

<b>Report of:</b>	<b>Head of Planning and Regeneration</b>
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<b>Portfolio Leader:</b>	<b>Economic Development and Planning</b>
<b>Key Decision:</b>	<b>Yes</b>
<b>Report Track:</b>	<b>Council: 11/06/14</b>

**COUNCIL**  
**11 JUNE 2014**  
**CANNOCK CHASE LOCAL PLAN**  
**LOCAL PLAN (PART 1) ADOPTION**

**1 Purpose of Report**

- 1.1 For Council to consider adopting the Cannock Chase Local Plan - Local Plan (Part 1) following consideration of the Inspector's Report.

**2 Recommendations**

- 2.1 That Council note the content of the Inspector's Report.
- 2.2 That Council agree the recommendations of the Inspector.
- 2.3 That Council agree to adopt the Local Plan (Part 1) under Section 23 of the Planning and Compulsory Purchase Act 2004 including the minor and Main Modifications to the Plan (set out in Appendix 1 to this report) identified during the examination process.

**3 Key Issues and Reasons for Recommendations**

- 3.1 Local Plan (Part 1) forms the central part of the local development plan and brings together and continues the work previously developed as the Cannock Chase Core Strategy and Rugeley Town Centre Area Action Plan. It sets out the guiding principles and strategic policies for development during the plan period (2006 – 2028). It also provides policy for use in Development Management and for Rugeley Town Centre.

- 3.2 The Local Plan underwent examination from 31 May 2013 to 14 February 2014. The examination hearing sessions were held between 24 and 27 September 2013 at the Council's civic centre.
- 3.3 As part of the examination process several Main Modifications to the Plan have been identified through the Inspector to ensure its soundness. These are set out in full in Appendix 1 and summarised in paragraph 5.21 of this report. In addition some more minor modifications were presented by the Council during the examination to aid clarity and these are also set out in Appendix 1.
- 3.4 The Planning Inspectorate (PINS) has received the Inspector's Report and informed the Council that it is able to adopt the Plan. The Report makes clear that the Plan is capable of adoption subject to inclusion of the Main Modifications. If the Plan is adopted this will both provide certainty for developers, local communities and other stakeholders and enable a draft CIL charging schedule to progress to examination later this year.
- 3.5 The implications of not adopting the Local Plan (Part 1) would be significant:
- The Council would not have an up to date Local Plan and in such circumstances paragraph 14 of the National Planning Policy Framework (NPPF) sets a clear presumption in favour of approving development applications that can demonstrate their sustainability. Development decisions would therefore be guided by the NPPF rather than locally agreed planning policy with the emphasis on approval;
  - A CIL charging schedule could not be progressed thereby restricting the ability to maximise future developer contributions for infrastructure;
  - There would be no strategic context for further plan making in the District.
  - There would be no agreed framework for progressing action in Rugeley Town Centre.

#### **4 Relationship to Corporate Priorities**

- 4.1 The Local Plan (Part 1) will help facilitate development of all aspects of the Council's priorities which have development implications.

#### **5 Report Detail**

- 5.1 Local Plan (Part 1) has been written to reflect some significant national changes in planning including the introduction of the Localism Act 2011, the National Planning Policy Framework (NPPF) and the Community Infrastructure Levy (CIL).
- 5.2 Following the Council decision to publish and submit the Local Plan (Part 1) to the Secretary of State for examination on 23 January 2013 the Local Plan was formally submitted on 31 May 2013 and an independent Planning Inspector,

Stephen Pratt, was appointed to conduct the examination. Hearing sessions were held between 24 and 27 September 2013 at the Council's civic centre. These sessions considered all aspects of the Plan to test its legal compliance and soundness and as part of the examination process the Council set out a series of minor modifications and asked the Inspector to consider Main Modifications to ensure the plan's soundness to the Planning Inspector conducting the examination. These are attached as Appendix 1.

- 5.3 The Main Modifications underwent a further period of public consultation ending on 18 December 2013 and the representations received, together with a summary and Council response to these representations were forwarded to the Planning Inspector for his further consideration. The summary table is attached to this report as Appendix 2. The minor modifications help provide clarity without affecting policy and are therefore not required to undergo further consultation.
- 5.4 The Inspector's final report was received on 14 February 2014 which marked the end of the examination. The report is attached as Appendix 3. As required the report was published as soon as practically possible and notice given on the Council's website, at the Civic Centre, at the Rugeley Area Office, at libraries in the District and to all those required to be informed by regulations, those on the Local Plan database who requested to be informed and those who made representation on the Plan.
- 5.5 In his report the Inspector considered whether the Plan was sound and compliant with legal requirements, including the Duty to Co-operate. The report covers all aspects of the Plan from the Vision and Objectives, Spatial Strategy, Green Belt and Safeguarded Land, Housing, Developer Contributions and Infrastructure, Cannock Chase Special Area of Conservation (SAC), Other Policies, Site Specific Issues through to matters pertaining to the Rugeley Town Centre Area Action Plan (AAP).

### **Inspectors Report – Summary of main findings**

- 5.6 **Duty to Co-operate** - The Inspector found that the Council had submitted extensive evidence outlining how it had engaged actively and constructively on an ongoing basis with neighbouring local authorities and other prescribed bodies even before the duty came into force. The Inspector concludes that the Council has met the requirements of the Duty to Co-operate. The key areas where agreement has been reached are:
- With Birmingham CC over contributing to evidence base work to help address the shortfall in Birmingham's housing need;
  - With Walsall MBC over the scale, supply, timing and viability of office development and the phasing and levels of retail provision;
  - With South Staffordshire DC over studies for future Regional Logistics Sites;
  - With the Environment Agency over flood alleviation measures for Rugeley Town Centre;

- With Staffordshire CC, Centro and the Highways Agency for transport infrastructure;
  - With Staffordshire Members of the Cannock Chase Special Area of Conservation (SAC) Partnership over appropriate mitigation of development impacts.
- 5.7 **Vision and Objectives** – The Inspector finds the Vision and Objectives to be locally distinctive, appropriate and reflecting the priorities of the Sustainable Communities Strategies supported by considerable evidence.
- 5.8 **Spatial Strategy** - The strategic approach of the Plan is *dispersed development across all urban communities* which would keep proportions of housing and employment across the District more or less as they are at present. The Inspector was satisfied with this approach and recognised the Green Belt, AONB and SAC constraints of the District as well as considering the approach dovetailed well with the strategies of neighbouring authorities.
- 5.9 The Inspector recognised some concern over the timeframe of the Plan (barely 15 years going forward). However, given the commitment to undertake a Green Belt Review as part of Local Plan (Part 2) to safeguard sites to meet the longer-term development needs of the District (post 2028) and respond to Birmingham’s future housing needs if necessary he was satisfied the strategy is enduring, flexible, effective, positively prepared and soundly based.
- 5.10 **Green Belt and Safeguarded Land** – The Inspector found no exceptional circumstances to warrant a full review of the Green Belt as part of Local Plan (Part 1) and given the specific local circumstances, particularly the uncertainty over how Birmingham’s housing needs may be accommodated, he regarded that undertaking a review within Local Plan (Part 2) provides a positive and pragmatic approach.
- 5.11 **Housing** - Under the strategy the Cannock Chase Local Plan (Part 1) identifies a target of 5,300 new houses 2006-2028 to be accommodated within the District. In addition the Lichfield District Local Plan identifies 500 houses to help meet the needs of Rugeley within its District. Whilst this level of provision proved to be the most contested part of the examination process the Inspector was content that the level of provision is based on a robust and sound objective assessment of housing requirements for market and affordable housing in the district and that the evidence provides the basis for the Plan to provide the framework to fully meet these needs including east of Rugeley in Lichfield District. The report finds the housing market area of Cannock Chase, Lichfield and Tamworth to be appropriate and finds the approach to meeting housing needs soundly based and consistent with the national guidance.
- 5.12 **Affordable Housing** – The Inspector accepts the Council’s approach to affordable housing provision based around providing 20% affordable housing on market sites of 15 or more units (with financial contributions towards provision on smaller sites). Main Modifications made to the plan will ensure that the position is reviewed regularly and that the economic and financial circumstances of specific sites are considered when detailed proposals come

forward. The report also recognises that not all affordable housing will be provided as a proportion of market housing sites, given the Council's positive approach to estate regeneration and the involvement of Registered Providers. In conclusion the approach to the provision of affordable housing (and other specialist accommodation including housing for the elderly and disabled, residential care homes and extra-care accommodation) is considered justified and appropriate for the district.

- 5.13 **Gypsies and Travellers** – The Local Plan (Part 1) identifies needs of 41 additional residential pitches, 4 plots for travelling showpeople and 5 transit pitches to be focussed on a broad area of search along the A5 corridor based on existing sites and travel patterns. A Main Modification is added to ensure shortfalls in provision or additional demand are addressed within the broad area of search, including a review of provision by 2021. Sites will be allocated as part of Local Plan (Part 2).
- 5.14 The report acknowledges that a locally distinctive feature of the district is that all existing sites are in the Green Belt and that families are well established and settled. Although national policy confirms that traveller sites represent inappropriate development in the Green Belt, local circumstances have to be taken into account, which the area of search does. In this context therefore the approach is considered justified, effective, soundly based and consistent with national policy.
- 5.15 Developer Contributions and Infrastructure – The Inspector considers that the viability implications of all policy requirements of the Plan have been assessed, both for affordable housing and the Community Infrastructure Levy (CIL) and policy explicitly recognises that contributions will be informed by viability assessment. The report notes that work is ongoing on the introduction of a CIL. A proposed Main Modification is made to emphasise that contributions to infrastructure and other facilities will be subject to viability. With this amendment the approach is considered appropriate.
- 5.16 Cannock Chase SAC - Local Plan policy seeks to avoid new development directly or indirectly having an adverse effect on the Cannock Chase SAC and sets out the mitigation measures required. The entire district lies within a 15km zone of influence. There is some concern about the implications of the approach on their regeneration ambitions by the Black Country authorities. However, the Inspector considers it is for each authority to interpret and use the relevant evidence in the context of its own circumstances and subject to the Main Modifications identified is content that the approach agreed with Natural England and most members of the Cannock Chase SAC Partnership is positively prepared and justified.
- 5.17 **Other Policies**
- **Economy** – The plan strategy facilitates provision of 88ha of new or redeveloped employment land and is considered effective by the Inspector based on evidence for land supply and projections of labour supply. The plan's policy context for supporting a balanced economy is also considered positive relating well to local economic strategy and the LEPs' economic

strategies. The hierarchical approach to regenerating and growing the Districts town centres is also seen to be supported by robust and reliable evidence.

- **Climate change and sustainable use of resources** – The Local Plan policy does not generally impose higher standards than those expected in national policy and is considered flexible enough to respond to changes. The Inspector recognises that evidence shows development will not be compromised by unnecessary additional viability burdens and that viability will be specifically considered on a site-by-site basis providing further flexibility.
- **Sustainable transport** – The Plan’s transport policy is considered to provide an effective strategy to improve accessibility, promote sustainable travel and manage the demand for travel. It sets out the key elements of transport infrastructure appropriate for the District.
- **Biodiversity, landscape and environment** – The Inspector finds the Plan’s approach to how the district’s biodiversity, geodiversity, landscape character and historic environment is protected, conserved and enhanced as appropriate and justified.
- **Design** – Policy seeks high standards of design in new developments and sets out the key requirements expected to achieve this. Implementation will be supported by more detailed guidance in a forthcoming Design SPD. The Inspector considers this approach effective and notes flexibility in meeting final design requirements, without being unduly onerous for developers.
- **Neighbourhood planning** – The Council’s approach to facilitating neighbourhood planning is set out in the Plan and whilst the Inspector notes this is largely driven by statutory legislation and requirements, he nevertheless considers the approach effective and soundly based.
- **Monitoring and Implementation** – The Plan sets out the key policies, outcomes and local indicators that will be monitored for each of the Plan’s objectives and this is considered to provide an effective and comprehensive framework for monitoring.

#### 5.18 Site Specific Issues

- **Brereton Colliery** – The owners of this site wish the Plan to include a specific policy to highlight its potential for tourism/recreation uses. However the site lies in the AONB and Green Belt and is at an advanced stage of restoration. The Inspector considers there is insufficient justification for a policy on this site or a reference to its potential for tourism/recreation uses in the ‘strategic’ Local Plan (Part 1) but that a policy could be considered in Local Plan (Part 2) if necessary.
- **Rugeley Power Station** – The Power Station owners wish to see a site specific policy in Local Plan (Part 1) to recognise the importance of this facility both for employment and energy generation. However other policies in the Plan provide a supportive framework and with some further clarity provided by a Main Modification a site specific policy is considered

unnecessary in Local Plan (Part 1) but could be considered in Local Plan (Part 2).

- **Land West of Pye Green Road, Hednesford** – The potential of the site capacity at land to the West of Pye Green Road to increase from 750 to 900 houses has been identified via a Main Modification to the Plan following agreement with the sites main developer. The Inspector considers that this measure will provide more flexibility for the Plan and that it is effective and soundly based.
- **Land East of Wimblebury Road, Heath Hayes and around Norton Canes** – Owners of land east and north-east of Wimblebury Road Heath Hayes and to the north and south of Norton Canes made representations to consider their sites currently in the Green Belt as land to be safeguarded to meet current or future housing needs. However the Inspector notes that land to the south of Norton Canes is already identified for urban extension in the Plan as is an area of safeguarded land for possible future development to the east of Wimblebury Road Heath Hayes. The Inspector has concluded that further land is not needed to meet currently identified housing requirements and there are no exceptional circumstances to justify releasing other sites from the Green Belt and allocating them for housing at this stage.
- **Heath Hayes Football Club** – Heath Hayes Football Club has aspirations to establish new facilities in the Green Belt at nearby Heath Hayes Park and to develop their existing site for housing. However there are funding uncertainties and the project is not at an advanced stage. In the absence of firm proposals with timescale, agreed funding, delivery and secured alternative land the Inspector finds it premature to include a site specific policy in the strategic Local Plan (Part 1). However should a scheme become more advanced the issue could be reconsidered within Local Plan (Part 2).

5.19 **Rugeley Town Centre Area Action Plan** – Section 2 of the Plan sets out the more detailed planning framework for Rugeley Town Centre including the background, town centre profile, vision and objectives, with strategic, site specific and topic based policies. The Inspector considers that the preparation of this part of the Plan has met all the legal and procedural requirements and notes there is considerable support for the strategy and proposals in the town centre with very few challenges to this part of the Plan.

