

CANNOCK CHASE LOCAL PLAN REVIEW

LOCAL PLAN PREFERRED OPTIONS (FEBRUARY 2021)

LAND OFF MAIN ROAD, BRERETON

ON BEHALF OF RICHBOROUGH ESTATES



**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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1.0 INTRODUCTION

- 1.1 These representations are made by Pegasus Group on behalf of Richborough Estates Limited to the Cannock Chase Local Plan Review, Regulation 18 Preferred Options Consultation (February 2021). This representation relates to land off Main Road, Brereton, which Richborough Estates is promoting for a residential development (see Site Location Plan at **Appendix 1**).
- 1.2 The representations are framed in the context of the requirements of the Local Plan to be legally compliant and sound. The tests of soundness are set out in the National Planning Policy Framework (NPPF), paragraph 35. For a Plan to be sound it must be:
- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
 - b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
 - c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework.
- 1.3 The Cannock Chase Local Plan (Part 1) is currently the statutory development plan for Cannock Chase Council and forms the principal basis for which development is promoted and controlled. The Plan was adopted on 11th June 2014 and covers the period 2008 to 2028.
- 1.4 It was originally intended to follow the Local Plan (Part 1) with a Local Plan (Part 2), which would consider site allocations and development management policies. However, National Planning Policy dictates that Local Plans are reviewed every five

years, which means that the Local Plan (Part 1) would be due to be reviewed in 2019. As such, the Council considered that an update of some of the key Local Plan (Part 1) policies would be necessary. The Council therefore decided to cease work on Local Plan (Part 2) instead beginning work on a new Local Plan. It is anticipated that the new Local Plan will be adopted in 2023 and cover the period to 2038.

- 1.5 The Council consulted on the first stage of the new Local Plan in July / August 2018, and Richborough estates submitted representations to the Issues and Scope consultation accordingly. This was followed by the issue and options consultation in May – July 2019. Again, Richborough Estates submitted representations to the emerging Local Plan document including the Sustainability Appraisal.
- 1.6 Richborough Estates supported the proactive approach being taken by the District Council to ensure an up-to-date Plan is prepared and to ensure that growth is planned. However, concerns were raised in respect of the importance of the District in contributing not only meeting the unmet need arising from the Greater Birmingham and Black Country Housing Market Area (GBBCHMA) but also in supporting its own local economic growth ambitions as well as these of the two Local Enterprise Partnerships (LEPs) and those of the West Midlands Combined Authority (WMCA).
- 1.7 The representations also requested that the 2016 Green Belt Study was updated to support the new Local Plan (LP).

2.0 THE DISTRICT CONTEXT

- 2.1 Richborough Estates is generally supportive of the identified District Profile. The Profile reflects the requirement to utilise the National Planning Policy Framework (the Framework) and the Standard Method to calculate housing need within the district. This approach is supported rather than utilising the Cannock Chase Local Housing Needs Assessment (2018 – 2038). In addition, recognition of the shortfall in the Greater Birmingham and Black Country Housing Market Area (the GBBCHMA) and the need for Cannock Chase to contribute towards the meeting the shortfall is supported.
- 2.2 However, the Profile needs to incorporate the growth ambitions of the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) and the Staffordshire and Stoke LEP. The Council is a member of both LEPs and they both show clear support for housing growth and delivery. Similarly, the Council's role as a non-constituent member of the West Midlands Combined Authority (WMCA) and the commitment of the WMCA to deliver homes at an accelerated rate should be recognised.
- 2.3 The District Profile identifies Cannock Chase District as having a greater employment rate than both the regional and national average. In order to respond to this factor, the District Profile should recognise that the Standard Method does not consider economic growth and, therefore, housing provision should be considered in excess of the Standard Method, which should be treated as a minimum in order to support growth within the district and to ensure a balance between jobs and homes provision. This will promote sustainable travel patterns as well as sustainable communities, having good access to both employment and housing.
- 2.4 In recognition of the Council's acknowledged role as a member of the Greater Birmingham and Solihull Local Enterprise Partnership LEP, the Staffordshire and Stoke LEP and also of the West Midlands Combined Authority (WMCA), all of which have considerable economic growth ambitions, as well as the local economic growth aspirations contained in the Council's own corporate plan, greater recognition should be given to the ability of the District to meet not only the unmet housing

need arising from the GBBCHMA but also in support of its own local growth agenda and those of the two LEPs and those of the WMCA.

- 2.5 The profile recognises the importance of the Green Belt in having a number of roles but particularly in maintaining the openness and the rural/urban fringe on the edge of the West Midlands conurbation. Richborough Estates acknowledges this but in recognition of the Preferred Options approach to release certain sites from the Green Belt, the District Profile should recognise that development in certain locations can have significant sustainability benefits which can provide the exceptional circumstances necessary to amend Green Belt boundaries.
- 2.6 Richborough Estates acknowledges that a new Green Belt Harm Assessment has been produced in conjunction with the emerging local plan. Comments on the Green Belt Harm Assessment are set out later in this document.
- 2.7 The profile identifies the principle urban areas within the district. These consist of Cannock/Hednesford/Heath Hayes, Rugeley/Brereton and Norton Canes. Richborough Estates supports the recognition of these principle urban areas however greater emphasis should be given to their role in delivering sustainable development in the context of them being the main centres of population and with the greatest range of facilities and transport opportunities.
- 2.8 In terms of the Wider Context and how the Local Plan fits into the broader more strategic framework, support is given to the Council recognising the Local Plan's role in delivering some key objectives from bodies such as the two LEPs, the WMCA and the GBBCHMA. This should also refer to the objectives of these organisations and in particular their growth aspirations.
- 2.9 At paragraph 4.10 the document refers to discussions with duty to corporate partners and the potential assistance to meet Cannock's housing need and ongoing dialogue in relation to the wider Housing Market Area short fall. Whilst support is given for the need to address the short fall in the wider Housing Market Area, concern is raised relative to the suggestion that the Council is seeking assistance to meet its own housing needs. There is no evidence to establish that the Council cannot meet its own housing requirements, as well as contributing towards meeting

the short fall in the wider Housing Market Area, and on this basis this element of paragraph 4.10 should be omitted as not being justified.

3.0 LOCAL PLAN POLICY OPTIONS

Strategic Objective 1: Delivering High Quality Development that is distinctive, attractive, and safe

3.1 It is noted that the context for preparing the policies relating to Objective 1 has included taking on board the proposed revisions to the NPPF published in January 2021. This includes such considerations as:

- Referring to the term 'beautiful' in response to the Building Better; Building Beautiful Commission's Findings
- The role that neighbourhood planning groups can have in regard to design policies
- Preparation of design guides or codes which reflect local character and preferences
- Reference to giving communities a greater say in the design standards set for their area

3.2 Some caution should be exercised in preparing a local plan based on what are potential changes to the Framework and are subject to consultation, as these changes may not necessarily be taken through to be adopted as national policy. However, the Local Plan's approach in taking on board other changes including to the Town and Country Planning (Use Classes) Regulations 2020, which have been enacted, are supported as representing the current regulatory framework. Similarly, a recognition of the extension to permitted development rights as set out in the Preferred Options is supported.

3.3 The Spatial Strategy for the District has set out the number of bullet points over pages 25-29 of the Local Plan Preferred Option document. Whilst the general approach of the Spatial Strategy, in particular to focus development on the most

sustainable locations it should identify the settlements which are the most sustainable. These would consist of:

- Cannock Chase/Hednesford/Heath Hayes
- Rugeley and Brereton
- Norton Canes

3.4 The Spatial Strategy for Rugeley and Brereton should make plain that it constitutes the second most sustainable location in the District and also identified that there is potential for Green Belt release to allow for sustainable housing development.

3.5 The approach for Norton Canes similarly identifies that there is potential for Green Belt release to deliver sustainable residential development.

3.6 In addition, the Spatial Strategy should not be left to supporting text within the broader document. It should be set out in its own strategic level policy identifying the three settlements which are the most sustainable and their overarching objectives relative to new development including the potential for Green Belt release to deliver sustainable development.

Question 1: Do you support the policy direction to protect, conserve and enhance the distinctive historic environment?

3.7 Richborough Estates are supportive of the general approach and that the Policy does refer to public benefits and the potential for mitigation to limit harm. However, the policy could be developed further to recognise that suitable sensitive development can result in improvements to existing heritage assets.

3.8 Policy S01.2 relates to enhancing the quality of the built environment. It refers to the need to retain and enhance the distinct and separate character of each of the District's settlements. This approach has some inconsistency with the recognition

in other parts of the local plan that Cannock/Hednesford/Heath Hayes have to an extent merged to become a single settlement and therefore a more homogeneous character. The policy should be refined further to make clear that different approaches to character may be required depending on the location within the District.

Question 2: Do you support the preferred policy direction to enhance the quality of the building environment?

