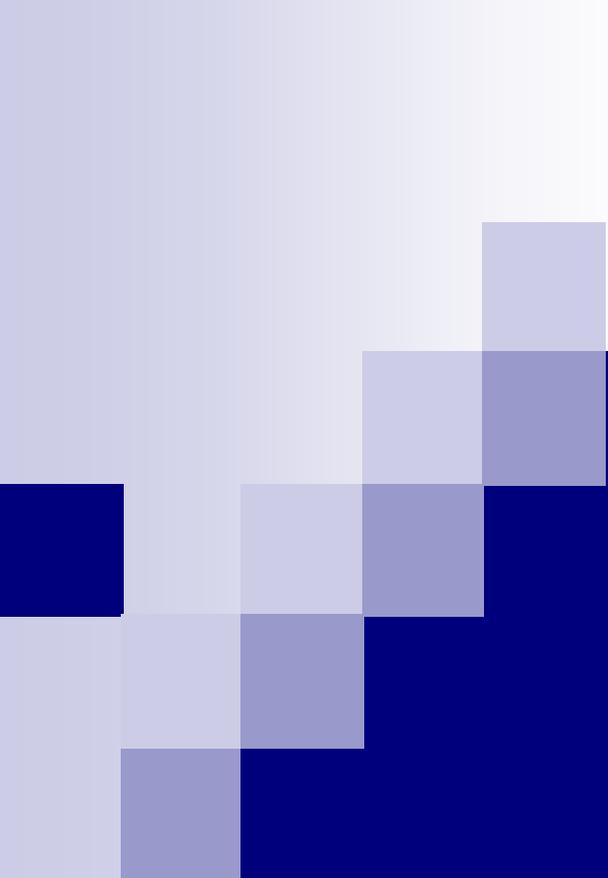
Material Considerations:

eg.750 houses, Watery Lane, Lichfield

- Refused by Planning Inspector;
- Not allocated in the Local Plan and contrary to policies;
- Good housing land supply;
- Deemed that social and economic benefits of providing housing outweigh environmental harm;
- Approved by Secretary of State.



Any questions on the
development control
process ?



Planning Policy – nationally and local



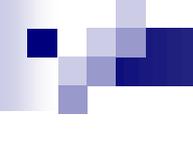
Plan making 2018

- National Planning Policy Framework
- Local Development Frameworks/
Local Plans;
- Neighbourhood Plans.



National Planning Policy Framework – main aims

- Hand power back to local communities;
- Be more user friendly;
- Make sure that planning is used to deliver Government objectives;
- Establish a presumption in favour of sustainable development.



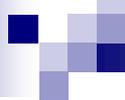
Sustainable Development

- **Economic role:** A strong, responsive and competitive economy – with the right development in the right place to support growth.
- **Social role:** Strong, vibrant and healthy communities by providing supply of housing.
- **Environmental role:** Protection and enhancement of the natural, built and historic environment.
- 3 roles mutually dependent



Delivering housing needs

- Objectively assessed housing needs (Strategic Housing Market Assessment SHMA);
- Update annually a supply of deliverable sites, sufficient for 5 years (Strategic Housing Land Availability Assessment SHLAA);
- Housing to be considered in context of sustainable development;
- Mix – size, type, tenure inc. affordable housing and good design.