5.20 The Inspector concludes that with the recommended Main Modifications set out in Appendix 1, the Cannock Chase Local Plan (Part 1) satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework. The Inspector confirms that the Plan meets all the relevant legal requirements. The Local Plan (Part 1) with both the minor and Main Modifications included has been made available in the Members Group Rooms.

5.21 The **Main Modifications** are summarised as follows:

Amending Policy CP6 (Housing Land) and associated text to:

- clarify the procedure to ensure that a 5-year supply of housing land is maintained throughout the Plan period (including incorporating a 20% buffer where monitoring identifies a persistent under-delivery of housing) and that an annual review of the SHLAA is undertaken;
- recognise that the capacity of the proposed strategic housing site west of Pye Green Road, Hednesford has the potential to accommodate 900 houses, rather than 750 houses;
- confirm that land east of Wimblebury Road, Heath Hayes continues to be safeguarded for potential development beyond the Plan period;

Amending Policy CP7 (Housing Choice) to:

- clarify the procedure for bringing forward additional pitches/plots for gypsies and travellers if monitoring identifies a shortfall;
- clarify the approach to the provision of affordable housing, including viability issues;

Amending Policy CP13 (Cannock Chase SAC) and associated references regarding mitigation measures for Cannock Chase SAC, to accord with the latest advice from Natural England and ensure a consistent approach;

Amending Policy CP15 (Historic Environment) to include reference to heritage sites of archaeological interest;

Clarifying the purpose of the Local Plan (Part 2) in safeguarding land to meet the future housing needs of Cannock Chase District and helping to meet Birmingham's possible future housing needs;

Clarifying the policy approach to Rugeley Power Station;

Amending Policy CP5 (Social Inclusion and Healthy Living) to include reference to viability, health, design, layout and infrastructure issues and appropriate levels of contributions;

Amending Policy CP16 (Climate Change and Sustainable Resource Use) to clarify the development requirements related to the Code for Sustainable Homes.

### **Next Steps**

- 5.22 The Planning Inspectorate (PINS), has received the Inspector's Report and informed the Council that it is able to adopt the Plan. This will both provide certainty for developers, local communities and other stakeholders and enable a draft CIL charging schedule to progress to examination later this year.
- 5.23 PINS have also brought to the Council's attention whether adoption would have any effect on appeals currently being considered by them The PINS letter is attached as Appendix 4.

- 5.24 Once the Local Plan is adopted the saved policies from the 1997 Local Plan will be superseded by the policies in the new Local Plan (as set out in Appendix 1C of the Local Plan (Part 1) document itself).
- 5.25 Following adoption of the Plan, in accordance with regulations, the Council must make available the following:
- The Local Plan
  - The adoption statement
  - The sustainability appraisal report
  - Details of where the Local Plan (Part 1) is available for inspection and the places and times at which the document can be inspected.
- 5.26 The Council must also send a copy of the adoption statement to those who have asked to be notified of the adoption of the Local Plan and send a copy of the adoption statement to the Secretary of State.
- 5.27 Any person aggrieved by the adoption of the Local Plan may make an application to the High Court within six weeks on the grounds that the Plan is not within the appropriate power or that a procedural requirement has not been complied with.
- 5.28 Adoption of Local Plan (Part 1) also paves the way for work to commence on the second part of the Local Plan which will deal with the need to address Birmingham's housing needs should this be necessary following further evidence gathering, either by identifying further capacity within the plan period or safeguarding land for development beyond the plan period. In addition, Part 2 will safeguard sites for potential development beyond the plan period to help meet future District needs. Part 2 will be informed by a review of the Green Belt to be undertaken in full consultation with stakeholders. Should any further Area Action Plan be considered appropriate for the District this will also be undertaken within Part 2.
- 5.29 The implications of not adopting the Local Plan (Part 1) are significant:
- The Council would not have an up to date Local Plan and in such circumstances paragraph 14 of the National Planning Policy Framework (NPPF) sets a clear presumption in favour of approving development applications that can demonstrate their sustainability. Development decisions would therefore be guided by the NPPF rather than locally agreed planning policy with the emphasis on approval;
  - A CIL charging schedule could not be progressed thereby restricting the ability to maximise future developer contributions for infrastructure;
  - There would be no strategic context for further plan making in the District.
  - There would be no agreed framework for progressing action in Rugeley Town Centre.

**6 Implications****6.1 Financial**

There are no financial implications in the report.

**6.2 Legal**

Whilst the Council is not legally required to adopt its local plan the plan has been through a significant process locally to engage communities and other interests in discussions about the future of the Cannock Chase area. Once it has been adopted the Local Plan will form part of the development plan for the Cannock Chase area and consideration will have to be given to it when determining all planning applications.

**6.3 Human Resources**

There are currently no additional human resource implications.

**6.4 Section 17 (Crime Prevention) –**

The Local Plan (Part 1) policy provides opportunities to help design out crime.

**6.5 Human Rights Act**

The process of formulating and adopting the policy in the Local Plan (Part 1) is likely to have implications which affect individual's rights and possessions and due account must be taken of the need to adopt procedures which take account of the right of individuals to make representations in respect of the guidance and adopt guidance which, as far as possible, enables action in the public interest to be balanced against individual rights.

**6.6 Data Protection**

There are no identified implications in respect of the Data Protection Act arising from this report.

**6.7 Risk Management**

Local Plan risks are identified within the Local Development Scheme.

**6.8 Equality & Diversity**

Any implications are identified in an accompanying Equalities Impact Assessment

**7 Appendices to the Report**

- Appendix 1 Lists of minor and Main Modifications
- Appendix 2 Summary of Representations to the Main Modifications and the Council's Responses
- Appendix 3 Planning Inspector's Report on the Examination into the Cannock Chase Local Plan (Part 1) Development Plan Document
- Appendix 4 Letter from the Planning Inspectorate 14 February 2014

**Previous Consideration**

Council 23 January 2013

**Background Papers**

**Schedule of Proposed Additional Modifications to Local Plan (Part 1) – As at 22<sup>nd</sup> October 2013**

**NOTE:** These additional modifications are categorised according to the stage at which they were proposed, to provide continuity and clarity. Where a previously proposed additional modification has been amended or incorporated into another additional ('M' prefix) or main modification ('MM' prefix) during the course of the examination this is clearly indicated. Superseded additional modifications can be viewed in documents CD37B and PS2.15.

<b>Additional Modification No</b>	<b>Document Page No</b>	<b>Policy/ Paragraph</b>	<b>Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)</b>
<b>Submission</b>			
M1	9	'In Rugeley and Brereton' first bullet point	A strategic development allocation to the east of Rugeley within the Lichfield District Local Plan contributes 500 houses to <b>assist in</b> meeting the <del>growth requirements of</del> <b>housing needs arising in</b> Rugeley and Brereton <del>via</del> <b>in line with</b> the south-east Staffordshire strategy.
M2	11	Housing Land paragraph	1625 new houses were completed in the first <del>five</del> <b>six</b> years.
M3 (Superseded by M81)			
M4	16	Paragraph 1.9	<del>Local health priorities are managed by the Cannock Chase Commissioning Consortium established to replace Primary Care Trusts (PCT's) from 2012. The Consortium's 2011/12 Locality Plan prioritises reducing the gap in health inequalities and prevention of ill health and helps guide the Council's Corporate Plan in improving health across the District. Replace with</del> The NHS has been going through a major change period and the old Primary Care Trusts (PCT's) have been replaced by Clinical Commissioning

ITEM NO. 15.13

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)
M5	17	Paragraph 1.12	<p>Groups(CCG's) who will manage local health priorities. CCG's are groups of GP's that from April 2013 will be responsible for designing local health services to meet the needs of its population. They will do this by commissioning or buying health and health care services to improve health and well being and reduce health inequalities. CCG's will work with patients and healthcare professionals and in partnership with local communities and local authorities. In addition as PCT's come to an end the Public health function that sat with PCT's will move to Upper Tier Local Authorities and locally Staffordshire Public Health is now part of Staffordshire County Council.</p>
M6	17	Paragraph 1.13	<p><del>Whilst the Government has signalled its intention to re-veke Regional Strategies the-adepted</del> <b>The Regional Spatial Strategy for the West Midlands January 2008 remains in force until <b>has been revoked (the 20<sup>th</sup> May 2013)</b>. This placed an emphasis on the regeneration of the Major Urban Areas of the West Midlands and <b>although it is now revoked</b>, the strategy and the policies of the Local Plan, (and the ways in which they are applied,) <del>will-continue</del> to support the urban renaissance strategy. Additionally, there <del>is-are</del> a range of other important strategies and plans which the Local Plan will need to help develop or at least acknowledge. These are identified at Appendix D.</b></p>
M6	17	Paragraph 1.13	<p>85 policies saved in September 2007 from the Cannock Chase Local Plan March 1997 represent the adopted policy position for the District prior to the adoption of this Local Plan. The saved policies are primarily aimed at ensuring sustainable land use and effective development control. The NPPF (para 215) states that due weight should be given to relevant policies in existing plans according to their</p>

ITEM NO. 15.14

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)
			degree of consistency with the NPPF. Appendix C indicates which saved policies are replaced by the introduction of strategic policies within this Local Plan or via the NPPF. The Localism Act provides for saved structure plan policies <b>were revoked on the 20<sup>th</sup> May 2013</b> to be removed.
M7	25	Paragraph 2.20	The District supports 2 Special Areas of Conservation (SAC), 3 Sites of Special Scientific Interest (SSSI), approximately 30 local Sites of Biological Interest, 2 Local Nature Reserves (1 additional pending) and 1 Regionally Important Geological Site (RIGS) <b>Local Geological Site (LGS)</b> .
M8	31	Paragraph 2.27 2 <sup>nd</sup> bullet point	'...South Staffordshire Council, <b>East Staffordshire Borough Council</b> and the Black Country...'
M9	42	Paragraph 4.12	Local responsibility for health care is moving from Primary Care Trusts (PCT's) to the Cannock Chase <b>Clinical Commissioning Consortium Group</b> .
M10	47	Paragraph 4.30	In addition a strategic development allocation to the east of Rugeley within the Lichfield District Local Plan contributes 500 houses to <b>assist in meeting the growth requirements of housing needs arising in Rugeley and Brereton via in line with</b> the south-east Staffordshire strategy.
M11	52	Paragraph 4.48	The District's economic vision and strategy has been shaped by the <b>former</b> RSS and complementary sub-regional partnership strategies e.g. the RSS <b>highlighted</b> the centres of Cannock and Rugeley as

ITEM NO. 15.15

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)
M12	60	Paragraph 4.65	<p>'Local Regeneration Areas' in a regional context, whilst the Economic Regeneration Strategy for Southern Staffordshire (2006-2010) gave particular focus to increasing professional and business service occupations within the District.</p> <p>The environmental, <b>health</b> and financial consequences of planning for unrestricted traffic growth on a 'predict and provide basis' is no longer acceptable. It is necessary to manage demand and develop transport policies that are sustainable. Transport policies help deliver sustainable development but are also important in contributing to economic and social prosperity and health objectives, <b>such as addressing respiratory diseases linked to air pollution.</b></p>
M13	70	Paragraph 4.87	<p>' ...with a potential <b>significant</b> effect on them will need...'</p>
M14	70	Paragraph 4.88	<p>' ...to support a reduction in greenhouse-gas <b>nitrogen</b> emissions.'</p>
M15 (Now MM3.2)			
M16	87	Paragraph 5.13	<p>A strategic development allocation to the east of Rugeley within the Lichfield District Local Plan contributes 500 houses to <b>assist in</b> meeting the <del>growth requirements of</del> <b>housing needs arising in</b> Rugeley and Brereton <del>via</del> <b>in line with</b> the south-east Staffordshire strategy.</p>
M17 (Superseded by M88)			

**ITEM NO. 15.16**

<b>Additional Modification No</b>	<b>Document Page No</b>	<b>Policy/ Paragraph</b>	<b>Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)</b>
M18	92	Flood Risk	Management of flood risk along Ridings and Saredon Brooks, particularly via the existing Cannock Flood Alleviation Scheme and higher mitigation standards for developments in these locations <b>(where required)</b> . <del>Locations upstream of Mill Green to demonstrate reductions in surface water discharges.</del>
M19	93	Fig 6.1 key	Main areas for 62ha of employment land <b>2006-2028</b> to be provided initially; 1,550 houses on urban sites across the <b>urban area</b> post March 2012- <b>2028</b>
M20	94	Flood Risk	Continued protection of the River Trent flood plain. Flood alleviation measures in and around Rugeley Town Centre e.g. de-culverting where possible and the safeguarding of an area for a formal flood alleviation scheme at Hagley Park (west of Western Springs Road). <del>Locations upstream of the brook and town centre to demonstrate reductions in surface water discharges (achieving Greenfield rates of run-off where possible).</del>
M21	94	Paragraph 6.5	<del>The</del> <b>PCT Cannock Chase Clinical Commissioning Group</b> considers that health care provision is adequate for the Plan period.
M22	95	Fig 6.2 key	Main area for 26ha of employment land <b>2006-2028</b> ; 680 additional houses across the urban area post-March 2012- <b>2028</b>
M23	96	Paragraph 6.7	<del>The</del> <b>PCT Cannock Chase Clinical Commissioning Group</b> considers that health care provision in Norton Canes is adequate for the Plan period.