- 3.9 In general terms and subject to the caveats set out above the approach taken in the local plan is supported.

Question 3: Should the preparation of local design codes be based on the character areas that were included in the Cannock Chase Design SPD?

- 3.10 The SPD identified 20 character areas, not all of which will be in locations where they'll be any significant development. An approach which targeted those parts of the district where development is likely to come forward would potentially be a better focus for resources.

- 3.11 Policy S01.3 deals with the need to deter and reduce a fear of crime.

- 3.12 Richborough Estates have no specific comment on Policy S01.3.

Question 4: Do you support the preferred policy direction to create safe places which deter crime and reduce the fear of crime?

- 3.13 Richborough Estates support this approach.

Strategic Objective 2: To create community infrastructure and healthy living opportunities

- 3.14 This objective deals with safeguarding existing community infrastructure and

providing new community infrastructure, safeguarding the health and amenity of local communities, providing active leisure and sports facilities, providing healthy living opportunities and increasing physical activity and providing opportunities for allotments and local food growing.

- 3.15 Policy S02.1 deals with safeguarding community infrastructure. It also states that new development will contribute towards new community infrastructure to meet the needs rising from the development. It sets out criteria which the Council will use to determine whether existing community infrastructure can be lost. It also refers to new provision in the context of new development.

Question 5: Do you support the preferred policy direction to safeguard the provision of community infrastructure?

- 3.16 Richborough Estates considers this policy needs to be further refined to make a distinction between those portions of dealing with the loss of existing community facilities and those elements dealing with the provision of new community facilities associated with development proposals. The Policy needs to refer to major development contributing towards new community infrastructure where no current capacity exists and where directly and proportionally applied to the proposed development and in accordance with the CIL Regulations or their equivalent successors. However, it would also be appropriate, subject to the above tests, to give greater recognition to the opportunity to provide for new facilities in association with new housing developments. The policy should give recognition in general terms to new housing development being able to deliver additional community facilities which can meet the needs not only of new residents but also of the existing community, meeting current gaps in infrastructure provision.
- 3.17 Policy S02.2 deals with safeguarding health and amenities. It requires that development provides satisfactory light, outlook and privacy, be accessible to all the community and demonstrate how the proposal will contribute to the Green Space Network and achieve the lowest carbon emissions.

Question 6: Do you support policy direction to the safeguard health immunity?

3.18 Whilst the general approach of the policy is supported certain elements either repeat what is set out in other policies (the requirements of Policy S08.2 which is separately objected to) or are too vague to be meaningful (reference to avoiding unacceptable on-site or off-site risk or harm). In addition, reference to achieving the lowest carbon emissions that can be achieved lacks any evidential basis or method of assessment. This should be deleted.

3.19 Subject to the revision set out above a general approach in supported.

3.20 Policy S02.3 deals with the provision of active leisure and support facilities. The policy seeks to improve sport and leisure facilities in the context of increased demand as a result of new development. It also seeks to promote walking and cycling and require links into the Green Space Network. The policy also sets out criteria to protect the existing facilities.

Question 7: Do you support the preferred policy direction to provide active leisure and support facilities?

3.21 The reference to contribution to improvement to sports/leisure facilities being linked to where additional demand is created is welcomed. However, it also should reference capacity exists so as to be compliant with national policy. Finally, not all sites are likely to be directly linked to the Green Space Network so this element should be qualified.

3.22 Policy S02.4 deals with providing opportunities for healthy living and activity. The policy seeks to integrate major development proposals into the existing walking and cycle network.

Question 8: Do you support the preferred policy direction to provide opportunities for healthy living and activity?

3.23 In general terms Richborough Estates support the approach, however some elements of the policy are unclear. One criterion refers to providing infrastructure that will enable sport and physical activity to take place inside and around buildings.

It is unclear what this policy criteria is aimed at achieving, particularly the reference to 'around buildings'. This requires further clarification. As above the contention that all sites can link to the Green Space Network needs amendment. Sites in the Cannock Town Centre, for instance, are unlikely to link to the Green Space Network.

- 3.24 Policy S02.5 deals with allotments and community food growing. It provides general support for the provision of allotments and protects existing allotments and community food growing sites.

Question 9: Do you support the preferred policy direction to protecting existing and providing additional allotments and community food growing sites?

- 3.25 Richborough Estates supports the overall objective set out in the policy. Reference could be given to support being given for new developments which can deliver additional allotments/community food growing sites. In particular it is new housing development that is the potential delivery mechanism for new facilities of this type and this ought to be recognised in the policy.

Strategic Objective 3: Providing for Housing Choice

- 3.26 Strategic Objective 3 seeks to deliver a sufficient supply of homes to provide for housing choice and ensure all people are able to live in a decent home which meets their needs. The objective identifies the following key items:
- Facilitating sustainable housing provision
 - Delivering sufficient housing to meet the District's own need and an appropriate and sustainable contribution to the wider housing market area shortfall
 - Helping meet local needs for affordable dwellings
 - Providing housing choices for an ageing population

- Catering for the needs of different groups in the community.

3.27 The objective set out does not reflect the Government's overall objective for housing which is to significantly boost the supply of homes. This should be reflected in the overall wording of the Strategic Objective 3.

3.28 The document sets out the various scenarios for housing provision set out in the Issues and Options Consultation of 2019. There are four options ranging from not providing any contribution towards meeting unmet need across the wider housing market area to potentially contributing 2,500 dwellings. Richborough Estates had previously commented that the 2,500 dwelling contribution was the most appropriate, should be set as a minimum requirement and should also be boosted in conjunction with the economic growth ambitions of both the District Council and the LEPs of which it is a member. The consultation document acknowledged that the majority of respondents considered the higher levels of growth included in Option C (contribution towards 1,500 dwellings towards the shortfall) and Option D (a contribution of 2,500 dwellings towards the shortfall) were the options which received most support.

3.29 In terms of housing mix policy options, the 2019 Issues and Options Consultation proposed four options. This included continuing with the current policy approach of encouraging appropriate mix of housing sizes, types and tenures on a district wide basis or alternatives towards specific percentages of housing on sites. Richborough Estates make clear that Option A of continuing with the current policy approach was the most appropriate and that recognition should be given to the larger sites being able to provide a broader mix of accommodation.

Housing Supply (2018-2038)

3.30 The Council's approach is to utilise the standard method to calculate its minimum housing requirement which comprises of 275.8 dwellings per annum.

3.31 The Council then identified the breakdown of its outstanding housing supply as follows:

- The standard method provides a requirement of 5,516 dwellings over the period 2018-2038
- Between 2018-2020 1,124 dwellings have been completed therefore reducing the requirement to 4,392 dwellings¹
- The SHLAA identifies a further 1,359 dwellings which with adjustments relative to the Council's five-year housing land supply position (including windfalls of 54 dwellings and non-implementation discount of 28 dwellings) would provide 1,385 dwellings. This reduces the requirement to 3,007 dwellings
- The SHLAA identifies further major and minor sites which could deliver a further 1,623 dwellings during the plan period. This reduces the requirement from 3,007 dwellings to 1,384 dwellings.

3.32 The supporting text within the Preferred Option document references the contributions which are proposed to be made by South Staffordshire District Council (4,500 dwellings) and Lichfield District Council (2,665 dwellings) towards the shortfall in the GBBCHMA. The supporting text also notes that the Association of Black Country Authorities (ABCA) are preparing a Joint Local Plan and have identified a shortfall of 29,260 dwellings between 2019-2038. Finally, the supporting text acknowledges that in order to contribute towards this shortfall in the wider housing market area both South Staffordshire District Council and Lichfield District Council will need to utilise Green Belt sites.

3.33 Policy S03.1 identifies that a minimum of 5,516 dwellings will be provided for within the Plan (276 dwellings per annum) with a further 500 dwellings to meet the unmet needs of neighbouring areas. It indicates new housing allocations are concentrated within the existing urban areas or within planned expansion to the urban areas in accessible and sustainable locations.

¹ 1,124 dwellings equates to delivery of 562 dwellings per annum

3.34 The Policy goes on to identify strategic housing allocations which comprise of:

- SH1 south of Lichfield Road, Cannock approx. 875 dwellings
- SH2 east of Wimblebury Road approx. 410 dwellings
- SH3 land to the rear of Longford House, Watling Street, Cannock approx. 40 dwellings
- SH4 land east of the Meadows, Armitage Lane, Brereton approx. 33 dwellings
- SH5 land to the west of Hednesford Road, Norton Canes approx. 175 dwellings

3.35 As set out in Chapter 5 of this Representation, it is submitted that Land off Main Road, Brereton, is suitable for allocation for residential development and should accordingly form part of this Policy list.

Question 10: Do you agree that the amount of housing proposed will meet the local needs of Cannock Chase District as required by the standard methodology?