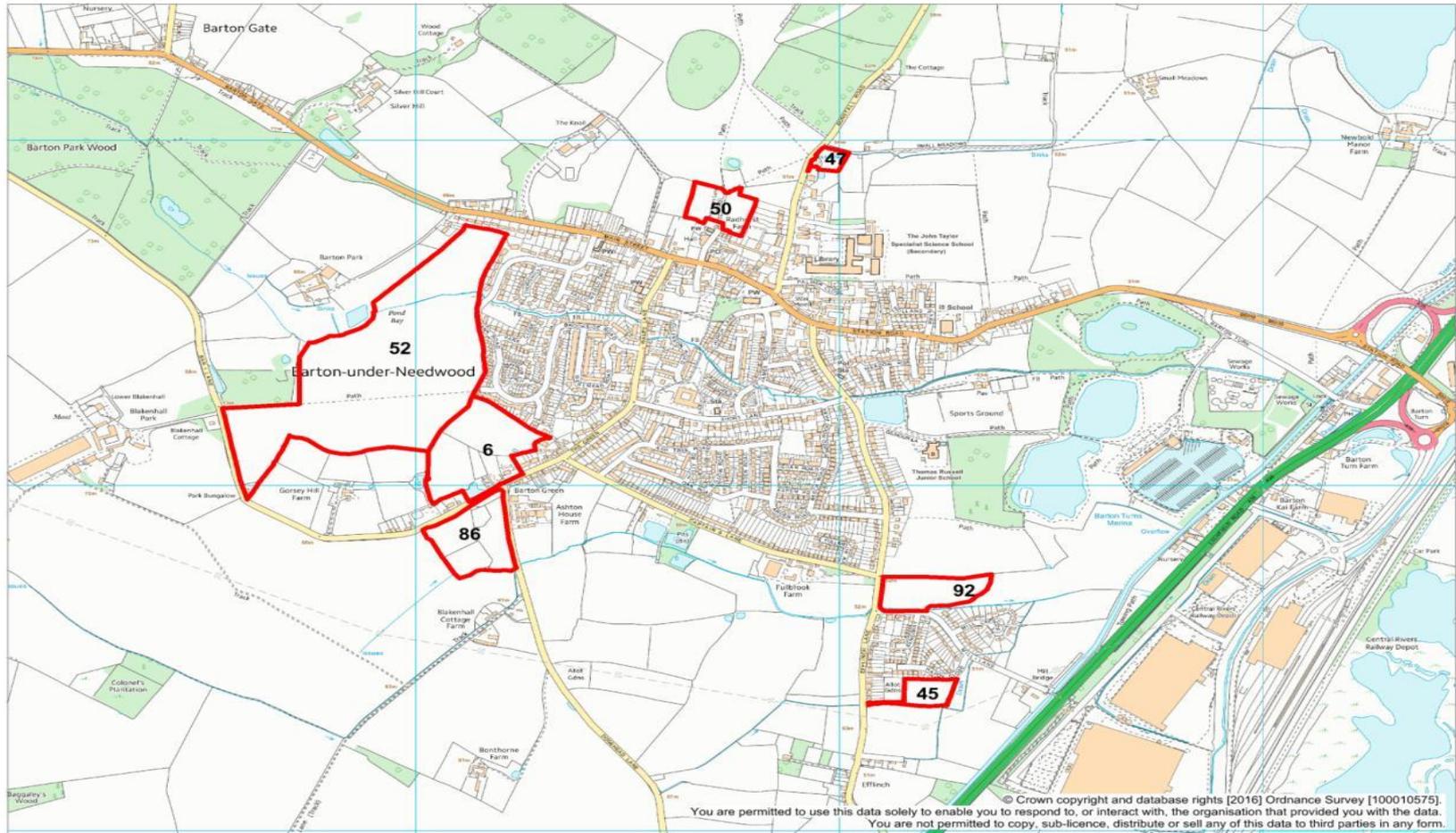


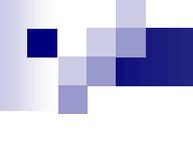
Strategic Housing Land Availability Assessment (SHLAA)

- Identify sites with potential for housing;
- Assess their housing potential;
- Assess when they are likely to be developed,

BUT inclusion in the Assessment does not mean sites should be permitted.

SHLAA Report 2016/17



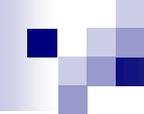


National Planning Policy Framework

Local Planning Authorities should :-

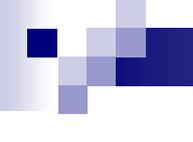
- Approve development in accordance with development plan without delay;
- Where development plan is absent, silent or out of date, grant permission unless:-

any adverse impacts significantly outweigh the benefits, or specific policies in Framework indicate the development should be restricted.