ITEM NO. 15.17

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)
M24	97	Fig 6.3 key	3ha employment land <b>2006-2028</b> ; 120 houses to be provided on urban sites post-March 2012- <b>2028</b>
M25	102	Paragraph 6.12	A strategic development allocation to the east of Rugeley within the Lichfield District Local Plan contributes 500 houses to <b>assist in</b> meeting the <del>growth requirements of</del> <b>housing needs arising in</b> Rugeley and Brereton <del>via</del> <b>in line with</b> the south-east Staffordshire strategy (also includes cross-boundary employment site).
M26	109	Policy CP4	1. <del>Access</del> <b>Are in general conformity</b> with the strategic <del>context</del> <b>policies</b> of the Local Plan;
M27 (Incorporated into M90 and superseded by MM5.4)			
M28	110	Policy CP5 2 <sup>nd</sup> main paragraph	'...expected to provide an <b>additional</b> element of on-site open space...'
M29	110	Policy CP5 3 <sup>rd</sup> main paragraph	'...national planning policy <b>and with reference to Policy CP13</b> regardless of whether...'
M30	110	Policy CP5, final paragraph	There will be a presumption against the loss of <b>other</b> existing green space network sites, <del>sport, recreation and community buildings</del> <b>(that are not subject to the above national policy requirements)</b> unless they are surplus and clearly no longer required to meet demand for any of the identified purposes or:

ITEM NO. 15.18

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)
M31	111	Policy CP6, sentence after bullet point 4	<ul style="list-style-type: none"> <li>• the wider sustainability benefits or major community benefits delivered by the proposal outweigh the loss (taking into account the value of the site) and;</li> <li>• appropriate mitigation measures and/or replacement space/facilities, equivalent or better in terms of quantity, quality and accessibility, can be provided to compensate for loss of the site and its value.</li> <li>• A strategic development allocation to the east of Rugeley within the Lichfield District Local Plan contributes to <b>assists</b> in meeting the growth requirements of <b>housing needs arising</b> in Rugeley and Brereton via <b>in line with</b> the south-east Staffordshire strategy.</li> </ul>
M32 (Superseded by MM4.1)			
M33 (Superseded by MM4.2)			
M34 (Superseded by MM4.3)			
M35 (Superseded by MM4.4)			
M36 (Superseded)			

ITEM NO. 15.19

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)
by MM4.5)			
M37	115	Policy CP8 3 <sup>rd</sup> paragraph	The redevelopment and modernisation of existing employment sites and other appropriate Brownfield land for employment purposes will be encouraged and supported, <b>provided that it is not of high environmental value</b> , in order to provide an ongoing supply of available land and premises.
M38	119	Policy CP10	'Particularly supports Objectives... <b>7 provide well managed and appreciated environments.</b> '
M39	119	Policy CP10 1 <sup>st</sup> paragraph	Cannock Chase Council will work with bus and rail operators, Staffordshire County Council, the West Midlands Integrated Transport Authority (Centro), Local Enterprise Partnerships (LEPs), local transport bodies and developers to help develop and promote sustainable transport modes that provide realistic alternatives to the car, and which help contribute to achieving national climate change targets <b>and reduce air pollution.</b>
M40	124	Policy CP12 1 <sup>st</sup> main paragraph	Opportunities to enhance the Etchinghill Regionally Important Geological Site <b>Local Geological Site</b> will also be promoted.
M41	125	Policy CP12 2 <sup>nd</sup> main paragraph	'...Conservation of Habitats and Species Regulations ( <b>see CP13</b> ).'
M42 (Superseded by MM3.4)			

ITEM NO. 15.20

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in <i>italics</i> )
M43 (Incorporated into MM3.3)			
M44 (Incorporated into MM3.3)			
M45	126	Policy CP13 2 <sup>nd</sup> paragraph	‘... <del>S</del> suitable <del>A</del> alternative <del>N</del> natural <del>G</del> green recreational <del>S</del> space ( <del>S</del> <b>SANGS</b> )...’
M46	129	Policy CP15 1 <sup>st</sup> bullet point	The safeguarding of all historic sites, buildings, <b>areas</b> , archaeological remains, <b>their settings</b> and their historic landscape and townscape settings <b>context</b> according to their national or local status from developments harmful to their significance in order to sustain character, local distinctiveness and sense of place.
M47	130	Policy CP15 5 <sup>th</sup> paragraph	‘...District’s <del>historic</del> <b>heritage</b> assets.’
M48	130	Policy CP15 6 <sup>th</sup> paragraph	‘The sustainable access and enjoyment of <del>historic</del> <b>heritage</b> assets...’
M49 (Superseded by MM5.1)			
M50	131	Policy CP16 1(d)	‘...all forms of pollution, <b>based upon air quality modelling where necessary, and</b> having regard to...’

ITEM NO. 15.21

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)
M51	131	Policy CP16 (1e)	The site specific protection of waste facilities will be guided by the Staffordshire and Stoke-on-Trent <b>Joint Waste Local Plan</b> .
M52	131	Policy CP16 (1f)	Use land and building assets sustainably, including the preference for Brownfield land first (provided it is not of high environmental value)...
M53	132	Policy CP16 (2)	The same criteria will apply in determining the Council's response to minerals and waste proposals, taking into account <b>Staffordshire and Stoke-on-Trent and Staffordshire Joint Waste Local Plan</b> and <b>Staffordshire Minerals Plan</b> Local Plan policies.
M54	133	Policy CP16 (3c)	Avoiding developments in high risk flood areas as per the Strategic Flood Risk Assessment. The sequential and exceptions tests will be applied and flood risk alleviation may be required, taking into account cumulative impacts upon risk in the catchment. Assessments should also consider flood risk from other sources as appropriate, particularly surface water, by having regard to the Surface Water Management Plan. <del>Surface water run-off rates should be limited to the Greenfield equivalent in areas upstream of flood risk problem areas wherever possible, such as the Rising Brook in Rugeley and Ridings/Saredon Brook in Cannock.</del>
M55	135	Monitoring paragraph 8.7	<i>Add point viii</i> viii. Reduce health inequalities gap
M56	135	Monitoring	<i>Add bullet points:</i>

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in <i>italics</i> )
M57	141	paragraph 8.9	<ul style="list-style-type: none"> <li>• Obesity among school children in Reception year</li> <li>• Adult obesity and nutrition</li> <li>• Improved sense of wellbeing</li> </ul>
M58	142	Paragraph 8.26 Key Policies	<p>Add CP6 Housing Land</p> <p>Additional local indicator:</p> <ul style="list-style-type: none"> <li>• Area of additional green infrastructure delivered e.g. hectares of SANGS</li> </ul>
M59	166	Regional Spatial Strategy	<p>The adopted revoked (20<sup>th</sup> May 2013) Regional Spatial Strategy for the West Midlands January 2008, which formerly provided the regional planning framework for the Local Plan.</p>
M60	223	Policy RTC8	<p>Add bullet point to Delivery Mechanism:</p> <ul style="list-style-type: none"> <li>• Possible need for CPO powers</li> </ul>
M61	235	Table- Flood Risk	<p>Designation of a formal floodplain storage area safeguarded from future development <b>Construction of a formal floodplain storage area</b></p> <p>FRAs to be carried out on all sites identified in the AAP FRAs to demonstrate flood risk has been managed appropriately for sites identified within the town centre</p>
M62	239	Appendix 2C	<p>HUCA abuts/includes part of the Trent and Mersey canal and</p>

**ITEM NO. 15.23**

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in <i>italics</i> )
		HUCA 5	Leathermill Lane Bridge which were constructed in the late 17 <sup>th</sup> 18 <sup>th</sup> Century.
M63	SA	Page E20, 4 <sup>th</sup> row	Policy specifies its accordance with sustainable development principles identified in PPS4 <b>NPPF</b> .
M64	SA	Page E20, 6 <sup>th</sup> row	Policy specifies its accordance with sustainable development principles identified in PPS4 <b>NPPF</b> .
M65	SA	Page E21, 7 <sup>th</sup> row	Policy specifies its accordance with sustainable development principles identified in PPS4 <b>NPPF</b> .
M66	SA	Page E23, 1 <sup>st</sup> row	Refer to PPS4 <b>NPPF</b> .
M67	SA	Page E24, 7 <sup>th</sup> row	Future employment needs (i.e. expansion or contraction of area size and location) should be considered and location decisions should take into account known flood risk areas, PPS25 <b>NPPF</b> and latest UK CIP09
M68	SA	Page E74	It is recognised within PPS9 <b>NPPF</b> , that Brownfield sites can be of high value for nature conservation
M69	SA	Page E81	Ensure development proposals do not exacerbate flooding elsewhere in catchment by adopting the sequential approach to site selection advocated in PPS25 <b>NPPF</b>
M70	HRA	Paragraph 6.3	'Cannock Chase SAC' 'Cannock Extension Canal SAC.'

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)
M71	Policies Map	Key	Site of Biological Interest ( <del>Provisional</del> )-SBI
M72	Policies Map	Key	<del>Regionally Important Geological Site (RIGS) Local Geological Site (LGS).</del>
M73	Policies Map	SBI layer	<i>Replace published layer with up to date SBI layer at time of adoption</i>
<b>Post Submission (But Pre-Hearings)</b>			
M74	59	Figure 4.4	<i>Annotate Poplars Landfill site location (as identified on Figure 6.1) as 'potential future leisure/restoration opportunities'.</i>
M75 (Superseded by MM3.1)			
M76	117	Policy CP9, 3 <sup>rd</sup> paragraph, 2 <sup>nd</sup> sentence	<i>Replace Policy CP3 with Policy CP5.</i>
M77 (Superseded by MM3.3)			
M78	132	Policy CP16 (2), second sentence	<i>Insert text as follows 'Account will be taken of other policy considerations in assessing their appropriateness, namely <b>views</b> and landscape character (particularly taking account of cumulative impacts in relation to large scale wind turbines or other large scale development proposals)...'</i>

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)
<b>Post Hearings</b>			
M79 (Superseded by MM5.2)			
M80	7	Key Diagram- Key	CP6 <b>CP7</b> Area of search for Gypsies, travellers and travelling showpeople accommodation
M81 (Replaces M3)	12	Cannock Chase SAC paragraph	As a result all housing development will be required to provide appropriate mitigation measures, <b>potentially</b> including provision of Suitable Alternative Natural Green Space ( <b>SANGS</b> ).
M82	48	Paragraph 4.41, 1 <sup>st</sup> sentence	Key outcomes for Cannock Chase are that the District requires a <b>minimum of 41</b> additional residential pitches for the period 2012-2028 and four Travelling Showpeople plots.
M83	48	Paragraph 4.42, final sentence	The A5 is considered to be the appropriate broad area of search for sites within the Cannock Chase Local Plan and this can be used to identify sites in the Local Plan Part 2 as part of <del>S</del> site <del>S</del> specific <del>A</del> allocations.
M84	57	Paragraph 4.61, final sentence	The site specific safeguarding or release of Green Belt land at Kingswood Lakeside will be considered further in the Local Plan (Part 2– <del>Site-Allocations-and-Standards</del> ) alongside policy mechanisms for its release.
M85	70	Para 4.88	The Appropriate Assessment highlights the likely increase in pressures

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Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)
M86 (Superseded by MM5.3)			as a result of population growth in the District (including potential increases in road traffic air pollution) and the need to provide additional recreation spaces together with other mitigation measures such as positive habitat <b>and visitor</b> management.
M87	89	Paragraph 5.22, final sentence	The current (partially revised) Green Space Network will generally be protected and opportunities to improve its coverage and multi-functional character will be maximised; the <b>Site-Allocations-<del>DPD</del> Local Plan (Part 2)</b> will provide a full revision to the network.
M88 (Replaces M17)	89	Para 5.23	Implementation of the Visitor Impact Mitigation Strategy for Cannock Chase SAC will <b>potentially</b> require the provision of alternative-green spaces <b>SANGS</b> .
M89	108	Policy CP3 – third bullet point at bottom of page	<ul style="list-style-type: none"> <li>• Cannock Town Centre – Development brief or <b>Area Action Plan</b> to ensure...</li> </ul>
M90 (Superseded by MM5.4 which also incorporates M27)			

ITEM NO. 15.27

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)
M91	110	Policy CP5, 2 <sup>nd</sup> main paragraph	Informed by assessments of quantity, quality and accessibility of facilities (which will be reviewed at regular intervals), new developments will be required to <b>provide support the provision of</b> wholly new facilities and/or protect or make improvements to existing facilities, including improvements to their accessibility and supporting their future maintenance.
M92 (Superseded by MM5.5)			
M93	113	Policy CP7, 3 <sup>rd</sup> paragraph under Gypsies, Travellers and Travelling Showpeople	A broad area of search for such sites, matching travel patterns and based along the A5 road corridor, is identified in the Key Diagram. The Council will seek to locate sites <b>and determine planning applications</b> in accordance with the NPPF, including within reasonable proximity of existing settlements and with access to shops, schools and other community facilities. Sites should provide adequate space for vehicles and appropriate highway access. Transit sites for gypsies and travellers will be <b>met provided</b> in appropriate locations related to the current working patterns of the travelling community. In accordance with CP1, development proposals will be considered in line with other relevant Local Plan policies.
M94	118	Policy CP9, 6 <sup>th</sup> paragraph	Proposals which contribute positively to the visitor economy ( <b>including tourist accommodation, visitor and recreational facilities</b> ) and the long term sustainability and vitality of the rural economy will be positively supported provided that they comply with national Green Belt policy and other Core Strategy Policies (particularly CP3, CP10, CP12, CP13, CP14 and CP15).

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)
M95	122	Policy CP11 – end of first paragraph	... Supplementary Planning Document or Area Action Plan (see Policy CP3).
M96	125	Policy CP10, final paragraph, 4 <sup>th</sup> sentence	The Site-Allocations-DPD <b>The Local Plan (Part 2)</b> and further Supplementary Planning Documents will provide further site-level implementation and guidance on measures that can be taken to enhance local features, including developer contributions where appropriate to support local priorities.
M97	126	CP13 3 <sup>rd</sup> para	The effective avoidance and /or mitigation of any identified adverse effects must be demonstrated and secured prior to approval of the development. This policy has jurisdiction over developments within Cannock Chase District only; however it will be implemented jointly with neighbouring authorities via the application of complementary policies in partner Local Plans <b>as appropriate</b> .
M98	131	Policy CP16 (1b), second sentence	The Council will continue to facilitate strategic improvements to the existing housing stock and support initiatives that utilise the natural biomass resource potential of the District appropriately ( <b>as well as other appropriate technologies</b> ).
M99 (superseded by MM5.6)			
M100	177	Figure 2, Box for 'Local Plan (Part 2)	Site specific allocations, <b>site safeguarding and possible review</b>

ITEM NO. 15.29

Additional Modification No	Document Page No	Policy/ Paragraph	Modified text (deleted text shown as struck through ,additional text shown in bold and CCDC comments in italics)
M101	190	Paragraph 4.21, 2 <sup>nd</sup> sentence	HUCAs falling within the Area Action Plan boundary and summaries of their character drawn from the EUS are identified in <del>Appendix E</del> <b>Appendix 2C</b> .
M102	57	Paragraph 4.62, 3 <sup>rd</sup> sentence	More widely, areas in the south of the District such as the former Grove Colliery (more recently a landfill operation that has now ceased) and still operational Poplars Landfill offer a longer-term opportunity in terms of the restoration of landscapes to cater for potential recreation and tourism-focused activities, <b>which may be able to provide complementary recreation, leisure and tourism focused activities</b> .
M103	59	Figure 4.4	<i>Replace in key 'Potential future leisure/restoration opportunities' with <b>Restoration and potential complementary recreation/tourism opportunities</b></i>
M104	74	Paragraph 4.99, 3 <sup>rd</sup> sentence	The Site Specific Allocations DPD <b>Local Plan (Part 2)</b> and further SPD guidance...