3.36 Richborough Estates support the general approach of Policy S03.1 in providing to meet the objectively assessed local needs for Cannock District and also contributing towards the unmet needs in neighbouring areas. However, utilisation of the standard method alone does not take account of the need to address the economic growth aspirations of both the Local Plan itself, the District Council and its membership of the two principal LEPs. The level of housing provision set out in Policy S03.1 should include an uplift to take account of these economic factors.

3.37 In addition, the level of contribution being made towards meeting the undersupply in the wider housing market area of 500 dwellings is considered inadequate in the context of neighbouring authorities, the sustainability of the District and in

particular some of the settlements within it and the need to meet that unmet housing need as close as possible to where the need is being generated, i.e. the West Midlands conurbation. Cannock Chase District is located immediately adjacent to the conurbation, is relatively sustainable with good transport links into the conurbation and could meet a higher proportion of the unmet need in a manner which would be more sustainable than it being met in further distant locations.

- 3.38 There is limited evidence available to substantiate how the 500 dwelling contribution has been identified. As a comparison it is notable that for the period 2018-2020 the supporting text within the Local Plan Preferred Options identified that the District had completed 1,124 dwellings which equates to an annual delivery of 562 dwellings. This single year of completions exceeds the amount of contribution towards the unmet needs of the GBBCHMA. It is clear from both the comparison with the single year of completions and the contributions being made by others in similarly constrained Green Belt locations (South Staffordshire DC and Lichfield DC) that the contribution by Cannock Chase is not proportionate.
- 3.39 The supporting text of Policy S03.1 includes Table A (sites under construction), Table B (sites which already have planning permission, are already allocated or have a resolution to grant planning permission for housing) and Table C (additional sites from the Development Capacity Study). With regards to Table C these all represent in effect windfall sites which the Council have already made an allowance for in their housing supply and as a consequence could result in double counting. Furthermore, the veracity of the Development Capacity Study is open to some debate when it includes numerous sites which are still in operation for alternative uses which may prohibit their potential redevelopment for housing, e.g. the Beecroft Road car park, Danilo Road car park or Park Road bus station. There is significant doubt that a large number of their sites will come forward in the LP period.
- 3.40 The policy also fails to identify any remedial measures that would result if housing did ever fall below targets and the Council were not able to establish a five-year supply. Policy S03.1 should deal with this issue based on the principles established in the Spatial Strategy however, the Spatial Strategy is not set out clearly within

any of the Local Plan documents². This would be necessary to provide a clear foundation to both the approach within the Local Plan itself and circumstances when housing delivery may be falling short of the requirement. Whilst the plan identifies the key and most sustainable settlements within the District this ought to be set out in a specific overarching policy. The settlements identified should be referred to and are:

- Cannock/Hednesford/Heath Hayes
- Rugeley/Breton
- Norton Canes

3.41 Lastly, it is not clear why the Council is utilising 2018 as a base-date for the Local Plan. Given that the Plan is not anticipated to be adopted until 2023, it will therefore already be five years into the plan period upon adoption. Indeed, if this date slipped further and the Plan was adopted past 2023 the Plan will have less than 15 years to run. Moving the plan-period forward to 2019-2039 would reduce this risk.

Question 11: Do you agree that provision should be made to meet the unmet needs of neighbouring areas?

3.42 In accordance with the Duty to Cooperate, which still remains, the Council must do its utmost to assist in meeting unmet needs across the housing market area. For the reasons already set out above the identification of 500 additional dwellings is insufficient and disproportionate contribution towards meeting the unmet needs of the GBBCHMA. There is little evidence to substantiate why 500 dwellings is considered an appropriate contribution and in the absence of this and detailed evidence to substantial that any increase should result in significant harm, the figures should be increased to that set out in the initial Issues and Options document of 2,500 dwellings.

² See comments earlier in these representations

- 3.43 The Council should demonstrate how it has arrived at any figure through the preparation and maintenance of one or more Statements of Common Ground (SoCG) with neighbouring authorities identifying the cross-boundary matters to be addressed and the progress of co-operation in addressing these matters.

Question 13: Do you support the proposed allocations to the sites listed in Tables B and C?

- 3.44 The inclusion of land within Table C is queried. This includes numerous sites within the urban areas which are still fully operational and the likelihood of them becoming available for alternative housing development over the LP period is open to conjecture. As a result the overall provision of housing within the Plan, as it is reliant on Tables B and C, is questioned.

Question 14: In the next iteration of the Plan we will develop sites specific allocation policies. Are there any local infrastructural requirements for sites in Tables B and C should address?

- 3.45 Any infrastructural requirements should be proportionate and reasonable in the same way that infrastructure requirement for the larger strategic allocations must also be. They must also be subject to detailed viability appraisal.

Preferred Policy – Housing Choice

- 3.46 The Local Plan Preferred Options identifies that the most favoured option relative to housing mix was to retain the flexible approach currently being utilised by the Council but was not overly prescriptive.
- 3.47 However, the Preferred Policy Direction as set out in the Preferred Options sets out a prescribed mix for market housing, affordable housing and affordable housing/home ownership (including those aspiring to home ownership). This runs counter to those responses made in the previous consultation exercise nor is evidence provided to substantiate that the previous approach resulted in housing which did not meet established needs.

- 3.48 In addition, the Preferred Policy Direction identified within Table D provides a prescriptive framework for each of the separate housing tenures. For affordable housing (rented and shared ownership) it identifies 8% provision within four plus bedroom accommodation and 5% for affordable housing/home ownership, however for market housing it identifies that there is no requirement at all for dwellings of four or more bedrooms. The justification for this is in a single sentence set out in paragraph 6.207. This is not sufficient to provide the prescriptive breakdown in size relative to each tenure sector. In particular, there can be no circumstances whereby there is no demand at all for market housing of four or more bedrooms.
- 3.49 In addition, by only permitting new private housing in smaller dwellings will mean a significant proportion of the housing market (larger family homes) will not be met at all. This could have ramifications for the demographic make up of the District, resulting in a further increase in the proportion of the community who are, for instance elderly, as they require smaller housing and the policy focuses on providing these.

Question 15: Do you support the level of provision of affordable dwellings?

- 3.50 The proportion of affordable dwellings is identified at 20% with 80% of this for rent and 20% for intermediate housing or other routes to affordable home ownership. The Government have identified in the NPPF (para 64) that they are seeking to provide 10% of all new units across the board as available for affordable home ownership. The approach set out in the Preferred Policy Direction in the LP would not deliver this requirement. The Policy Direction identifies that 20% of the total would be affordable and of this one fifth would fall within the intermediate housing bracket which would include routes to affordable home ownership. Rather than delivering 10% of the total this would deliver only 2% falling within the intermediate bracket and even if this was given entirely over towards the Government's proposed requirement for affordable home ownership would not deliver 10%.
- 3.51 The Government's Changes to the Current Planning System (ended on 1st October 2020) and the Government's consultation on Draft Revisions to the NPPF (ended on 27th March 2021) also propose further changes to facilitate the delivery of First Homes. The Council's proposed affordable housing tenure mix should be amended

to accord with national policy.

Question 16: Do you support to approach to encouraging homeworking?

- 3.52 The approach to homeworking seems to consist of a flexibility of 4% in regard to market housing size restrictions if superfast broadband connections are provided. This would allow 76% of the total market housing to be within the three-bedroomed sector rather than the 72% prescribed in Table D. As set out above the whole approach to prescribing the size of market housing is flawed and this minor amendment is unlikely to foster provision of superfast broadband.
- 3.53 Policy S03.3 sets out the Council's approach for delivering high quality housing. The Council's approach has been to target larger homes consistent with the Nationally Prescribed Space Standards and to require developers to provide for households with health problems or disabilities. The Council's justification derives from the Local Housing Needs Assessment that states that 60% of all new housing should be suitable for the needs of households with health problems or disabilities. The Council goes on to state that this could be through the provision of single level accommodation such as bungalows and ground floor flats or through the provision of dwellings which comply with Part M4(2) or Part M4(3) of the Building Regulations or can be easily adapted to meet these standards. The explanatory text goes on to indicate that the 60% provision of new housing to meet the needs of households with health problems or disabilities reflect future forecasts and deficiencies in the existing housing stock. It also supports the need for a target of 13% of all housing to meet M4(3) Category 3 requirements and a 47% of all housing to meet M4(2) Category 2 requirements.
- 3.54 The explanatory text also explains that the Nationally Described Space Standards will assist the Authority in attracting greater numbers of people to work from home which will assist the Council in achieving its zero carbon ambitions.
- 3.55 Richborough Estates supports the objective of delivering high quality design and resilience and providing adequate space to achieve good living standards. However, objection is raised to providing a minimum of 60% of new homes to be suitable for households with health problems or disabilities. The justification to the Policy refers

to the SHMA and the need to remedy deficiencies in the existing housing stock. This suggests that households not suffering from health problems/disabilities will need to utilise existing housing stock whilst 60% of new stock is designed for people who have health problems. The policy is also unclear as, whilst the policy text itself refers to 60% of the total number of units being suitable for households with health problems/disabilities, it is the supporting text which provides clarity of what this actually means and is defined as being 13% of all housing meeting M4(3) Category 3 housing and 47% meeting M4(2) Category 2 housing.