ESBC Local Plan - Stages

- Issues and Options – July 2007
- Preferred Option – August 2011
- Submission – October 2013
- Examination – October 2014/May 2015
- Inspector's Report – September 2015
- Adoption – November 2015



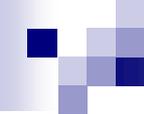
ESBC Local Plan – Development Strategy

Main Towns – Burton/Uttoxeter

Strategic Villages – Barton, Rocester,
Rolleston, Tutbury

Local Service Villages eg Yoxall

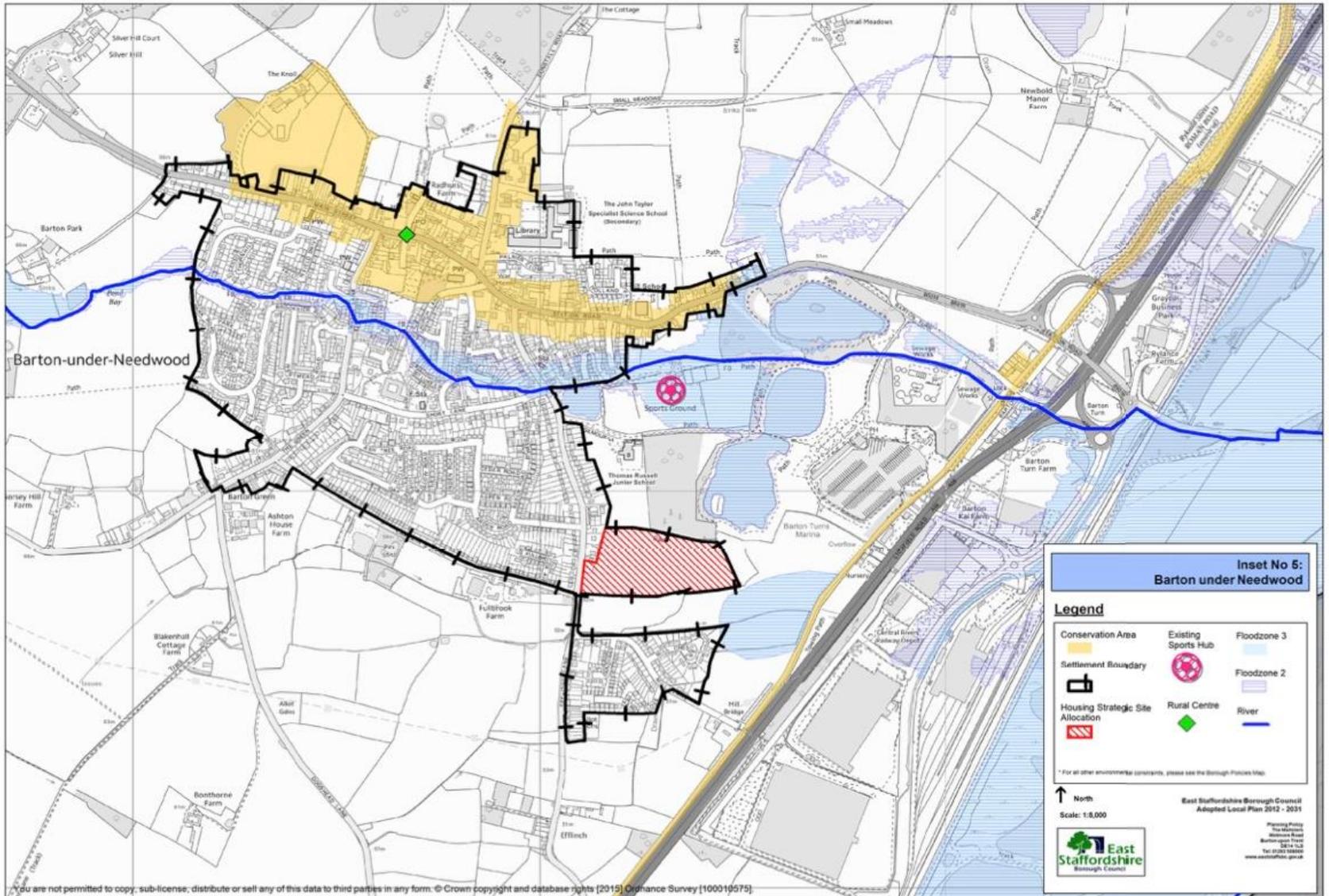
Small Villages and other settlements eg
Hanbury, Newborough



ESBC Local Plan

Strategic Villages

“..... meet rural needs by providing a good range of services and facilities to support their own populations and a wider rural catchment”.