CANNOCK CHASE LOCAL PLAN (PART 1)SCHEDULE OF MAIN MODIFICATIONS

Main Modification No	Page No	Policy/ Paragraph	Modified text (deleted text shown as struck Through, additional text shown in bold)
<b>1. Additional housing capacity for land to the West of Pye Green Road, Hednesford</b>			
MM1.1	8	Under Cannock, Hednesford and Heath Hayes, Housing paragraph	Housing: 1,550 houses on urban sites and 750 homes <b>(with potential for 900)</b> as an urban extension on a strategic site west of Pye Green Road.
MM1.2	11	4 <sup>th</sup> Paragraph, 'Housing Land', 4 <sup>th</sup> sentence	Urban extensions within Cannock Chase District are identified via a strategic site west of Pye Green Road for 750 new houses <b>(with potential for 900)</b> , and south of Norton Canes for 670 houses.
MM1.3	46	Paragraph 4.28	<i>Add new sentence at end of paragraph</i> <b>In addition to flexibility provided within the SHLAA there is potential for the housing capacity of the land West of Pye Green Road to be increased to approximately 900 dwellings without raising any new significant infrastructure issues.</b>
MM1.4	87	Paragraph 5.12	<i>Add new sentence at end of paragraph</i> <b>In addition to this supply, the potential for the site capacity of land West of Pye Green Road to increase to 900 dwellings has since been identified.</b>
MM1.5	93	Figure 6.1, Key	750 additional houses <b>(with potential for 900)</b> and range of facilities as part of strategic site
MM1.6	111	Policy CP6, point 3	<i>Add new sentence at end of paragraph</i> <b>In addition there is potential for the site's capacity to increase to 900 dwellings, consistent with the site's strategic allocation.</b>

Main Modification No	Page No	Policy/ Paragraph	Modified text (deleted text shown as struck Through, additional text shown in bold)
2. Intervention measures to deal with any deficit in supply and criteria for bringing sites forward MM2.1	111	Policy CP6, final paragraph	<p><del>Replace Depending on the results of monitoring it may be necessary to adjust the pace of delivery of housing by bringing forward, or holding back, new development with</del> <b>The annual review of the SHLAA and Authorities Monitoring Report (AMR) provide the mechanisms for monitoring. The SHLAA process, which involves house building professionals via the SHLAA Panel, will also help facilitate the advancement of sites into the five year deliverable supply. Alongside the SHLAA process, the Council will continue to positively engage with developers in bringing sites into the five year supply as part of the development management process. This includes positive consideration of sites not currently identified in the SHLAA (windfalls). Where the SHLAA identifies a shortfall in the five year deliverable supply of housing land, measured against the requirements of the NPPF, the Council will undertake measures to unlock existing planning permissions and bring forward currently non-consented/unallocated sites. A range of measures can be employed which include:</b></p> <ul style="list-style-type: none"> <li>- working positively with developers to overcome site specific constraints (including those related to viability);</li> <li>- actively considering joint working on Council-led ventures, where it is practicable;</li> <li>- a positive approach to the redevelopment of appropriate existing employment sites for housing (see Policy CP8).</li> </ul>
MM2.2	113	Policy CP7	<p><i>Insert text at end of final paragraph</i> <b>If the monitoring of supply against targets identifies a shortfall and/or additional demand comes forward, the Council will work positively with the Gypsy, Traveller, Travelling Showpeople communities and landowners within the broad area of search to bring forward additional</b></p>

Main Modification No	Page No	Policy/ Paragraph	Modified text (deleted text shown as struck Through, additional text shown in bold)
<b>3. Mitigation for Cannock Chase SAC</b>			
MM3.1	70	Para 4.88	<p>...Mitigation and Implementation Strategy. <b>A 15Km zone of influence from the SAC boundaries has been identified in the evidence base and agreed by Natural England. and Cannock Chase District lies completely within this.</b> Through implementation of the final Local Plan policies, supported by relevant Supplementary Planning Documents, suitable mitigation measures will be put in place <b>which may include</b> the delivery of Suitable Alternative Natural Green Space (SANGS) to overcome possible adverse effects on the integrity of the SAC and the need to encourage sustainable travel to support a reduction in <del>greenhouse-gas</del> <b>nitrogen</b> emissions.</p>
MM3.2	71	Para 4.89	<p>The HRA of the Local Plan makes <del>the following</del> recommendations with regard to Cannock Chase SAC with which the Council will aim to comply:</p> <ul style="list-style-type: none"> <li>• Require air quality modelling for new housing which adds to traffic use on roads within 200m of the SAC</li> <li>• Encourage application of the Code for Sustainable Homes Level 6 standards within larger housing developments to help reduce air pollution <del>from new housing</del></li> <li>• Update the 2009 Air Quality Updating and Screening Assessment to produce an Air Quality Strategy for the District covering potential impacts on biodiversity (including impacts on European sites) <del>in addition to impacts</del> <b>and</b> on human health</li> <li>• Aim to site new developments in locations where commuting distances will be minimised with existing strong public transport links, walking and cycling opportunities (as recognised in Obj 5)</li> </ul>

Main Modification No	Page No	Policy/ Paragraph	Modified text (deleted text shown as struck Through, additional text shown in bold)
			<ul style="list-style-type: none"> <li>• Aim to maximise provision of on-site facilities for major developments in order to reduce the need to travel, <del>These could include GP facilities, retail outlets, schools, community facilities and public open space,</del> an approach already taken within the adopted development brief for Land to the West of Pye Green Road</li> <li>• Seek submission of Travel Plans for all new developments <del>within the District</del> to show how public transport, walking and cycling opportunities will be maximised. S106 agreements may also be required in order for developers to assist in achieving air pollution reduction for their development, including a commitment to monitor its impact</li> <li>• Consider traffic calming and reduction in car parking as part of the management of the SAC <b>to reduce pressure on sensitive areas</b></li> <li>• <b>Avoid new housing development within 400m of SAC</b></li> <li>• <b>Aim to increase size of heathland and improve connectivity between different blocks with appropriate management practices and review of track, path and firebreak systems</b></li> <li>• <b>Aim to carry out a public consultation, education, awareness and information programme</b></li> <li>• <b>Seek to provide SANGS, including in locations around the SAC minimum size 30ha, in accordance with Natural England SANGS quality guidance</b></li> <li>• <b>Aim to undertake a biological, habitat condition and visitor monitoring programme.</b></li> </ul>
MM3.3	p126	Policy CP13 2 <sup>nd</sup> para	In order to retain the integrity of the Cannock Chase Special Area of Conservation (SAC) all development <del>within any agreed zone of influence</del> <b>Cannock Chase District</b> (as identified by the evidence base

Main Modification No	Page No	Policy/ Paragraph	Modified text (deleted text shown as struck Through, additional text shown in bold)
MM3.4	126	Policy CP13 1 <sup>st</sup> paragraph	and subject to further refinement) that leads to a net increase in dwellings which is likely to have an adverse impact on the SAC should <b>will be required to</b> mitigate for such <b>adverse</b> effects. <del>in line with</del> <b>The</b> ongoing work by the <b>relevant</b> partner authorities to <b>will</b> develop a Mitigation and Implementation Strategy ( <b>SPD</b> ).
			'...adverse effect upon the <b>integrity of the</b> European site network...'
<b>4. Affordable Housing</b>			
MM4.1	111	Policy CP6, final paragraph	Annual housing completions will be monitored and a minimum five year plus 5% housing land supply ensured. <b>If monitoring identifies persistent under delivery of housing, a minimum five year plus 20% land supply will be provided.</b>
MM4.2	112	Policy CP7, Affordable Housing, first bullet point	<b>Initially based on viability evidence produced in 2013, 20%</b> affordable housing being provided by commercial housebuilders on developments of 15 or more units
MM4.3	112	Policy CP7, Affordable Housing, second bullet point	On smaller sites of fewer than 15 units and exceptionally on sites of more than 15 units, financial contributions <b>based on the formula in the evidence on viability</b> to be made to delivery on other sites
MM4.4	112	Policy CP7, 1 <sup>st</sup> main paragraph	The overall target for affordable housing provision on commercial housebuilders' sites will be maximised, informed by an assessment of economic viability <b>reviewed when evidence of changes in market conditions indicates this to be appropriate.</b> <del>This will be reviewed when changes in market conditions justify.</del> Details will be elaborated in

Main Modification No	Page No	Policy/ Paragraph	Modified text (deleted text shown as struck Through, additional text shown in bold)
MM4.5	112	Policy CP7, 2 <sup>nd</sup> main paragraph	<p>a Housing Choices SPD. Individual site viability issues will be considered in the context of the above evidence.</p> <p>Delivery on commercial housebuilders' sites or the alternative of pro-rata financial contributions will be secured by conditions imposed on the grant of planning permissions or the completion of planning obligations. Where sites have a construction programme which is proposed to extend beyond 2 years, the planning obligation will provide for the affordable housing component of later phases to be reviewed in the light of changes in the cost/revenue equation which will <b>be based on updated viability evidence which may</b> result in an increase of the affordable housing requirement if demonstrated by the reviewed assessment.</p>
<b>5. Other</b>			
MM5.1	130	Policy CP15 8 <sup>th</sup> main paragraph	<p>Additional sentence at end of paragraph: <b>'For heritage assets of archaeological interest or sites with potential interest an appropriate level of assessment and/or evaluation will be required to inform decision making.'</b></p>
MM5.2	1	4 <sup>th</sup> para	<p>...the strategic policy. <b>Part 2 will also help address Birmingham's housing needs should this be necessary following further evidence gathering, either by identifying further capacity within the plan period or safeguarding land for development beyond the plan period. In addition, Part 2 will safeguard sites for potential development beyond the plan period to help meet future District needs. Part 2 will be informed by a review of the Green Belt to be undertaken in full consultation with stakeholders. Should any further Area Action Plan be considered appropriate for the District this will also be undertaken within Part 2. Local Plan policy...</b></p>

Main Modification No	Page No	Policy/ Paragraph	Modified text (deleted text shown as struck Through, additional text shown in bold)
MM5.3	79	Paragraph 4.109	<p><i>Insert text at end of paragraph</i> Rugeley Power Station has recently been granted full planning consent for its conversion to become almost fully-fuelled by biomass (although as a national energy provider, this site does not contribute to the District's potential for generating 5-7% of its own energy from local renewable and low carbon energy sources). The Council will continue to engage positively with the site owners (recognising its contribution to the national energy network) in relation to any future proposals for it. <b>The need for a site-specific policy for the Power Station will be kept under review and considered further in Local Plan (Part 2).</b></p>
MM5.4	110	Policy CP5, 1 <sup>st</sup> paragraph	<p>The Council will work with public, private and third sector partners to ensure that appropriate levels of infrastructure are provided to support social inclusion and healthy living in the District. <b>Subject to viability,</b> development proposals will be required to <b>have regard to the wider determinants of health and</b> make a positive contribution to provision of infrastructure, <b>design and layout</b> which supports social inclusion and healthy living for sustainable communities. The key elements of this infrastructure <del>emprmise:</del> <b>include the items identified immediately below. The Council will work with applicants to identify and agree which of those elements of infrastructure are directly related to the proposed development (and are not already fully funded from other sources) and seek to agree an appropriate level of contribution.</b></p>
MM5.5	111	Policy CP6, 4 <sup>th</sup> paragraph	<p>Land removed from the Green Belt and identified on the Policies Map as safeguarded for longer term development under the Local Plan 1997 (<b>known as Land East of Wimblebury Road, Heath Hayes</b>), will continue to be safeguarded for potential development beyond the plan period subject to consideration within <b>Local Plan (Part 2-if appropriate) and/or</b> a Local Plan review or replacement. The</p>

ITEM NO. 15.37

Main Modification No	Page No	Policy/ Paragraph	Modified text (deleted text shown as struck Through, additional text shown in bold)
MM5.6	132	Policy CP16 (3a), 4 <sup>th</sup> sentence	<p>appropriateness of the Green Belt boundary at this site will be assessed as part of Local Plan Part 2.</p> <p>All new residential developments should achieve water efficiency standards <del>equivalent to Code for Sustainable Homes Level 3/4</del> <b>of 105 litres/person/day or less (currently equivalent to Code for Sustainable Homes Level 3/4)</b> as a minimum and should have regard to wider sustainability standards of the Code (using Level 3 as a good practice benchmark, <b>or any future equivalent national standard</b>).</p>

**ITEM NO: 15.38**



**Cannock Chase Council**

**Cannock Chase Local Plan – Local Plan (Part 1) Examination**

**Summary of Representations to the Main Modifications and Council's Responses**

**December 2013**

Contents

This document summarises the representations received on Main Modifications to the Cannock Chase Local Plan- Local Plan (Part 1) as published for consultation between Wednesday 6<sup>th</sup> November and 5pm on Wednesday 18<sup>th</sup> December 2013. This document also includes the Council's response to the representations received.