- 3.56 The Local Plan Preferred Options has made reference to the need for viability assessment to take place through the plan making process. However, no information is currently available which has assessed the potential impact of the requirement of Policy S03.3 on viability.

Question 17: Do you support the Preferred Policy Direction for delivering high quality housing?

- 3.57 Richborough Estates support the principle of delivering high quality housing however some of the approach set out in Policy S03.3 can have potentially significant implications. The requirements to meet with M4(2) Category 2 requirements and M4(3) Category requirements of the Building Regulations may have implications for the viability of some developments. This does not appear to have been assessed. The NPPG sets out the evidence necessary to justify a policy requirement for optional standards. The Council should apply the criteria set out in the NPPG (ID 56-005-20150327 to 56-011-20150327). It is also worth noting that have a development made up of 60% bungalows and flats would very likely not deliver a high-quality scheme based on design best practice.

Strategic Objective 4: Creating A Vibrant Local Economy and Workforce

- 3.58 Strategic Objective 4 deals with the economy and employment land. It sets out a number of key issues but does not refer to the Local Plan making sufficient provision for employment development within the area. It also does not refer to the need to support economic growth nor does it refer to local industrial strategies. The objective should be reworded to provide a more positive context for economic

growth within the District and development of employment land.

- 3.59 As part of the Issues and Options consultation the Council identified a number of potential options. Richborough Estates supported Option A which sought to consider utilising sites already identified for employment development within urban areas and exploring opportunities for further supply on urban sites, Option B1 using an employment led mixed use redevelopment of Rugeley Power Station and Option C1 focusing on the Green Belt around Kingswood Lakeside and other existing employment areas. In particular, previous representations made on behalf of Richborough noted that this approach for employment development would enable a balanced strategy for the District as Rugeley's economic growth needs would be assisted by the employment-led redevelopment of Rugeley Power Station.
- 3.60 It is also noted that the Cannock Chase Economic Prosperity Strategy sets out an ambitious vision for the District whereby it could be a leader in the West Midlands in championing clean growth principles. The supporting text also refers to an over reliance on manufacturing, skill and trades and elementary occupations in comparison to regional and national averages. Whilst it is acknowledged that there is little support to continue with a reliance on elementary occupations, it is not clear why skilled trades would fall into the same categorisation as a negative current circumstance. In addition, the supporting text also notes that the Association of Black Country Authorities (ABCA) have indicated that there is a potential shortfall of employment land within their administrative area and ask whether Cannock Chase could deliver employment land in excess of local needs.

Question 19 – Do you support the Preferred Policy Direction to safeguard existing provision for employment use?

- 3.61 Policy S04.1 seeks to safeguard existing employment areas for employment uses. It sets out a range of criteria which will be utilised when assessing whether an

employment site could be lost to alternative uses. As drafted, it is unclear whether all of the seven criteria set out within Policy S04.1 have to be met to allow employment land to be used for alternative purposes. This needs to be addressed. It is assumed that not all the criteria should be met, for instance Criterion 5, which states that there will be demonstrable benefits arising from the proposal including improvements to local residential and environmental amenity, could in its own right be a sufficient reason to allow the reuse of an employment site for other purposes.

- 3.62 In terms of new employment provision, the EDNA (2019) recommended that a range of employment land between 46-66 ha should be made available during the plan period. Policy S04.2 has developed this further to indicate that the Council will provide for up to 50 ha of employment land for new development during the LP period to 2038. The policy also identifies 27 ha of land across 12 sites which would be protected for employment purposes.

Question 20: Do you support the Preferred Policy Direction to provide land for new employment uses?

- 3.63 In view of the supporting context for economic growth in the District, including the Council's own economic strategy, it is unclear why when the evidence base identifies a need for employment land between 46-66 ha, the Council has sought to utilise only 50 ha within Policy S04.2. In addition, it is not clear why the policy is drafted to provide for "up to 50 ha" as this would be seemingly provide a ceiling on new employment development. This would be inconsistent with the policy context.
- 3.64 It is noted that Rugeley Power Station is included in employment site allocation E5 and this is supported. However, the approach has not identified land adjacent to the Lakeside employment area as a new employment location. This is a missed opportunity bearing in mind the success of the Lakeside development and its potential to support other growth aspirations in the Plan and allow complementary development to deliver sustainable development.
- 3.65 Policy S04.3 deals with sustainable tourism and the rural economy. It sets out that support will be given to proposals in suitable locations within the rural areas of the

District to support the rural economy and safeguard and enhance the character and openness of the rural area.

Question 21: Do you support the Preferred Policy Direction to develop sustainable tourism and the rural economy?

3.66 In general terms support is given to the approach set out in the Policy S04.3 however clarity should be given within the Policy to make clear whether the appropriate and proportionate expansion of existing employment sites would be sufficient to outweigh other policy restrictions such as the Green Belt. As drafted the proposal would need to protect the Green Belt, which could run counter to the objective of allowing for the expansion of existing employment sites within the rural area. The policy should make clear which of these strands of policy takes precedent.

3.67 Policy S04.4 deals with live/work units. It states such development will be encouraged.

Question 22: Do you support the Preferred Policy Direction to support the development of live/work units?

3.68 No objection is raised to the approach but currently most dwellings can accommodate homeworking without the need for bespoke live/work units and therefore the benefits of the approach may be limited.

Question 23: Do you support the Preferred Policy Direction to provide for local employment and skills?

3.69 Policy S04.5 deals with the provision of local employment and skills. This states that major development, where over 54 full-time equivalent jobs would be created during the construction phase and/or by proposed occupiers, will be accompanied by an Employment and Skills Plan. It states the Employment and Skills Plans will be secured through a legal agreement. The explanatory text indicates that one of the objectives of the policy is to support the contribution to achieving net zero

carbon development by reducing the need to travel for employment during the construction and occupancy stage of the development. It is unclear how the policy approach will secure this objective bearing in mind that if local people were employed during the construction phase of the development, once the development was completed they would either have no further employment or would need to travel further afield to another construction site. As a result, the contribution of this approach to achieving a zero-carbon economy must be doubtful. Richborough Estates support the general principal of securing opportunities for local people during the construction phase of development but this needs to be realistic and practical bearing in mind most of those engaged in construction have to travel from construction site to construction site.

Strategic Objective 5: Supporting the Provision of Sustainable Transport and Communications Infrastructure

- 3.70 Strategic Objective 5 deals with sustainable transport and communications infrastructure. It seeks to manage the need to travel by providing for major new development in locations that can provide access for all sections of the community. It also requires the clustering of the development of services and facilities in locations that can provide convenience access for all sections of the community.
- 3.71 Policy S05.1 deals with accessible development. Amongst other things the policy identifies that proposals should set out, as appropriate, how and when the development will contribute to the delivery of the reduction in reliance on the private car by locating a development where it can provide a full choice of sustainable travel options, co-locate shopping, education and leisure facilities in convenient "hubs", and layouts should provide the capacity for public transport access. The policy also refers to development which individually or cumulatively causes an unacceptable impact on the highway network, will not be supported.

Question 24: Do you support the Preferred Policy Direction for accessible development?

- 3.72 The test contained within the policy that developments which individually or cumulatively cause an unacceptable impact on the highway network is not

consistent with the approach set out in the NPPF. The NPPF test is a severe impact and that is the test that should be used in the policy.

- 3.73 Policy S05.2 deals with communication technologies and states that all major development proposals will demonstrate how they will deliver digital connectivity. The policy refers to measures such as facilitating technologically advanced methods of communication, providing and future proofing infrastructure that is required to enable access to high quality and resilient digital connectivity and increasing the use of technology to established integrated journey planning and travel information.

Question 25: Do you support the Preferred Policy Direction to improve communications technologies?

- 3.74 Richborough Estates endorse the general approach but question whether this is an area where land use planning can assist in promoting the use of new and emerging technologies. Whilst new housing developments will incorporate fibre broadband connectivity, it is difficult to envisage how developers and housebuilders in particular will provide many of the aspects of Policy S05.2. In particular how the proposal will increase the use of technology to establish integrated journey planning is difficult to reconcile. Similarly, how development will facilitate technologically advanced methods of communication to allow remote working is also nebulous.

- 3.75 Policy S05.3 deals with low and zero carbon transport. It states all major development proposals will contribute to the reduction in the reliance of carbon intensive modes of transport by supporting the take up of ultra-low emission vehicles, hydrogen vehicles, developing electric vehicle charging networks, accelerating the uptake of low emission taxis and buses, investing in cycling and walking and moving freight from road to rail.