ESBC Local Plan – Housing Distribution 2012-2031

	Main allocations	Windfall
Burton	6473) 1359 (75%)
Uttoxeter	1557) (15%)
Strategic Villages	544	100 (6.0%)
Local Service Villages	-	150 (1.5%)
Small Villages	-	250 (2.5%)
Sub total	8574	1869
Grand Total		10443



ESBC Local Plan – Rural Policies

- SP 8: Development outside settlement boundaries
- SP 14: Rural Employment
- SP 18: Rural Exception sites
- SP 21: Rural Centre



ESBC Local Plan – Policy SP 21: Rural Centre (Retail)

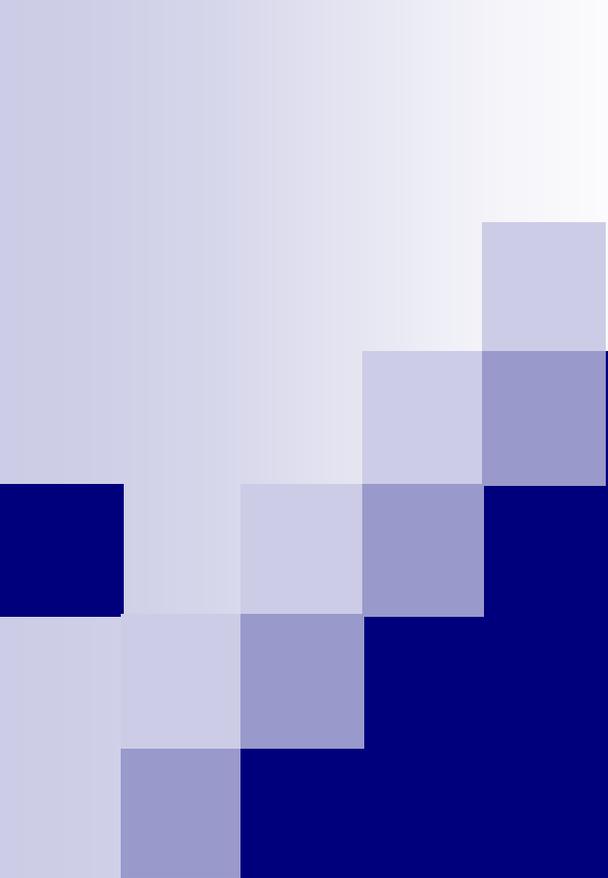
Rural Centres offer a basic level of shopping and service functions for the village and hinterland.

Development leading to the loss of Class A (Use Classes Order) in rural centre permitted if:-

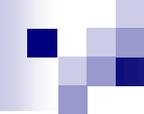
- Facility has been sufficiently and realistically marketed;
- Current use is no longer viable; and
- The change of use would not harm vitality and viability of the local centre.

Detailed Policies

- **DP1: Design of new development** – layout, how the design responds to context, density and mix;
- **DP3: Design of new residential development, extensions and curtilage buildings** – overlooking, loss of light, impact on adjoin dwellings.



Neighbourhood Plans



Neighbourhood Plans

“Neighbourhood planning gives communities direct power to develop a shared vision.... and shape development and growth in their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided [and grant planning permission for new buildings they want to see go ahead]”.

National Planning Policy Framework



Neighbourhood Plans - stages

- Define the neighbourhood;
- Prepare the plan;
- Independent Examination;
- Community Referendum;
- Legal backing.

Neighbourhood Plans

Advantages	Disadvantages
Can help reach consensus around a vision for the community	Only address planning issues
Can add local flavour eg. defining local green space	Time consuming and intensive – minimum 18 months
Should carry considerable weight in determining planning applications	Energy and enthusiasm needed to maintain momentum in addition to Better Barton?



Any Questions?

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