Consultee Reference	Consultee Name	Consultee Organisation	Agent Name	Agent Organisation
238200	Ruth Hytch	Cannock Chase AONB Unit		
451065	Helen Davies	Centro		
238592	Denise Ridgway	Civil Aviation Authority		
169659	Rachael Bust	The Coal Authority		
713035	Jane Field	Environment Agency		
713572	Antony Muller	Natural England		
238391		Rugeley Power Station	Rob Wells	Savills
238324	Maggie Taylor	Sport England		
751694	James Chadwick	Staffordshire County Council		
238364		St Modwen	Paul Hill	RPS Group
750476		Taylor Wimpey	Kathryn Ventham	Barton Willmore
238286	Matthew Stanczyszyn	Walsall Council		
238419		West Midlands HARP Planning Consortium	Christopher Burton	Tetlow King

For any enquiries please contact Planning Policy via email at [planningpolicy@cannockchasedc.gov.uk](mailto:planningpolicy@cannockchasedc.gov.uk); via telephone on 01543 462621; or via post at Planning Policy, Cannock Chase Council, Civic Centre, PO Box 28, Beecroft Road, Cannock, Staffordshire, WS11 1BG

**ITEM NO. 15.40**

Consultee Organisation	Support or Object?	Legally Compliant?	Sound or Unsound?	Test of Soundness?	Representation	Suggested Wording	Hearing or Written Representation?	Does Representati on relate to a Main Modification?	Has the issue already been considered? If so, where?	Council's Response to Representation
Cannock Chase AONB Unit	No Comment	No Comment	No Comment	No Comment	The AONB did not submit formal representations on the Pre Submission version and the nature of the proposed modifications at this stage is such that formal representations are again not required.	None Suggested	Not Specified	No	No	Does not relate to a modification.
Cannock Chase AONB Unit	No Comment	No Comment	No Comment	No Comment	Modification MM1 – The AONB borders the Land West of Pye Green Road site on two sides and the development should be designed to minimise damage to the landscape. The Development Brief should be updated to reflect the increase from 750 to 900 houses.	None Suggested	Not Specified	MM1	Yes. Land West of Pye Green Road covered at hearing on Site-Specific Issues	This representation raises no new issues.  The potential for additional houses will be considered within the context of the development brief principles (which remain relevant) and the statement of common ground (PS2.30)
Cannock Chase AONB Unit	No Comment	No Comment	No Comment	No Comment	Modification MM2 – The AONB unit want to be informed of any additional identified housing sites with impact on AONB.	None Suggested	Not Specified	MM2	Yes. Covered at hearing on Site-Specific Issues	This representation raises no new issues.  AONB unit are consulted on planning applications with impact on AONB under existing planning protocol.  N/A Support
Cannock Chase AONB Unit	No Comment	No Comment	No Comment	No Comment	Modification MM3 – The AONB Unit support the 15KM Zone of Influence and note that SAC mitigation should not create pressure in other parts of the AONB.	None Suggested	Not Specified	MM3	N/A Support	
Cannock Chase AONB Unit	No Comment	No Comment	No Comment	No Comment	Modification MM5 – The AONB wish to be notified of any new housing sites or Greenbelt boundary changes. Within or adjoining the AONB.	None Suggested	Not Specified	MM5	Yes. Covered at hearing on Site-Specific Issues	This representation raises no new issues.  AONB unit are consulted on planning matters with impact on AONB under existing planning protocol.
Centro	No Comment	No Comment	No Comment	No Comment	Cannock is within the GBS LEP and West Midlands Travel to work areas. The plan should be consistent with the West Midlands Local Transport Plan (2011 – 2016) as cross boundary issues are important.	None Suggested	Not Specified	No	Does not relate to a modification	Does not relate to a modification
Centro	No Comment	No Comment	No Comment	No Comment	The West Midlands Regional Rail Forum Rail Vision Document presents Cannock as a key rail destination and Centro is very supportive of future rail improvements in this area. Support paragraphs 2.17 and Policy 7 – Birmingham via Walsall to Rugeley	None Suggested	Not Specified	No	Does not relate to a modification	Does not relate to a modification

# ITEM NO. 15.41

Centro	No Comment	No Comment	No Comment	No Comment	No Comment	electrification scheme. The document should highlight Centro's Connectivity Package which contains HS2 connections and new local rail improvements.	The document should refer to Centro's Connectivity Package.	Not Specified	No	Does not relate to a modification	Does not relate to a modification
Centro	No Comment	No Comment	No Comment	No Comment	No Comment	Support the spatial vision, identification of transport as a strategic issue and development sites near stations. Support interchange facilities in Policy 7. All development sites should support sustainable travel measures.	None Suggested	Not Specified	No	Does not relate to a modification	Does not relate to a modification
Centro	No Comment	No Comment	No Comment	No Comment	No Comment	Centro should be a prescribed body under the Duty to Co-operate as they support Cannock rail investment. A meeting should be arranged to discuss a wider transport strategy for the growth of Cannock.	None Suggested	Not Specified	No	Does not relate to a modification	Does not relate to a modification
Civil Aviation Authority	No Comment	No Comment	No Comment	No Comment	No Comment	It is not necessary to consult the CAA about Strategic Planning Documents other than those with direct aviation involvement.	None Suggested	Not Specified	No	Does not relate to a modification	No comment
The Coal Authority	No Comment	No Comment	No Comment	No Comment	No Comment	No specific comments to make at this stage. Supporting representations made on the Submission document still stand.	None Suggested	Not Specified	No	Does not relate to a modification	No comment
Environment Agency	No Comment	No Comment	No Comment	No Comment	No Comment	No comments to make on the soundness of the Local Plan (Part 1) or the Sustainability Appraisal.	None Suggested	Not Specified	No	Does not relate to a modification	No comment
Natural England	Support	Yes	Sound	No Comment	No Comment	MM3.1 – Consistent with advice provided on 23.09.13. The modification avoids being too prescriptive in mitigating recreation pressure and supports measures recommended by Footprint Ecology.	None Suggested	Not Specified	MM3.1	N/A Support	N/A Support
Natural England	Support	Yes	Sound	The Council should consider the 11.12.13 SANGS advice. NE are not objecting on soundness and recognise the SAC project is still evolving and CCC may wish to retain the SANGS reference.	No Comment	MM3.2 – In March 2013 the emerging SAC evidence base encouraged the Council to set out the work being undertaken and recommended mitigation measures, as recommended by NE. On 11.12.13 NE issued updated guidance that proportionate measures are required to manage risk to the SAC. SANGS are not necessary to protect the SAC (their effectiveness is unknown and costs are high), NE will advise shortly on safeguarding from new developments after new mitigation measures are agreed, and LPA partners will need to agree funding mechanisms through the planning system. NE support the existing modification, but advise that the Council may wish to delete the MM3.2 reference to SANGS of a certain minimum size in locations around the	The Council may wish to delete the MM3.2 reference to SANGS of a certain minimum size in locations around the SAC. Alternatively in recognition of the SAC project's evolving nature and the fact that the Council has not had the opportunity to consider the role of SANGS in principle, CCC may wish to retain the MM3.1 reference.	Written Representation	MM3.2	Yes. SANGS covered at Cannock Chase SAC – Policy CP13	This representation raises no new issues.  The advice of 11 12 13 continues the 'direction of travel' of advice provided by Natural England to the hearing session on Cannock Chase SAC – Policy CP13 which helped influence the main modifications.  The wording in MM3.2 is included as an accurate reflection of the types of mitigation identified in the evidence base (CD148). As such the caveat attached to the evidence base is relevant - set out in full below.



# ITEM NO. 15.43

Staffordshire County Council	Support	Yes	Sound	Additional land has already been included with the proposed school which cater for the 200 extra dwellings.	The Council and St Modwen have agreed, in principle, to a contribution towards the cost of a School and additional land on the Land West of Pye Green Road housing site to mitigate the impact of 700 new houses. SCC confirm that the additional land would be sufficient to provide a further half FE, which would mitigate the impact of the additional 200 dwellings on the site. As this mitigation is sufficient there are no objections.	None Suggested	Not Specified	MM1.1 to 1.6	Yes. Land West of Pye Green Road covered at hearing on Site-Specific Issues	(Part 1) if found sound for adoption. This representation raises no new issues. The contribution towards the cost of a new school and additional land at Land West of Pye Green Road is addressed within the statement of common ground (PS2.30)
St Modwen	Support	Yes	Sound	No Comment	Support the housing capacity of 900 houses on Land West of Pye Green Road, as identified in the Statement of Common Ground with CCC. The development of the site is supported by the 1997 Local Plan, Policy CP6 in the Submission Local Plan and the Development Brief. The site is deliverable in the plan period.	None Suggested	Written Representation	MM1.1 MM1.2 MM1.3 MM1.4 MM1.5 MM1.6	N/A Support	N/A Support
Taylor Wimpey	No Comment	No Comment	No Comment	No Comment	Concerned that the partially safeguarded land to the east of Wimblebury Road, Heath Hayes must not be prejudiced by the wording of Policy CP6 in delaying the delivery of development on the safeguarded land until 'beyond the plan period' as it could compromise the delivery of this site. Suggest changes to the 4 <sup>th</sup> paragraph of Policy CP6 to make the plan more flexible in case the land is required during the plan period to meet the needs of Birmingham or Cannock.	Land removed from the Green Belt and identified on the Policies Map as safeguarded for longer term development under the Local Plan 1997 (known as Land East of Wimblebury Road, Heath Hayes), will continue to be safeguarded for potential development beyond the plan period. The appropriateness of the Green Belt boundaries in Cannock Chase District, including at this Site, will be subject to consideration within Local Plan (Part 2 (if appropriate) and/or a Local Plan review or replacement. The appropriateness of the Green Belt boundary at this site will be assessed as part of Local Plan Part 2. In addition, if it is demonstrated that there is a shortfall in the supply of housing sites against housing delivery targets for a consecutive two year period, the Council will	Not Specified	M5.5	Yes. Covered at hearing on Site-Specific Issues	This representation raises no new issues. The policy wording proposed is seeking further flexibility to housing strategy. The Council consider there is already enough flexibility in housing site supply (including additional potential at land to the West of Pye Green Road) and discounting within the SHLAA. Amended Policy CP6 also sets out ways to bring forward other appropriate sites in absence of supply. The change being suggested does not relate primarily to the Birmingham issue- see above point. A two-year consecutive period of under-delivery is considered an inappropriately short period of time to justify the release of land which has been safeguarded for longer term development- particularly when there are other short term mechanisms

# ITEM NO. 15.44

Walsall Council	Object	No Comment	No Comment	No Comment	<p>MM3.1 – the Black Country authorities believe that it is not factual to say that a 15km zone of influence exists within which all new development will have a significant adverse effect, but that 75% of visitors from the 2011 Visitor Survey came from within 15km. The 15km is not the only zone of influence identified in the evidence and it is the choice of CCC to imply this as the basis for their policy.</p>	<p>As previously stated paragraph 4.88 should read "A 15Km Zone of Influence from the SAC boundaries is one of a number of zones that have been identified in the Footprint Ecology evidence base and Cannock Chase District lies completely within this".</p>	Hearing	MM3.1	Yes. SAC zone of influence covered at hearing on Cannock Chase SAC – Policy CP13	<p>in place for dealing with short term shortfall (as described above).</p> <p>The likelihood of needing to accommodate an element of Birmingham's housing needs is not yet known. Policy wording provides sufficient flexibility for this instance though.</p> <p>The judgement referred to has a different context as that authority had not recently completed a Local Plan/review- Cannock Chase Council is in process of doing that. Also, principles applied in development management in appeal decisions do not automatically relate to local plan making.</p> <p>The Council therefore maintains its position.</p> <p>This representation raises no new issues.</p> <p>The 15km zone of influence remains the one supported by Natural England.</p> <p>The Council therefore maintains its position.</p>
Walsall Council	Support	No Comment	No Comment	No Comment	<p>MM3.3 – The revision to the third paragraph of Policy CP13 appears to be missing from the list of Main Modifications – the Black Country authorities have been advised of change shown in bold text to this paragraph.</p> <p>We support this proposed modification.</p>	<p>"The effective avoidance and/or mitigation of any identified adverse effects must be demonstrated and secured prior to approval of the development. This policy has jurisdiction over developments within Cannock Chase District implemented jointly with neighbouring authorities via the applications of complementary policies in partner Local Plans as appropriate".</p> <p>None Suggested</p>	Hearing	MM3.3	N/A Support	<p>N/A Support</p> <p>For clarity- the modification referred to exists as Additional Modification M97</p>
Walsall Council	No Comment	No Comment	No Comment	No Comment	<p>Since submission of the Main Modifications to the Cannock Chase</p>	Hearing	MM3.3	Yes. Covered at hearing on	<p>The latest Natural England advice (11 December 2013)</p>	

# ITEM NO. 15.45

West Midlands HARP Planning Consortium	Object	No Comment	No Comment	No Comment	Local Plan, further site analysis of habitat condition has been undertaken by Natural England and SAC land managers including SCC. Natural England has provided updated advice. Quite significantly, in a letter dated 11 December 2013, Natural England states "The proposed 1.5km zone of influence encompasses the home post codes which account for 75% of visitors. However this zone does not effectively catch one main group of users that may well be important in path wear and tear, mountain bikers. It is not expected that alternative green space would effectively divert this group of users from the SAC. Based on our experience of strategic N2K Site projects elsewhere in England we advise that policy application and achieving consistency over a 1.5km zone will represent a substantial and ongoing challenge."	None Suggested	Not Specified	MM4.3	Cannock Chase SAC – Policy CP13	forms part of the Natural England response to the main modifications consultation (see above). As such the implications of the advice are considered to be represented in Natural England's responses to main modifications MM3.1 – MM3.4
West Midlands HARP Planning Consortium	Object	No Comment	No Comment	No Comment	MM4.3 – The modification fails to address our concern over a minimum threshold for affordable housing contribution.	None Suggested	Not Specified	MM4.4	Yes. Covered at hearing on Housing – Policy CP7 and in background paper (PS2.3) section C affordable housing.	This representation raises no new issues.  The Council is acting on the recommendations of the evidence, particularly CD53 (Economic Viability Assessment of Future Development of Affordable Housing in Cannock Chase) and summarised in PS2.3  The Council therefore maintains its position.
West Midlands HARP Planning Consortium	Object	No Comment	No Comment	No Comment	MM4.4 – Object to any attempt to change policy through the Housing Choice SPD. The draft NPPF guidance states that an SPD cannot introduce new policies and should not add unnecessary burdens on development.	None Suggested	Not Specified	MM4.5	Yes. Covered at hearing on Housing – Policy CP7 and in background paper (PS2.3) section C affordable housing.	This representation raises no new issues.  The policy for the affordable housing target is designed to be responsive to changes in market conditions in order to maximise provision. The approach was set out in the background paper and considered at the hearing sessions.  The Council therefore maintains its position.
West Midlands HARP Planning Consortium	Object	No Comment	No Comment	No Comment	MM4.5 – The modification fails to set a longer term affordable housing target. The Council cannot change policy	None Suggested	Not Specified	MM4.5	Yes. Covered at hearing on Housing –	This representation raises no new issues.