Question 26: Do you support the Preferred Policy Direction to deliver low and zero carbon transport?

- 3.76 Richborough Estates supports the objective to reduce reliance on carbon intensive

modes of transport however again it is difficult to foresee how a Local Plan document and its implementation through the development management process will ultimately support the take up of ultra-low emission vehicles as described in the Policy. Similarly, other vehicles, such as hydrogen vehicles, have yet to be demonstrated as viable and in particular it is not evident that hydrogen vehicles will be the most sustainable future replacement for carbon-based vehicles.

- 3.77 Other elements of the policy refer to supporting changes to the road network where they are related to the reduction in environmental impacts and the enhancement of public transport. Whilst such changes can be supported, they can result in other adverse impacts such as an increase in congestion and other associated negative air quality impacts. The policy needs review to address this potential conflict.
- 3.78 Policy S05.4 deals with maintaining and improving the transport system. It sets out various measures which will be promoted to achieve improvements in the existing transport network. One of the items detailed is enabling demand responsive transport services such as taxis to provide mobility at times and locations where timetabled public transports services are not sustainable.

Question 27: Do you support the Preferred Policy Direction to maintain and improve the transport system?

- 3.79 Generally, Richborough Estates supports the approach set out in the policy however it should be noted that taxis already provide mobility in lieu of public transport services. That is the type of service that taxis provide.
- 3.80 Policy S05.6 refers to safeguarding recreational footpath and cycle routes. The policy protects those routes shown on the proposal map from development.

Question 29: Do you support the Preferred Policy Direction to safeguard the proposed routes of recreational footpath and cycle ways?

3.81 Richborough Estates generally support the approach taken to new footpath and cycle ways.

3.82 Policy S05.7 deals with parking provision. It states all major development proposals will make appropriate off-street parking in accordance with the relevant local design code and an assessment of the anticipated demand arising, scope for encouraging alternative means of travel, provision that will be made for private and public transport charging points, impact that parking might have on road safety and residential amenity and provision of adequate and conveniently placed for parking for people who have a disability or restricted mobility.

Question 30: Do you support the Preferred Policy Direction for parking provision?

3.83 The approach in the Local Plan is not consistent within the NPPF in that, as proposed, the parking standards would not be contained within the Local Plan document and therefore would not be subject to examination. In addition, paragraphs 105 and 106 of the NPPF states that maximum parking standards should only be set where there is a clear justification that they are necessary for managing the road safety network. Evidence should be included that demonstrates that parking standards are necessary, and these should be included within the Local Plan to provide certainty to developers upfront. Any standards that are developed should be clear and not onerous.

Strategic Objective 6: Creating Attractive Town and Local Centres

3.84 Strategic Objective 6 and the subsequent policies of S06.1, S06.2, S06.3, S06.4, S06.5, S06.6 and S06.7 relate to town centres.

3.85 Richborough Estates have no comment to make on the above policies or supporting text.

Strategic Objective 7: Protecting and Enhancing the Natural Environment

3.86 Strategic Objective 7 deals with the protection and enhancement of the natural

environment. It seeks to minimise impact on and provide net gains for biodiversity. The policy refers to highest degree of protection been given to the protected landscape of the Cannock Chase Area of Outstanding Natural Beauty and the Green Belt. In terms of this objective it is not clear how the Green Belt has been identified as having any "protected landscape" character. Green Belt designation is a policy tool rather than a recognition of landscape. The objective should be amended to remove reference to the Green Belt and its "protected landscape".

- 3.87 Policy S07.1 states development proposals will support the protection, conservation enhancement and restoration of designated biodiversity sites. It also indicates that development that results in the loss or harm to SAC, ancient woodland, ancient trees or veteran trees will need to demonstrate there are imperative reasons for overriding public interest.

Question 40: Do you support the Preferred Policy Direction to protect, conserve and enhance biodiversity and geodiversity?

- 3.88 Richborough Estates supports the general principles set out in Policy S07.1. However, there is a typographical error in defining "*imperative reasons **for** overriding public interest*" rather than what it is intended to say which is "*reasons **of** overriding public interest*". In addition, the approach of utilising "*imperative reasons of overriding public interest*" is inconsistent with the guidance in the NPPF. Para 172 of the NPPF sets out this test against conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty. It does not extend to veteran and ancient trees on sites located beyond these areas.

- 3.89 It is unreasonable to conclude that the removal of, for instance, a single veteran tree would potentially need to be supported by the same evidence as a requirement to maintain the nation's health, safety, education or environment or to be associated with the economic or social benefits on a nationally significant infrastructure project. This approach is disproportionate. The Local Plan should be amended accordingly.

- 3.90 Policy S07.2 deals with biodiversity net gain. It states that major development

proposals will provide a net gain in biodiversity, the net gains in biodiversity will be designed to support the delivery of a district wide biodiversity network and the level of biodiversity net gain will be proportionate to the type, scale and impact of development.

Question 41: Do you support the Preferred Policy Direction of net gains in biodiversity through development?

- 3.91 Richborough Estates supports the general principles set out in Policy S07.2, however the policy refers to the level of net gain being proportionate to the type, scale and impact of the development. This approach is unsatisfactory in being too vague to provide developers with certainty as to what their proposal must deliver in regard to biodiversity. In particular, how each of the specified criteria (type, scale and impact) will influence the level of biodiversity net gain is unclear. Should the proposal have a significant impact on road congestion would it need to deliver a significant improvement in biodiversity. The policy is unclear as drafted and needs to be limited to the biodiversity net gains associated with the proposal. As drafted a proposal which, within extent of a site delivered a biodiversity net gain would still have to contribute to other aspects of biodiversity which were off-site.
- 3.92 The Council's policy approach to biodiversity net gain should not deviate from the Government's proposals as set out in the Environment Bill.
- 3.93 Policy S07.3 deals with Special Areas of Conservation (SAC). It states development will not be permitted where it would lead directly or indirectly to an adverse impact upon a SAC and the effects cannot be mitigated. The policy goes on to indicate that to ensure that the Cannock Chase SAC is not harmed all development that results in a net increase in dwellings within a 15 km radius must take all necessary steps to avoid or mitigate any adverse effects upon the SAC's integrity.

Section 42: Do you support the Preferred Policy Direction for the Special Areas of Conservation?

3.94 In general terms, Richborough Estates support the general approach however recognition could be given within the policy to the mitigation measures which can be delivered through Local Plan proposals.

3.95 Policy S07.4 deals with protecting and enhancing landscape character. It identifies that development proposals will protect, conserve and enhance landscape character by, amongst other things, protecting and conserving local distinctiveness, scenic qualities, rural openness and sense of place. It also refers to protecting, conserving and enhancing the Cannock Chase Area of Outstanding Natural Beauty and the Green Belt. The policy states all major development proposals must be supported by a landscape and visual assessment.

Question 43: Do you support the Preferred Policy Direction to protect, conserve and enhance landscape character?

3.96 In general terms Richborough Estates support the policy approach. However, a landscape and visual impact assessment cannot be justified for all major developments, especially located within an entirely urban context. As a result the policy needs amendment which only refers to development proposals which are likely to have an impact on landscape and visual character requiring the support of a landscape and visual assessment.

Question 44: Do you support the Preferred Policy Direction to protect, conserve and enhance the Cannock Chase Area of Outstanding Natural Beauty?

3.97 Richborough Estates have no comment to make on this policy area.

3.98 Policy S07.6 deals with protecting, conserving and enhancing the Green Belt.

3.99 It states that development will protect the character and openness of the Green Belt. It also states in association with the large strategic site allocations at south of Lichfield Road, Cannock, land indicated in the proposal map will be safeguarded to allow for the delivery of a country park.

Question 45: Do you support the Preferred Policy Direction for protecting, conserving the Green Belt?

3.100 Richborough Estates support the recognition of the country park associated with the site allocation of land south of Lichfield Road, Cannock. The policy should make clear that the country park will deliver significant benefits which will mitigate the impact resulting from the loss of Green Belt via the housing allocation.

Amendments to the Green Belt

3.101 Policy S07.7 identifies amendments to the Green Belt proposed in the Local Plan. These are identified as in the following locations:

- South of Lichfield Road, Cannock
- East of Wimblebury Road
- Land to the rear of Longford House, Watling Street, Cannock
- Land east of the Meadows and land north of Armitage Lane, Brereton
- Land to the north of No. 2 Hednesford Road, Norton Canes
- Site between A5 and M6 Toll, Norton Canes
- Turf Field, Watling Street

3.102 The policy goes on to indicate that the further changes to the Green Belt boundary, if required, would be made through a formal review of Local Plan policies or through a neighbourhood plan. In all cases appropriate mitigation would be made to compensate for the loss of Green Belt land. This would include new or enhanced green infrastructure, woodland planting, landscape and visual enhancements, improvements to biodiversity, a new and enhanced walking and cycle routes and improved access to new or enhanced existing recreational and playing field provision.

3.103 The supporting text states the Green Belt performs many functions including strengthening local distinctiveness, enhancing access to the natural open space and opportunities to protect and enhance the SAC. It recognises the policy context in the NPPF which indicates that in the exceptional circumstances where Green Belts can be amended, the impact of doing so can be offset through compensatory improvements to remaining Green Belt land.

Question 46: Do you support the Preferred Policy Direction to amendments to the Green Belt?

3.104 The policy indicates that further amendments to the Green Belt could be required in the future and this would be achieved through another review of the Local Plan or through a neighbourhood plan. The NPPF establishes that Green Belt boundaries should only be altered in exceptional circumstances and that wherever a need for change to Green Belt boundaries has been established through strategic policies, detailed amendment to those boundaries may be made through non-strategic policies including neighbourhood plans.

3.105 Reference has been made in these representations that there may be need for additional Green Belt boundary revision to accommodate the levels of growth commensurate with the District's position in the housing market area and to meet enhanced levels of housing provision associated with additional growth in employment, should the aspirational strategies set out by the LEPs and the District Council's own employment strategy be fulfilled. On this basis Policy S07.7 should include a strategic component to demonstrate that in certain key locations associated with the most sustainable settlements Green Belt, boundaries can be

amended to allow for additional growth, such as at Brereton.

3.106 In addition, further consideration should be given to the Council's economic and employment objectives and whether further Green Belt release should be required to facilitate these aspirations. This could include land associated with the Lakeside employment area.

3.107 Policy S07.8 seeks to protect, conserve and enhance the Green Space Network. The policy indicates that sites which form part of the Green Space Network will receive the highest degree of protection from development. Criteria are set out which would protect the areas from inappropriate development and the policy also indicates that development of new homes should contribute to the delivery of provision for sports, physical activity and leisure. The policy sets out that development proposals will, in accordance with the relevant local design code, set out how opportunities for healthy living and active travel will be created and enhanced by linking to or adding to the Green Space Network.

Question 47: Do you support the Preferred Policy Direction to the Green Space Network?

3.108 Richborough Estates largely supports the strategy to provide for open space within the District however elements of the policy are not consistent with national policy and could hinder development opportunities. In particular, the policy suggests as a principle that new homes should contribute to the delivery of sports, physical activity and leisure. This blanket requirement is not supported in national policy where development proposals should only contribute towards improvements to green infrastructure and other sports related facilities if there is a lack of capacity to adequately cater for the demand resulting from the proposed development. The policy requires amendment to make clear that such contributions would only be necessary where justified and will be proportionate and reasonable in all respects. In addition, there may be occasions when development proposals are in locations some distance from the nearest part of the Green Space Network. In such circumstances contributions towards enhancements of a facility which would be a significant distance away from the development site, may be deemed to lack the direct relationship with the development proposed and therefore would fail the

requirements of the CIL Regulations.

3.109 Finally, the suggestion that new homes should contribute towards the delivery of sports, physical activity and leisure does not directly relate to the Green Space Network, as these elements could be indoor facilities. This requirement should be amended to make clear what contributions have been sought and the necessary caveats to them.

3.110 Strategic Objective 8 sets out the Council's approach to deliver a green future and in particular to increase the production of low and zero carbon energy and heat, promote sustainable building design and offset/mitigate any carbon emissions. It also identifies the need to reduce flood risk, avoid air, water, soil, noise and light pollution and make most efficient use of previously developed land.

3.111 The supporting text notes that many respondents indicated that standards for energy efficiency should be left to the Building Regulations.

3.112 Policy S08.1 deals with low and zero carbon energy and heat production. It states such proposals will be supported where it can be demonstrated that the impacts from the construction, operation and decommissioning of solar and windfarms can be mitigated, the impacts of the development proposals on designated landscapes, heritage assets and the natural environment and on local amenity have been assessed and shown to be acceptable. The policy goes on to indicate development proposals to install LZC energy and heat production into build infrastructure will be supported where it can be demonstrated that the installation promotes good design and in accordance with the relevant local design code, the installation has been designed to allow adaptability to new LZC technologies that may emerge, the installation is informed as a result of consultation with the communities and there are appropriate plans in place to remove the installation at the end of its lifetime.

Question 48: Do you support the Preferred Policy Direction to lower carbon energy and heat production?

3.113 Richborough Estates have no objection to the policy approach, but it should be

noted that whilst the supporting texts refers to the County Council's proposal to adopt a presumption in favour of low and zero carbon technologies, the policy introduces a number of tests which would potentially inhibit the delivery of such renewable energy facilities.

3.114 Policy S08.2 deals with achieving net zero carbon development. It states all development proposals should strive to achieve the highest level of building performance standards for energy use and achieve the lowest carbon emissions that can practically and viably be achieved. It states all major developments will deliver in priority order:

- Zero carbon emission development
- Low carbon emission development with on-site mitigation to achieve net zero carbon emissions
- Low carbon emission development with off-site mitigation to achieve net zero carbon emissions
- Low carbon emission development with compensatory emissions to an appropriate carbon offsetting fund to achieve net zero carbon emissions.

3.115 The policy also states all major developments proposals will include evidence in a sustainability statement that the development has achieved the lowest carbon emissions that could practicably and viably be achieved.

Question 49: Do you support the Preferred Policy Direction to achieve net zero carbon development?

3.116 The policy as drafted seeks to achieve zero carbon emissions in all major developments. This goes beyond any requirement set out in the NPPF or any other

relevant policy guidance. There is no evidence that this approach has been subject to any form of viability appraisal and it could be a significant overwhelming burden to the delivery of the development aspirations also set out in the plan. There is limited, if any, evidential basis that the circumstances in Cannock Chase District require all new development to be carbon zero. On this basis the policy is objected to and should be deleted.

3.117 Policy S08.3 deals with sustainable design. It sets out that the new design will meet the requirements of Policy S08.2 in achieving net zero carbon development. It also states proposals should maximise opportunities for on-site production and use of low and zero carbon energy and heat, incorporate or link to low and zero carbon energy and heat systems, take account of changes in the weather as a result of climate change, protect and improve existing woodlands and habitats, provide a contribution to the creation of urban forests, woodlands and street trees, conform to the relevant local design code and make efficient use of previously developed land. Proposals should utilise materials with a low environmental impact, provide electric vehicle recharging infrastructure, meet or exceed standards set out by the Home Quality Mark and all non-residential development should meet or exceed BREEAM excellent rating.

Question 50: Do you support the Preferred Policy Direction to secure sustainable design development?

3.118 The policy goes beyond any national or other relevant policy objective and is not supported by evidence. Reference to all development meeting the requirements of Policy S08.2 is objected to. There is no evidence that the policy has been subject to any form of viability assessment to establish what impact it would have on potential development. As drafted the policy requires contributions which may not be justified such as providing contributions to the creation of urban forests, woodlands and street trees when a development may be providing elements on site.

3.119 It includes reference to making efficient use of previously developed land when not all sites will involve in previously developed land. As drafted the policy is unjustified, not supported by national or local policy and not supported by any

evidence base.

3.120 Policy S08.4 deals with managing flood risk. It states that the Local Planning Authority will direct development away from areas of highest risk of flooding. All major development proposals will incorporate sustainable water management measures to reduce water use and increase its reuse, minimise water runoff and ensure that it does not increase flood risks or impact on water quality elsewhere. The proposal should reduce the risk of flooding and maximise flood protection by incorporating various features. All major development proposals on sites which fall within Flood Zones 2 or 3 will need to be supported by a comprehensive and deliverable strategy to minimise flood risk, provide flood resilient measures, provide sufficient space for drainage and flood alleviation and promote the safety of people in consultation with the emergency planning services.

Question 51: Do you support the Preferred Policy Direction to managing flood risk and water quality?

3.121 Richborough Estates have no further comment to make on this issue.

3.122 Policy S08.5 deals with avoiding air, water, soil, noise and light pollution.

3.123 The proposal sets out all major development proposals and will set out how any air, water, soil, noise and light pollution that may arise from the development will be avoided. It states the impact on air quality and on air quality management areas should be assessed and where it is not possible to avoid adverse impacts proposals must mitigate any impact through measures contained within Air Quality Action Plans, transport plans and through green infrastructure provision. Water quality should be protected and development will not be permitted without confirmation that the existing or improved sewage and wastewater treatment facilities can accommodate the new development. Sewer resources should be protected and safeguarded. Public lighting and signing should be designed and maintained in a way that will limit the impact of light pollution on local amenity, nature conservation and intrinsically dark landscapes and skies. The noise environment should be maintained and improved through good design.