**ITEM NO. 15.46**

<p>when it feels viability evidence would support this. Affordable housing contributions need to be taken into account when setting CIL.</p>	<p>Policy CP7 and in background paper (PS2.3) section C affordable housing.</p>	<p>The policy for the affordable housing target is designed to be responsive to changes in market conditions in order to maximise provision. The approach was set out in the background paper and considered at the hearing sessions.</p>	<p>'Whole plan' viability considerations, including those for affordable housing are addressed in the evidence base (PS2.27 and PS2.28).</p>	<p>The Council therefore maintains its position.</p>



**Cannock Chase Council**

**Cannock Chase Local Plan – Local Plan (Part 1) Examination**

**Summary of Representations to the Main Modifications and Council's Responses**

**Addendum – Responses received after 18<sup>th</sup> December 2013**

**January 2014**

**Contents**

This addendum document summarises the late representations received on Main Modifications to the Cannock Chase Local Plan - Local Plan (Part 1), after the consultation had ended. The document was published for consultation between Wednesday 6<sup>th</sup> November and 5pm on Wednesday 18<sup>th</sup> December 2013. This document also includes the Council's response to the representations received.

<b>Consultee Reference</b>	<b>Consultee Name</b>	<b>Consultee Organisation</b>	<b>Agent Name</b>	<b>Agent Organisation</b>
537932	Peter Davies	Brereton and Ravenhill Parish Council		

For any enquiries please contact Planning Policy via email at [planningpolicy@cannockchasedc.gov.uk](mailto:planningpolicy@cannockchasedc.gov.uk); via telephone on 01543 462621; or via post at Planning Policy, Cannock Chase Council, Civic Centre, PO Box 28, Beecroft Road, Cannock, Staffordshire, WS11 1BG

## ITEM NO. 15.49

Consultee Organisation	Support or Object?	Legally Compliant?	Sound or Unsound?	Test of Soundness?	Representation	Suggested Wording	Hearing or Written Representation?	Does Representation relate to a Main Modification?	Has the issue already been considered? If so, where?	Council's Response to Representation
Brereton and Ravenhill Parish Council	Support	No Comment	No Comment	No Comment	The Parish Council welcome the strengthening of policies relating to SACs and their environment.	None Suggested	Not Specified	Not Specified	N/A Support	N/A Support



**The Planning Inspectorate**

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## **Report to Cannock Chase District Council**

by **Stephen J Pratt** BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

14 February 2014

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (as amended)

SECTION 20

### **REPORT ON THE EXAMINATION INTO THE CANNOCK CHASE LOCAL PLAN (PART 1) DEVELOPMENT PLAN DOCUMENT**

Document submitted for examination on 31 May 2013

Examination hearings held on 24-27 September 2013

File Ref: PINS/X3405/429/9

**ABBREVIATIONS USED IN THIS REPORT**

AMR	Authority's Monitoring Report
AONB	Area of Outstanding Natural Beauty
BC	Borough Council
BCC	Birmingham City Council
CC	County Council
CCDC	Cannock Chase District Council
CCLP	Cannock Chase Local Plan (Part 1)
CIL	Community Infrastructure Levy
CPO	Compulsory Purchase Order
DC	District Council
DCLG	Department for Communities & Local Government
DPD	Development Plan Document
DTC	Duty to Co-operate
EA	Environment Agency
EIP	Examination in Public
GBSLEP	Greater Birmingham & Solihull Local Enterprise Partnership
GTAA	Gypsy and Traveller Accommodation Assessment
ha	hectares
HHFC	Heath Hayes Football Club
HRA	Habitat Regulations Assessment
IDP	Infrastructure Delivery Plan
LDC	Lichfield District Council
LDS	Local Development Scheme
LEP	Local Enterprise Partnership
LP	Local Plan
LPA	Local Planning Authority
MBC	Metropolitan Borough Council
MM	Main Modification
MOU	Memorandum of Understanding
NPPF	National Planning Policy Framework
¶/para	paragraph
RTCAAP	Rugeley Town Centre Area Action Plan
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SANGS	Suitable Alternative Natural Green Space
SCC	Staffordshire County Council
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SDA	Strategic Development Allocation
SE	South-East
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SOCG	Statement of Common Ground
SPD	Supplementary Planning Document
SSDC	South Staffordshire District Council
SSLEP	Stoke-on-Trent & Staffordshire Local Enterprise Partnership
WMRSS	West Midlands Regional Spatial Strategy

### **Non-Technical Summary**

This report concludes that the Cannock Chase Local Plan (Part 1) provides an appropriate basis for the planning of the District until 2028, providing a number of modifications are made to the plan. Cannock Chase District Council has specifically requested me to recommend any modifications necessary to enable the plan to be adopted. All of the modifications to address this were proposed by the Council, and I have recommended their inclusion after considering the representations from other parties on these issues.

The Main Modifications can be summarised as follows:

- Amending Policy CP6 and associated text to:
  - clarify the procedure to ensure a 5-year supply of housing land is maintained throughout the Plan period, including incorporating a 20% buffer where monitoring identifies a persistent under-delivery of housing, and an annual review of the SHLAA;
  - recognise that the capacity of the proposed strategic housing site west of Pye Green Road, Hednesford has the potential to accommodate 900 houses, rather than 750 houses;
  - confirm that land east of Wimblebury Road, Heath Hayes continues to be safeguarded for potential development beyond the Plan period;
- Amending Policy CP7 to:
  - clarify the procedure for bringing forward additional pitches/plots for gypsies and travellers if monitoring identifies a shortfall;
  - clarify the approach to the provision of affordable housing, including viability issues;
- Amending Policy CP13 and associated references regarding mitigation measures for Cannock Chase SAC, to accord with the latest advice from Natural England and ensure a consistent approach;
- Amending Policy CP15 to include reference to heritage sites of archaeological interest;
- Clarifying the purpose of the Local Plan Part 2 in safeguarding land to meet the future housing needs of Cannock Chase district and helping to meet Birmingham's possible future housing needs;
- Clarifying the policy approach to Rugeley Power Station;
- Amending Policy CP5 to include reference to viability, health, design, layout and infrastructure issues and appropriate levels of contributions;
- Amending Policy CP16 to clarify the development requirements related to the Code for Sustainable Homes.

## Introduction

1. This report contains my assessment of the *Cannock Chase Local Plan (Part 1)* (CCLP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the preparation of the Plan has complied with the Duty to Co-operate, recognising that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and complies with the legal requirements. The National Planning Policy Framework (NPPF; ¶ 182) confirms that to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the Examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The basis for the examination is the Cannock Chase Local Plan (Part 1) Proposed Submission 2013, [CD1], along with the accompanying Schedule of Proposed Modifications [CD37B].
3. This report deals with the Main Modifications needed to make the CCLP sound and legally compliant, as identified in bold in the report **[MM]**. In accordance with section 20(7C) of the 2004 Act, Cannock Chase District Council (CCDC) has requested me to recommend any modifications needed to rectify matters that make the plan unsound or not legally compliant, and thus incapable of being adopted. These Main Modifications are set out in the accompanying Appendix.
4. The Main Modifications that go to soundness all relate to matters that were discussed at the Examination hearings. Following these discussions, CCDC prepared a *Schedule of Proposed Main Modifications* [PS6.1]. This was subject to consultation over a 6-week period, including sustainability appraisal, and I have taken account of the consultation responses in coming to my conclusions.
5. My approach to the Examination has been to work with CCDC and other participants in a positive, pragmatic and proactive manner. In so doing, I have considered all the points made in the representations, statements and during the discussions at the hearing sessions. However, the purpose of this report is to consider the soundness and legal compliance of the plan, giving reasons for the recommended modifications, rather than responding to the points made in the representations and discussions. References to documentary sources are provided thus [ ], quoting the reference number in the Examination Library.
6. The Local Plan (Part 1) consists of two main parts: a Core Strategy outlining the key strategic policies for the whole of the district; and the Rugeley Town Centre Area Action Plan. This report covers both parts of the plan.

## Assessment of the Duty to Co-operate

7. Section 20(5)(c) of the 2004 Act requires me to determine whether the Council has complied with any duty imposed on them by s33A of the Act in relation to the preparation of the Plan. This requires CCDC to co-operate in maximising the effectiveness of plan-making, including engaging constructively, actively and on an ongoing basis with neighbouring planning authorities and prescribed bodies when preparing development plan documents with regard to a strategic matter. This is defined as sustainable development or use of land that has or would have a significant impact on at least two planning areas, including sustainable development or use of land for strategic infrastructure. This Duty (DTC) is closely related to the requirements in the NPPF (¶ 178-181), and the soundness tests which require plans to be positively prepared and effective (NPPF; ¶ 182).
8. CCDC has submitted extensive evidence outlining how it has engaged actively, constructively and on an ongoing basis with neighbouring local authorities and other prescribed bodies during the preparation of the Plan [CD38/38A; PS2.3E; PS5a.1]. CCDC has been working on a collaborative basis with several local authorities and other organisations for a considerable time before the DTC came into force. This involved various cross-boundary working groups, including those

relating to Rugeley and the Cannock Chase SAC, as well as canal restoration, Chase rail service, A5 Partnership Group, Regional Logistics Site Study, and water cycle and renewable/low carbon energy studies. CCDC was also actively involved in the preparation and examination of the former West Midlands Regional Spatial Strategy (WMRSS) Phase 2 Revision and continues to be involved in various regional/sub-regional bodies and working groups, both at officer and member level. CCDC is also a member of two LEPs: GBSLEP & SSLEP.

9. CCDC has addressed key strategic cross-boundary issues, including housing, employment, retailing, transport, the Cannock Chase/Canal SACs and infrastructure [CD38; PS2.3E]. A strategic cross-boundary development allocation to the east of Rugeley, in Lichfield district included in the Lichfield Local Plan, will contribute 500 houses towards meeting the housing needs of Rugeley and Brereton; a Memorandum of Understanding (MOU) confirms the joint commitment of both local authorities, reflecting the joint study on *Meeting Development Needs in SE Staffordshire* [CD38; Appx 2]. Following meetings with Stafford BC, South Staffordshire DC (SSDC) and the Black Country authorities, no other strategic requirements have been identified which require other authorities to meet some of Cannock Chase's housing or other needs, or for Cannock Chase to meet some of other authorities' development or infrastructure requirements.
10. There is a longer term challenge relating to the future scale and distribution of Birmingham's housing growth. CCDC has contributed to the joint brief for the GBSLEP housing needs study and collaborated with Birmingham City Council (BCC) to agree a commitment to address this matter, if necessary through the Local Plan (Part 2) [CD1; ¶ 1.8]; BCC is content for the plan to progress to adoption on this basis. Some suggest that strategic housing requirements have not been considered properly as part of the DTC, but they are addressed in the joint housing study [CD38; Appx 2]. Many of these matters are closely related to the NPPF soundness tests of the plan being "effective" and "positively prepared", and are dealt with in more detail in the housing section of this report.
11. CCDC has reached agreement with Walsall MBC about the scale, supply, timing and viability of office development in Cannock, Hednesford and Rugeley, as well as phasing and levels of retail provision in Cannock and Hednesford. CCDC has also reached agreement with SSDC about future studies for Regional Logistics Sites. CCDC has held extensive discussions with the Environment Agency about flood risk and flood alleviation measures in Rugeley town centre. Discussions on transport are continuing with Staffordshire CC (SCC) about the Cannock Chase District Integrated Transport Strategy, closely linked to CCDC's Infrastructure Delivery Plan (IDP) and draft CIL schedule; discussions have also been held with other transport providers such as Centro and the Highways Agency about the Chase rail line and A5/M6/M6T. Protocols and MOUs have also been drawn up with neighbouring local authorities, infrastructure providers, LEPs, other bodies and health/service providers [CD38/38A].
12. A key issue of consistency in cross-boundary policy relates to the Cannock Chase SAC. Co-operation has been addressed through the established SAC Partnership, which includes CCDC, SCC, other local authorities, Cannock Chase AONB Unit, Forestry Commission and Natural England. The proposed approach to mitigating any adverse effects of development on the integrity of the SAC has been agreed with most members of the SAC Partnership, including Natural England [CD145-149; CD38/38A; PS2.2; PS2.11-12ab; PS2.18; PS5a.7; PS5c2.9], and is addressed further in the environment section of this report. Other cross-boundary issues about canal and habitat restoration and the Cannock Chase AONB have also been addressed.
13. Some question the extent and timing of the engagement process, but all local authorities and relevant bodies have been involved throughout the preparation of the Plan, including Lichfield DC, Walsall MBC and BCC, who are satisfied with the level and nature of agreement and commitment, as shown in the MOUs and other correspondence. Other organisations, like HHFC, have been consulted and

involved in the plan-preparation process, even though they are not covered by the DTC process.

14. Having considered all the evidence, statements and discussions at the hearing sessions, I conclude that CCDC has met the requirements of the DTC in terms of maximising the effectiveness of the plan-making process and co-operating and engaging with the relevant bodies on an on-going basis. The outcome of this co-operation is largely one of agreement, particularly in terms of the cross-boundary housing issues relating to Rugeley and Lichfield DC; with Birmingham CC with regard to the possibility of meeting some of the future housing needs of Birmingham; and with regard to the Cannock Chase SAC. Furthermore, there are no challenges to the DTC having been met from other local authorities or prescribed bodies. The legal requirements of the Duty to Co-operate have therefore been met.