3.124 Question 52: Do you support the Preferred Policy Direction to avoid air, water, soil, noise and light pollution?

3.125 The policy approach refers to development proposals which will cause unacceptable on-site or off-site risk or harm to human health or the natural environment, not being permitted. This requirement is difficult to establish. Any proposal can have some impact on the natural environment and the scale of this impact should be assessed rather than a blanket requirement that states any unacceptable impact will result in a refusal. Provision of water and waste water facilities is subject to a separate legal framework and there is no need for the policy to refer to improved sewage and waste water treatment facilities.

3.126 Policy S08.6 deals with brownfield and despoiled land. It states that development proposals, where appropriate and in line with the provisions of the local design code, will prioritise the use of suitable brownfield land for homes and other uses and make efficient use of underutilised land and buildings particularly within designated settlement boundaries.

Question 53: Do you support the Preferred Policy Direction to brownfield and despoiled land and underutilised buildings?

3.127 Richborough Estates supports the use of brownfield land however the policy should be amended to make clear that it relates to developments of such sites and should not be applied against greenfield sites, whereby contributions could be sought to deliver improvements to other PDL sites. As drafted the policy could potentially be applied to any proposal rather than specifically applied to proposals involving the reuse of previously developed land.

3.128 The remaining portion of the Preferred Options document relates to minerals and waste and Richborough Estates have no comment to make on this issue.

4.0 LAND OFF MAIN ROAD, BRERETON

- 4.1 Richborough Estates is promoting land off Main Road, Brereton (see Site Location Plan at **Appendix 1**), for residential development, including public open space and new community orchards.

Site Description

- 4.2 The site comprises approximately 13.68 hectares of land, located to the south of Main Road and south-east of Wattfield Close, Brereton, Rugeley. The site is located opposite Land east of the Meadows, which is identified through Policy SO3.1 of the Local Plan Review Preferred Options document as a draft housing allocation (ref: SH4) for 33 dwellings. Land east of the Meadows is to be released from the green belt to facilitate the delivery of that site.
- 4.3 The site is made up of several agricultural fields, separated by hedgerows with a number of individual trees dispersed among them. The site also includes a small number of agricultural buildings associated with the current use of the land.
- 4.4 Whilst the site is located within the West Midlands green belt, it is not subject to any other environmental or historical designations.
- 4.5 There exist several Grade II Listed Buildings some 150m to the north-west of the site, in addition to Brereton Hall, a Grade II* Listed Building. However, these Listed Buildings are set in the context of existing built form and it is not considered that the site comprises part of the setting of these buildings.
- 4.6 The site is located within Flood Zone 1, the area at least risk from flooding.

Illustrative Proposal

- 4.7 The Illustrative Masterplan included at **Appendix 2** illustrates how the site may come forward for 204 dwellings, including 20% affordable homes, at an average

density of 34 dph. Given the size of the site, there is no reason why a policy compliant housing mix and that relevant guidance regarding separation distances and garden sizes cannot be achieved.

- 4.8 The proposed street layout is underpinned by a central north-south tree lined avenue, which delivers a looped route and a new means of access from Main Road and Batesway. An emergency vehicle access is proposed via Coalpit Lane, subject to vehicle tracking.
- 4.9 The proposed streets are aligned to existing contours within the site and the layout retains all existing rights of way and the existing track which crosses the southern area of the site.
- 4.10 Development cells are interspersed with structural landscape layers to address soft rising views of the development and to maintain a green backdrop to views from Batesway.
- 4.11 Lastly, a substantial development offset allows for the strengthening of landscape along the eastern edge to form a new and enduring green belt boundary.

Green Belt

- 4.12 The Site is considered within the Council's 2021 Green Belt Study, covered by land parcels RU37 and RU38, although it should be noted that parcel RU38 also extends beyond the site boundary to both the south and east. The Green Belt Study provides the following conclusion in respect of both parcels:

"Parcel RU37 makes a relatively strong contribution to preventing encroachment on the countryside and a relatively weak contribution to preventing neighbouring towns merging into one another. The additional impact of its release on the adjacent Green Belt would be minor-moderate. Therefore the harm resulting from its release, as an expansion of Rugeley would be moderate-high.

Harm could potentially be reduced by strengthening the existing

hedgerow field boundaries and/or enhancing tree cover, particularly to the south and south-east of RU37, to create a stronger Green Belt boundary and help reduce the urbanising visual influence of development. These measures would also help conserve and restore the existing settled ancient farmland landscape character, in accordance with landscape strategies set out in the Landscape Character Assessment for Cannock Chase (2016).

Parcel RU38 makes a strong contribution to preventing encroachment on the countryside and a moderate contribution to preventing neighbouring towns merging into one another. The additional impact of its release on the adjacent Green Belt would be minor. Therefore the harm resulting from its release, as an expansion of Rugeley would be moderate-high.

Harm could potentially be reduced by strengthening the existing hedgerow field boundaries and/or enhancing tree cover, particularly to the south and south-east of RU38, to create stronger Green Belt boundaries and help reduce the urbanising visual influence of development. This would also help conserve and restore the existing settled ancient farmland landscape character, in accordance with landscape strategies set out in the Landscape Character Assessment for Cannock Chase (2016)."

4.13 The Illustrative Site Layout included at Appendix 2 to this Representation demonstrates how a green belt buffer can be provided along the southern and eastern boundaries, which would form a strong and defensible boundary in this location.

4.14 It is important to note that parcel RU37 in particular is identified as making a relatively weak contribution to preventing neighbouring towns merging into one another and the additional impact of its release on the adjacent Green Belt would only be minor-moderate.

4.15 It is therefore submitted that the site performs a reduced function in green belt

terms than other sites of a similar size and it is therefore considered that the site should be released from the green belt for development.

Deliverability

4.16 The site is a suitable area for housing as there are no physical, technical or environmental constraints preventing its development. The Framework requires Local Planning Authorities to maintain delivery of housing land to meet their housing targets. To be considered deliverable, a site should be:

- Available. A site is considered available when there is confidence that there are no legal or ownership problems.
- Suitable. A site is considered suitable for housing development if it offers a suitable location for development and would contribute to the creation of sustainable, mixed communities; and
- Achievable. A site is considered achievable for development where there is a reasonable prospect that housing will be delivered on the site within five years, and in particular, development of the site is viable.

Availability

4.17 Richborough Estates have a legal agreement in place with the landowners and are in a position to progress with the promotion of the site for residential development.

4.18 If the site is to be successfully allocated for development and removed from the Green Belt, Richborough Estates would seek to develop the site immediately, which would contribute considerably to the District's housing supply. By way of a recent example, Richborough promoted two Green Belt allocations through the South Staffordshire Site Allocations Plan and both were granted outline permission shortly after that plan was adopted and the sites removed from the Green Belt.

Suitability

4.19 The site is suitable for residential development for the following reasons:

- It offers a suitable location for development and can be brought forward immediately following an allocation;
- It would form a natural extension to Brereton;

Achievability

4.20 The site has been fully assessed in terms of its environmental considerations and it has been demonstrated that the delivery of the site is achievable and deliverable, and a team of technical consultants has been appointed to support the delivery of this site moving forward. Where technical constraints are identified, Richborough Estates will provide appropriate mitigation and invest in the site to ensure delivery.

Key Benefits

4.21 Development of the site will contribute to building a strong, responsive and competitive economy. In particular, the delivery of new homes at the site will bring economic benefits during the construction, operational and commercial stages.

4.22 The proposal would assist in the delivery of supporting infrastructure and also provide on-site open space and two community orchards.

4.23 Overall, the provision of much needed additional open market and affordable homes in the District will contribute to building a strong, responsive and competitive economy in line with the objectives of the NPPF.

4.24 We have made the case in these representations that greater consideration must be given to providing more than 500 dwellings for neighbouring authorities. An increase in housing numbers would necessitate further site allocations and land off

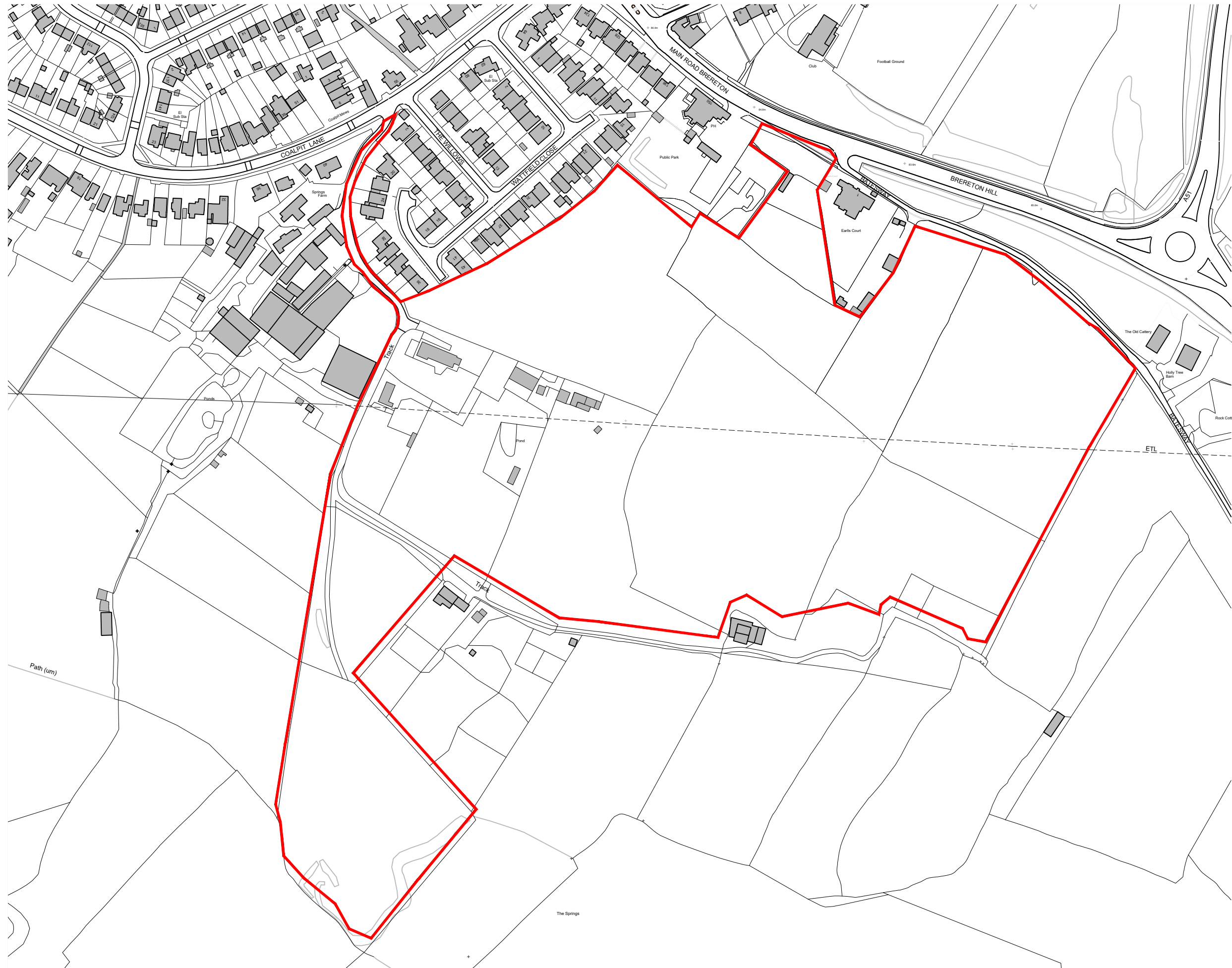
Main Road is a site should be one of those additional allocations.

5.0 CONCLUSION

- 5.1 Richborough Estates is supportive of the Local Plan Preferred Options document in the main, subject to a number of amendments and clarifications set out within this Representation.
- 5.2 However, Richborough Estates submits that land off Main Road, Brereton should be allocated for residential development. The site is sustainably located adjacent to the existing urban area of Brereton which is identified as the one of the main areas for development within the Local Plan Review. This site is available and deliverable, as identified through the submission of the Illustrative Layout Plan at Appendix 2 to this Representation.
- 5.3 Exceptional circumstances exist to justify the release of appropriate and sustainable sites located within the Green Belt. These circumstances include the significant un-met housing need arising from both within Cannock Chase District and the GBHMA, combined with the fact that around 60% of the District lies within the West Midlands Green Belt and around 30% lies within the Cannock Chase Area of Outstanding Natural Beauty. Furthermore, it has been recognised through the recent examination of a number of Local Plans that Green Belt release should not be avoided at the overall detriment to sustainability, resulting in an a less sustainable distribution of development as required by the overarching vision for the Local Plan, as well as the NPPF.
- 5.4 Richborough Estates welcomes the opportunity to continue to comment upon the Local Plan Review. If the Council requires any further information in respect of the site to assist in the accurate assessment of the site, this can be provided upon request.

APPENDIX 1

The contractor is responsible to ensure that no products are to be utilised that do not comply with relevant British and/or European Standards and/or Codes of Practice, COSHH Regulations, Construction Regulations, or which are known or suspected at the time of product selection and/or construction to be deleterious to health and safety or to the durability of the work or not in accordance with good building practices. The contractor is responsible for checking dimensions, tolerances, levels and references. This drawing is to be read in conjunction with all relevant consultants or specialists drawings. Any discrepancy to be notified to Baily Garner LLP and rectified before proceeding with the works on site or shop drawings. Where an item is covered by drawings to different scales, the larger scale drawing is to be worked to. Do not scale drawings. Figured dimensions to be worked to in all cases. This drawing and the copyrights and patents therein are the property of Baily Garner LLP and may not be used or reproduced without consent or attribution. Baily Garner LLP, 55 Charlotte Street, Birmingham, B3 1PX. 0121 236 2236. birmingham@bailygarner.co.uk



REVISION: D: C: DATE:



Site location
33.80 Acres
13.68 Hectares



BA3 CLIENT:
RICHBOROUGH ESTATES LTD
PROJECT:
**LAND OFF BRERETON HILL
BRERETON, STAFFORDSHIRE**

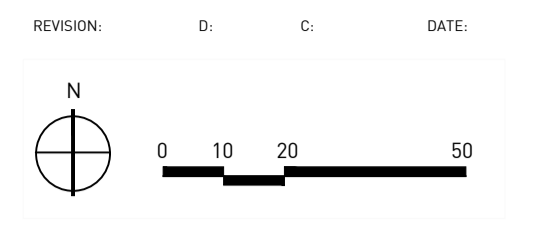
DRAWING TITLE:
SITE LOCATION PLAN

JOB NUMBER:	DRAWING NUMBER:	REVISION:
32565	2	-
DATE:	D	C
06.04.2020	CJL	CJL
SCALE:		
1:2500@A3		
PURPOSE OF ISSUE:		
PRELIMINARY		

Note:
Plotted red line boundary is subject to title confirmation.

APPENDIX 2

The contractor is responsible to ensure that no products are to be utilised that do not comply with relevant British and/or European Standards and/or Codes of Practice, COSHH Regulations, Construction Regulations, or which are known or suspected at the time of product selection and/or construction to be deleterious to health and safety or to the durability of the work or not in accordance with good building practices. The contractor is responsible for checking dimensions, tolerances, levels and references. This drawing is to be read in conjunction with all relevant consultants or specialists drawings. Any discrepancy to be notified to Baily Garner LLP and rectified before proceeding with the works on site or shop drawings. Where an item is covered by drawings to different scales, the larger scale drawing is to be worked to. Do not scale drawings. Figured dimensions to be worked to in all cases. This drawing and the copyrights and patents therein are the property of Baily Garner LLP and may not be used or reproduced without consent or attribution. Baily Garner LLP, 55 Charlotte Street, Birmingham, B3 1PX. 0121 236 2236. birmingham@bailygarner.co.uk




LEGEND

- Site location
33.80 Acres
13.68 Hectares
- Conservation Area
- Existing landscape
- Proposed landscape
- Public open space
17.40 Acres
7.04 Hectares
- Community Orchard/ food production
- Residential development
Circa 204 dwellings
@ 34 dph
- Net development area:
15.00 Acres/
6.07 hectares
- Sustainable drainage (indicative)
- Public rights of way
- Key pedestrian links
- Children's play (natural and equipped)


DESIGN NOTES

1. Proposed vehicular and pedestrian access via Brereton Hill;
2. Batesway to be stopped up with new turning facility for existing dwelling (Earl's Court);
3. New means of access to Batesway and existing dwelling;
4. Existing public footpath and emergency vehicles access;
5. Principal street (Avenue);
6. Secondary streets with wayfinding squares and focal spaces;
7. Residential lanes;
8. Streets aligned to topography;
9. Continuation of existing built-up edge (allowing for LPA building minimum offset distances);
10. Landscape buffer and outward facing frontage adjacent to existing farm;
11. Existing hedgerows/ field margins incorporated into new streets and green corridors;
12. Development setback and enhanced, soft landscaped edge as new Green Belt boundary;
13. Existing overhead cables to be grounded/ diverted; and
14. Soft edge.

Note:
This drawing is for illustrative purposes only and is subject to detailed design.
Red line boundary subject to title confirmation.



BAILY GARNER



Richborough Estates

CLIENT:
RICHBOROUGH ESTATES LTD

PROJECT:
**LAND OFF BRERETON HILL
BRETON
STAFFORDSHIRE**

DRAWING TITLE:
PROPOSED ILLUSTRATIVE MASTERPLAN

JOB NUMBER:	DRAWING NUMBER:	REVISION:
2545	1	-
DATE:	D	C
06.04.2020	CJL	CJL
SCALE:	1:1250BA1	
PURPOSE OF ISSUE:	PRELIMINARY	