## Assessment of Soundness

### Preamble

15. The CCLP (Part 1) establishes the strategic planning framework for Cannock Chase district for the period 2006-2028, setting out a district profile, identifying its characteristics and key issues, with a vision and district-wide objectives. It establishes a spatial strategy with a set of core policies to achieve the objectives identified, including the development strategy, housing, economy and employment, transport, hierarchy of centres and environment. It not only provides the strategic planning context for the district, but also proposes a strategic housing site in the west of the district, an urban extension in the south, and takes account of a strategic development allocation to the east of Rugeley contained in the Lichfield Local Plan to contribute towards meeting the housing needs of Rugeley and Breerton. The plan is accompanied by an extensive evidence base, including sustainability appraisals, supporting documents, background papers, technical reports and studies [CD15-186A; PS2.1-2.31], along with further evidence and statements submitted to the examination [PS5a.1-16; PS5c2.1-PS5c2.14].
16. Preparation of the CCLP began in 2006, with consultation on Issues and Options and Preferred Options, leading to the publication of a Draft Local Plan in 2012. It was originally prepared within the strategic context provided by the former West Midlands Regional Spatial Strategy (WMRSS), with which it needed to be in general conformity. At the time of preparation, the WMRSS was subject to a Phase 2 Revision, which was subject to examination and an EIP Panel Report. However, shortly after publishing the EIP Panel Report, further progress of the Phase 2 Revision was put on hold and was never formally approved by the Secretary of State. Following various Government announcements, the WMRSS was formally revoked on 20 May 2013. CCDC has reviewed the implications of revocation and made minor changes to the text of the CCLP prior to submission, to address the implications of revocation [CD37B; PS2.3F & Annex 1].
17. Although originally prepared in the context of the former WMRSS, the CCLP is supported by its own locally-derived evidence base, with a justified strategy which addresses local issues and ambitions, in full knowledge of the future revocation of the WMRSS. In line with guidance in the NPPF (¶ 218), it has been informed by evidence used to support the WMRSS, supplemented by up-to-date local evidence. Key target-orientated policies of the former WMRSS have been addressed in accompanying evidence, including assessments of housing and employment requirements, with updates of housing needs, employment land, retail capacity, offices and provision for gypsies and travellers, along with locally derived standards. CCDC also revisited other cross-boundary issues relating to the provision of housing east of Rugeley, Regional Logistics Sites and the Cannock Chase SAC. Consequently, there are no gaps in strategic policy areas related to Cannock Chase district as a result of the revocation of the former WMRSS.

**Main Issues**

18. Taking account of all the representations, supporting evidence, written statements and the discussion at the examination hearings, there are nine main issues upon which the soundness of the Plan depends. These include the spatial strategy, overall level of housing provision, Green Belt, development viability and the approach to the Cannock Chase SAC, along with more detailed issues relating to other policies and the Rugeley Town Centre Area Action Plan.

**SECTION 1 – CORE STRATEGY****VISION & OBJECTIVES*****Issue 1 – Are the Vision for Cannock Chase District and the District-wide Objectives justified, effective, locally distinctive and appropriate, reflecting the Sustainable Community Strategy, community views and issues raised during the preparation of the plan, and do they provide a sound basis for the overall spatial strategy and strategic policies in the Core Strategy?***

19. Sections 3 & 4 of the CCLP set out the Vision for Cannock Chase District, along with eight district-wide objectives, each with specific priorities, derived from key issues identified in the district profile, which provide the basis and justification for the core policies which follow. The Vision and objectives were first set out in 2008, as part of the Issues & Options stage, and have been refined since then, following consultation, discussion with the local communities and other stakeholders, and as a result of evolving evidence on local strategic issues. The inter-related components of the Vision are consistent with the Sustainable Community Strategies (SCS), which ensures a locally distinctive and justified approach. The Core Strategy is led by these district-wide objectives, which provides the link between the Vision and the strategic policies which follow.
20. The Vision itself sets out the clear and positive nature of the strategy, seeking to manage and deliver positive change to the district over the plan period, enabling the strategic priorities of the SCSs to be met. Separate visions are also set out for each of the main areas of the district, setting out the more localised and specific implications of the strategy for each area, and providing clarity and distinctiveness to these aspects of the plan.
21. The objectives are similarly locally distinctive and based on specific evidence, supported by the detailed priorities which reflect key local priorities. Their effectiveness will be monitored so that their success can be measured. The consistency of the objectives has been tested through the sustainability appraisal work [CD15-23], which also confirms their complementary nature. Although it may be somewhat unusual for the district-wide objectives to be covered in so much detail in this part of the Plan, this approach effectively provides the detailed justification, background and evidence to support the strategic policies that follow. Both the Vision and objectives are supported by the community and other stakeholders, and the minor criticisms of the approach, for example, to the housing needs of the elderly and absence of some site-specific references, do not deflect from the overall soundness of the approach.
22. Consequently, the Vision and District-wide Objectives of the Plan are locally distinctive, appropriate for Cannock Chase district, reflect the priorities of the Sustainable Community Strategies and provide a sound basis for the spatial strategy and strategic policies, supported by considerable evidence.

## **SPATIAL STRATEGY**

### ***Issue 2 – Does the Core Strategy set out the strategic priorities for Cannock Chase District and is it soundly based, justified, effective, positively prepared, appropriate, supported by robust and credible evidence and consistent with national policy?***

23. The basis of the spatial strategy is to focus development within the existing settlements of Cannock, Hednesford & Heath Hayes, Norton Canes and Rugeley & Brereton, developing service provision to meet existing balances in housing across the district, reflecting district-wide objectives [PS2.3; PS5a.3]. It aims to broadly cater for development in the main urban areas on a proportional basis. The basic strategy was initially shaped by the former WMRSS Phase 2 Revision, following discussion of alternative district options, and derives from previous consultations at the Issues & Options stage. For housing, it reflects the overall strategy established for SE Staffordshire [CD38], including Tamworth and Lichfield, focusing development on the main existing settlements. The strategic distribution of development followed the sequential approach required by the NPPF, informed by a Level 1 SFRA and Water Cycle studies [CD116; CD113/A]. The strategy can be delivered without any development in the existing Green Belt, with further land remaining safeguarded for possible future development, a matter to be addressed again in the Local Plan (Part 2).
24. A key element of the spatial strategy is the proportionate distribution of new housing and employment development to the key settlements, mostly to Cannock, Hednesford & Heath Hayes (68%), as well as to Rugeley & Brereton (26/29% housing/employment) and Norton Canes (6/3% housing/employment). This approach is justified in several ways, including the scale and distribution of existing development in the key urban areas, reflecting the existing population and past trends, the match between the supply of land and sites in these settlements, and the results of public consultation. It also recognises the needs of these areas for new housing and employment and the hierarchy of existing centres, balanced against environmental and other constraints. The spatial strategy fully identifies its implications for specific areas with a series of locally distinctive strategies, addressing area-based challenges and opportunities, and fully supported by the evidence base.
25. The overall levels of proposed new housing and employment development (5,300 dwellings and 88ha of employment land; 2006-2028) are fully justified in the supporting evidence (dealt with later in this report), and take account of proposed development to help meet the district's housing needs within Lichfield district (east of Rugeley: +500 dwellings); the proposed housing allocation within Lichfield district is fully supported by Lichfield DC [CD38], and is effectively a sustainable urban extension of Rugeley. The strategy provides a balance between new housing and employment development, meeting housing needs without reducing jobs or the workforce. The amount of retail and office floorspace in the key centres is supported by evidence-based studies [CD65; CD81-82; CD84-85], and there are no longer any objections from neighbouring local authorities about these aspects of the strategy. The critical infrastructure needed to deliver the strategy is identified in the Infrastructure Delivery Plan (IDP) [CD42/A], which has been drawn up following the input of key service/infrastructure providers. Given the relative amount of new development, as opposed to existing commitments, the strategy is effective, deliverable and robust. Sustainability appraisal has been undertaken at all stages during plan preparation [CD15-23], which indicates how the assessments have influenced the final strategy and the required mitigation.
26. The preferred spatial strategy emerged following an assessment of four broad alternative strategies, ranging from various degrees of concentration and

dispersal of new development, all subject to sustainability appraisal and extensive consultation. It reflects the key challenges and opportunities identified for various areas of the district, and their future development requirements, is supported by specific evidence, community engagement and consultation, and reflects strong local preferences. It also recognises the particular constraints affecting this district, including the fact that much of the area is covered by Green Belt and/or the Cannock Chase AONB/SAC. The strategy dovetails well with those of neighbouring districts, including the specific provision made in Lichfield district to meet some of the housing needs of Rugeley and Brereton. It also addresses other cross-boundary issues related to Birmingham's possible future housing needs, mitigation of the impact of development on the Cannock Chase SAC, retail and office floorspace, strategic highways and the proposals of neighbouring authorities.

27. When read with the rest of the Plan, the Key Diagram, the Policies Map, other diagrams and supporting evidence, the strategy provides sufficient strategic direction and spatial guidance about the scale, location, timing and delivery of new development, including the balance between brownfield and greenfield development, to guide subsequent plans and development decisions. The strategy has been subject to viability appraisal [CD53; PS2.27-2.28], and further work on the CIL is being progressed. The broad elements of the spatial strategy will endure throughout the plan period, but are also flexible enough to respond to a variety of unexpected or changing circumstances.
28. There is some concern about the timeframe of the Plan, extending from 2006-2028. The CCLP is "backdated" to 2006, mainly to fit with other plans and reflect the base date of its preparation and initial evidence. Providing the Plan fully meets the identified needs for the full plan period, this should not be a problem. The remaining timeframe of the submitted Plan is barely 15 years, and there are no specific plans to review the spatial strategy until the end of the plan period. However, with the commitment to undertake a review of the Green Belt in the Local Plan (Part 2), to safeguard sites to meet the longer-term development needs of the district and respond to Birmingham's future housing needs if this is found necessary [MM5.2], the overall strategy is enduring, but sufficiently flexible, effective, positively prepared and soundly based. Future reviews of the Plan will ensure that the timeframe is extended and rolled forward.
29. Consequently, I am satisfied that the CCLP sets out the spatial priorities for the district in an effective spatial strategy which is appropriate and justified with robust and credible evidence, supports the visions for the overall district and specific areas, reflects key challenges facing the district, and is informed by established priorities. It is also locally distinctive, positively prepared, soundly based and consistent with national policy. The proposed amendment [MM5.2] ensures that key elements of the Plan are reviewed if this is necessary to address longer-term development needs, including Birmingham's future housing needs.

### **GREEN BELT & SAFEGUARDED LAND**

#### ***Issue 3 – Does the Core Strategy properly address the approach to development in the Green Belt, consistent with national policy?***

30. The approach taken to development in the Green Belt derives directly from national policy (NPPF; ¶ 79-92), as confirmed in Policy CP1, which does not need to be repeated in the CCLP [PS5a.4]. Hence, there is no specific policy on the Green Belt, but other policies include policy elements relating to development in the Green Belt. Policies CP1, CP12 & CP14 deal with existing buildings in the Green Belt, including locally-based policy guidance. Policy CP8 recognises the importance of existing developed employment sites in the Green Belt, and sets out specific criteria against which future proposals will be considered; further site-specific guidance will be provided in the Local Plan (Part 2) and in other SPDs.

31. Local evidence (including the Green Infrastructure Assessment [CD138] and Environmental Capacity Study [CD131]) highlight the importance of the district's green infrastructure and environmental assets, whilst other proposals for existing and future greenspace and provision of SANGS to mitigate the impact of development on the Cannock Chase SAC will enhance access to the Green Belt. Improvements to biodiversity and geodiversity, along with additional open space and protection and conservation of the openness of the rural areas, will also contribute to the purposes and function of the Green Belt in this district. Consequently, the Plan properly addresses the approach to development in the Green Belt, consistent with national policy.
32. Several representors consider that a review of the Green Belt should have been undertaken as part of preparing the CCLP. The Green Belt boundaries in this district were established and confirmed in 1997, when the boundaries were adjusted and some land was taken out of the Green Belt on the edges of Cannock, Hednesford, Heath Hayes and Norton Canes and designated as safeguarded land for possible future development. As part of formulating the CCLP, a partial review of the Green Belt was commenced, to assess sustainable options for urban extensions [CD132], but it became apparent that the amount of development required to meet the housing and other needs of the district within the current plan period could be achieved without needing to release further land from the Green Belt. Moreover, other land remains safeguarded for future development and, in order to ensure the permanence of the Green Belt, it was therefore unnecessary to review the Green Belt to find land to meet the current development needs of the district. The contribution from Lichfield DC at East of Rugeley also helps to reduce the need to review the Green Belt in Cannock Chase.
33. However, this issue will be examined again in the Local Plan (Part 2), which will review the existing safeguarded land east of Wimblebury Road, Heath Hayes and assess a possible extension to Kingswood Lakeside. A proposed modification **[MM5.2]** also confirms that the Local Plan (Part 2) will safeguard sites for potential development beyond the current plan period, informed by a review of the Green Belt, to help meet the future needs of Cannock Chase district, as well as identifying or safeguarding sites to help address Birmingham's future housing needs, if this is necessary as a result of future evidence and studies.
34. Accordingly, there is no need, and no exceptional circumstances, which would justify undertaking a full review of the Green Belt in order to deliver the sustainable development strategy set out in the submitted Plan, particularly given my conclusions on the overall development strategy and the objectively assessed housing requirements of the district within the current plan period. CCDC's approach of undertaking a review of the Green Belt as part of the subsequent Local Plan (Part 2) is somewhat unusual, since such matters are normally addressed in the initial strategic plan. However, given the less prescriptive arrangements in the latest regulations and the specific circumstances of Cannock Chase district, where current development needs can be fully met without identifying further releases of land from the Green Belt, it is appropriate and justified. With the proposed amendment, it provides a positive and pragmatic approach to considering future longer-term development needs (including the possible future housing needs of Birmingham, if found necessary), providing an effective and sound longer-term planning framework for the district.

## **HOUSING**

***Issue 4 – Does the Core Strategy make appropriate provision for the effective delivery of the overall amount of new housing required in Cannock Chase District, including the scale and distribution of new housing, strategic housing sites/urban extensions, affordable housing and provision for gypsies, travellers and special needs, having regard to national policy, and is it soundly based, positively prepared, justified and supported by up-to-date, credible and robust evidence?***

**Overall level of housing provision**

35. Policy CP6 makes provision for 5,300 new houses (2006-2028) as part of the overall strategy for south-east Staffordshire to deliver 19,800 new houses in the wider area. This provision is made up of 1,625 new houses completed between 2006-2012, 2,350 new houses on urban sites identified in the SHLAA, a strategic site allocation on land west of Pye Green Road, Hednesford (750 dwellings), and an urban extension south of Norton Canes (670 dwellings). In addition to the overall provision of 5,300 new houses, a strategic allocation to the east of Rugeley within Lichfield DC area (500 dwellings) will assist in meeting the housing needs of Rugeley and Brereton.
36. CCDC provides extensive evidence outlining how the objective assessment of housing requirements for the district was established [PS2.3; PS5a.5]. The overall level of provision evolved through the preparation of the former WMRSS Phase 2 Revision, including an earlier SHMA produced in 2008 [CD54], but has been subject to more recent studies, including a joint Housing Needs Study and SHMA update in 2012 [CD55]. This established the overall housing requirement of 19,800 dwellings for the southern Staffordshire districts (including Cannock Chase, Tamworth and Lichfield), based on the 2008 DCLG population and household projections, and set a target of 250-280 dwellings/year for Cannock Chase district. More recently, the implications of the 2011-based DCLG household interim projections were assessed, which suggested a slightly lower figure of 220-250 dwellings/year for Cannock Chase district [CD55A]. The equivalent figure in the submitted CCLP is 241 dwellings/year (or 264 dwellings/year with the additional 500 dwellings in Lichfield DC area). This overall level of provision is within the recommended target and would fully meet the objectively assessed housing needs of the district.
37. The joint Housing Needs Study & SHMA Update [CD55] includes a range of methodology, scenarios and assumptions, covering demographic, housing and economic trends and scenarios, including migration rates, household size and formation and housing forecasts, as well as examining economic and employment factors and other housing factors, including trends in delivery, market demand and the need for market and affordable housing. It assesses household and employment growth, using recognised and reliable "HEaDROOM" models, to establish overall housing requirements and ensure that the strategy would not lead to more out-commuting, decrease job density or reduce jobs and the workforce. Although there may be other ways of establishing housing requirements, I am satisfied that it is a robust and credible piece of evidence, with soundly based methodology and assumptions; the broad range of housing figures set out provides a reliable and appropriate basis for determining the contribution that Cannock Chase district should make to the objectively assessed housing needs of the housing market area. Moreover, the figures remain robust when assessed against the latest 2011-based household projections. Overall, I consider this objective assessment of housing requirements is properly prepared, soundly based and consistent with the guidance in the NPPF.
38. There is some concern about the nature and extent of the housing market area chosen to assess housing requirements for Cannock Chase district. The joint Housing Needs Study [CD55] covers Southern Staffordshire, including Cannock Chase, Tamworth and Lichfield districts, which the consultants confirm is an appropriate housing market area with strong inter-linkages. In earlier studies, undertaken for the former WMRSS, Cannock Chase district formed part of the much larger C3 Central housing market area, grouped with the Black Country authorities. However, housing markets in this part of the West Midlands are complex and overlapping, and I do not regard the joint Housing Needs Study as being fundamentally flawed simply because it does not cover a wider area, including Birmingham, the West Midlands conurbation and other Staffordshire authorities, particularly given the extent of collaboration and co-operation undertaken as part of the Duty to Co-operate. There are strong housing market

and commuting links with Lichfield and Tamworth, recognised in the joint Housing Needs Study, and the Plan includes commitments to address Birmingham's future housing needs, if this is found necessary as a result of further studies.

39. In seeking higher levels of housing provision, many representors refer to the housing targets in the former WMRSS Phase 2 Revision EIP Panel Report, which recommended some 6,800 new houses (2006-2026), including 1,000 houses in Lichfield DC area, which itself did not fully cater for the projected housing need in Cannock Chase district. However, these figures are somewhat dated, being based on older population/household projections, and do not reflect the housing requirements established in the later Housing Needs Studies for Southern Staffordshire, which use more recent household projections. Some argue that overall housing requirements should be based on the 2008 household projections, but the figures have been remodelled to ensure that the latest 2011 household projections have been taken into account, in line with the guidance in the NPPF.
40. Some argue that the housing target should be increased to avoid a reduction in economic activity, jobs and the labour force, but this could cause further in-migration and upset the balance between homes and jobs, particularly given the other proposals to achieve job growth without affecting housing requirements, including new employment sites and improving the skills of the existing population. Increased housing provision could also have greater impact on the Cannock Chase SAC. The various models have been re-run, confirming that most of the population growth is a result of natural change, and that the overall level of housing would result in some growth in jobs, providing a balanced scenario [PS5c.2.2b]. All the estimates were provided by independent consultants acting for the joint Councils, using established models and forecasts covering a variety of demand-side demographic, economic and housing projections and scenarios, providing a pragmatic, consistent and unbiased approach. Overall, I conclude that the CCLP provides a reasonable and realistic balance between homes and jobs. Some argue that the proposed level of housing will not deliver the amount of affordable housing needed; I deal with this issue later in this section of my report. No-one seeks lower levels of housing provision in this district.
41. As regards cross-boundary issues, the CCLP takes full account of the proposed provision of 500 dwellings east of Rugeley within Lichfield DC area; this is a long-standing proposal, suggested in the former WMRSS Phase 2 Revision, which is now included in the Lichfield Local Plan (*East of Rugeley SDA*). It is also subject to a joint commitment between CCDC & Lichfield DC in a Memorandum of Understanding [CD38]. The housing element relating to Cannock Chase district is part of a larger development of over 1,100 new dwellings, including affordable housing for both districts; the first phase is being built and a housing trajectory is included in the Lichfield Local Plan [PS2.7; PS2.3:B3]. Some argue that 1,000 new dwellings should be provided to meet the needs of Cannock Chase, but this is based on the outdated former WMRSS Phase 2 Revision Panel recommendations, and has been overtaken by more recent assessments of housing need. Others argue that this provision should have been made within Cannock Chase district, but there are Green Belt, flooding and other constraints in the Rugeley area which would make further provision in this part of the district less appropriate and less sustainable. Moreover, the proposed strategic site adjoins the boundary of Cannock Chase district, directly helping to meet housing needs in the local area.
42. More recently, a situation has emerged about the longer-term housing needs of Birmingham, which may require surrounding authorities to make some provision to meet the housing needs of this city. However, much work has yet to be undertaken to establish the scale of any shortfall and where and how that shortfall should be accommodated. Current information suggests that this work will be undertaken by the GBSLEP, with a strategy in place by mid-2014, indicating a relatively short timescale. However, at present, the implications of this work for Cannock Chase district are not yet known, and there is currently

no specific unmet housing requirement for Birmingham to be met in this district. The CCLP (¶ 1.8) includes a specific commitment to address this issue in the Local Plan (Part 2), if this is found necessary, and a proposed amendment **[MM5.2]** further confirms and clarifies this commitment. This is an outstanding issue, which will be clarified in the future, but there is no compelling need to delay the adoption of the CCLP or make further housing provision at this stage to address the possible future housing needs of Birmingham.

43. As regards housing land supply, including 5-year supply, the latest SHLAA [PS2.13] confirms that there is currently nearly 6 years supply of deliverable housing sites, including a 5% buffer (as required by the NPPF), with a 20% discount for non-implementation and a modest 3% allowance for windfalls, which is justified by past experience. It identifies a total supply of over 3,700 dwellings from 2013-2028, which with existing commitments and other proposals, demonstrates that the proposed level of housing provision is achievable and deliverable. The housing trajectory shows higher levels of new housing between 2015-2022, but this reflects land availability, and in reality, housing will probably be delivered more evenly over the plan period.
44. Figures produced for the hearing sessions indicate that, between 2006/7-2013/12, there was an overall shortfall of 114 dwellings compared with the relevant targets at the time [PS5c.2.8], with regular shortfalls in provision since 2008/9. However, with the revocation of the former WMRSS, these targets will be superseded by the targets and evidence in the Local Plan (Part 1), which will cover this period. If a 20% additional buffer is added to the 5-year housing provision target (as required by the NPPF if the district has persistently under-performed in the past), this would reduce the current housing supply to barely 5 years. However, future housing supply will be boosted by housing development proposals within the Local Plan (Part 1), and subsequently by further proposals in the Local Plan (Part 2). In order to ensure that the housing strategy is effective and enable a significant boost in housing delivery, if necessary, as required by the NPPF, CCDC proposes an amendment to ensure that a 20% buffer will be added to 5-year supply if this is justified by regular monitoring **[MM4.1]**.
45. The proposed amendments to increase the potential housing provision on the strategic site west of Pye Green Road and to identify further land, if required, in the Local Plan (Part 2) **[MM1.1-6 & MM5.2]**, provide further "headroom" and flexibility to ensure that the proposed level of housing provision is actually met. Other proposed amendments outline the intervention measures to deal with any deficit in housing supply and clarify the criteria for bringing sites forward **[MM2.1]**. These amendments ensure that the provision of new housing is effectively monitored and the required amount of new housing is actually delivered, in accordance with the housing trajectory.
46. A key element of the housing strategy is the allocation of strategic housing sites as urban extensions west of Hednesford (Pye Green Road) and south of Norton Canes. Most of the former site now has outline planning permission (subject to S106 agreement) and CCDC agrees that this site has a higher potential capacity (up to 900 houses; see later in the report). Other land is identified south of Norton Canes to provide further housing (670 houses), much of which is already committed. The methodology for selecting these and other sites is set out in the supporting evidence, including the way the SHLAA was refined in liaison with developers and landowners, and the site implementation timescale and delivery rates [PS2.3;B2]. Developers are actively pursuing the development of these sites and there are no apparent reasons why the estimated number of new dwellings should not be delivered on these key sites during the current plan period. Policy CP5, along with Policy CP3 and other detailed design guidance and development briefs, will provide sufficient strategic guidance and spatial direction about the amount, density, timing and delivery of new housing development on these and other sites, including those to be allocated in the Local Plan (Part 2).

47. Consequently, I conclude that the overall level of housing provision is based on a robust and sound objective assessment of housing requirements for market and affordable housing in Cannock Chase district, and that this evidence provides the basis for the submitted Plan to provide the framework to fully meet these identified needs, including the provision to be made east of Rugeley in Lichfield district. It takes account of all the relevant demographic, economic, social and housing factors across an appropriate housing market area, including existing and emerging cross-boundary housing issues, and has been subject to extensive consultation and engagement with relevant stakeholders and the local community. It provides a balanced approach to ensure sustainability, recognising the district's environmental constraints, whilst fully providing for housing needs and effectively addressing cross-boundary housing issues. With the proposed amendments, it is a soundly based approach which is consistent with national guidance in the NPPF (¶ 14, 17, 47-55; 159).

***Housing choice, including affordable housing***

48. Policy CP7 sets out the approach to affordable housing, balanced housing markets and housing an ageing population [PS2.3; PS5a.5]. It recognises an annual net need for 197 affordable homes and aims to prioritise provision by providing 20% affordable housing on market housing sites of 15 or more units (with financial contributions towards provision on smaller sites), redeveloping poor quality Council housing estates, and providing affordable housing by Registered Providers. This is supported by evidence in the SHMA and elsewhere [CD55/A; PS2.3C], and has been subject to specific viability appraisals [CD53; PS2.3C; PS2.27].
49. Some representors consider the viability assessments are incomplete and inaccurate, and fail to cover all the requirements of other policies, including building standards. However, the submitted evidence supports the proposed approach, including the thresholds, targets, tenure split, dwelling size and the cumulative effect of other policy requirements, including building costs, Code for Sustainable Homes/Lifetime Homes and CIL implications [PS2.3C; PS2.27; PS2.28]. Several amendments are proposed to the policy, confirming the basis of the viability assessments, clarifying the basis for financial contributions at smaller sites, and confirming the need for site-specific viability assessments and future reviews of the overall target for affordable housing depending on changing market conditions and viability [MM4.1-4.5]. These will ensure that the position is regularly reviewed and that the economic and financial circumstances of specific sites are considered when detailed proposals come forward.
50. There is some concern that the total level of need for affordable housing will not be met by the CCLP. However, it is important to recognise that not all affordable housing will be provided as a proportion of market housing sites. CCDC has a programme of regenerating some of its housing estates (which will provide some additional affordable housing), and Registered Providers are a significant provider of affordable housing in this district. Current estimates indicate that over 330 affordable units will be delivered in the next 5 years, averaging at 67 units/year, whilst in the past 7 years, some 663 units have been provided. Recent approvals of market housing schemes indicate a potential to deliver increasing numbers of affordable houses, whilst Registered Providers are currently building over 80 affordable units, including extra-care units. Having regard to all the supporting evidence, there seems to be a reasonable prospect of meeting a good proportion of the affordable housing needed over the plan period. Further guidance on the provision of affordable housing will also be provided in a forthcoming Housing Choices SPD.
51. Some representors consider the plan should include a Rural Exceptions policy. However, this would not be appropriate for this district, due to its environmentally sensitive nature, the existence of Green Belt around most of the urban areas, the proximity of Cannock Chase and the countryside to the main urban areas, and the fact that affordable housing is being provided within or next to the main urban

areas. The urban areas of this district are tightly-knit and surrounded by Green Belt, AONB and SAC constraints, and the smaller villages have ready access to services and facilities in the urban areas. These particular local circumstances indicate that to allow the possibility of further affordable housing in locations outside the main urban areas as an exception to normal policy would be inappropriate in this district.

52. Policy CP7 also aims to provide balanced housing markets and address the provision of special needs housing, including housing for the elderly and disabled, residential care homes and extra-care accommodation. Housing an ageing community is an increasing issue in this district, and the need to address this type of provision is recognised in national policy (NPPF; ¶150). CCDC explains that the delivery of accommodation to meet the needs of those households with special housing requirements which the market does not normally provide, including extra-care accommodation for the elderly, is mainly achieved in partnership with other bodies, including Staffordshire County Council and specialist Registered Providers, who have a range of proposals and programmes to provide further accommodation [CD59]. This element of the policy ensures an effective approach to the provision of this type of accommodation.
53. Consequently, with the proposed amendments **[MM4.1-4.5]**, the approach to the provision of affordable housing and other specialist accommodation is justified and appropriate for this district, effective, soundly based and consistent with national policy.

### ***Gypsies and travellers***

54. Policy CP7 also sets out the approach to making provision for gypsies, travellers and travelling showpeople. The main issue is whether the policy meets the requirements set out in the latest national policy for Traveller Sites, including more recent ministerial statements about such sites in the Green Belt.
55. Policy CP7 confirms that provision of sites for gypsies and travellers will be made in the Local Plan (Part 2), including 41 additional residential pitches, 4 plots for travelling showpeople and 5 transit pitches; this is based on a 2012 GTAA [CD56], updating an earlier 2008 joint sub-regional GTAA, with information shared with neighbouring authorities. The policy also identifies a broad area of search for sites along the A5 corridor, based on existing sites and travel patterns, including locational criteria for site allocations and other proposals. CCDC proposes an addition to the policy, to ensure that any shortfalls in provision or additional demand are addressed within the broad area of search, including a review of provision by 2021 **[MM2.2]**. This will ensure that sufficient sites are actually identified and provided within the plan period, in line with national policy. The approach of Policy CP7 in the submitted Plan only partly meets the requirements of national policy on Traveller Sites, but the commitment to identify sufficient deliverable sites in the Local Plan (Part 2) will ensure a comprehensive approach to the provision of gypsy and traveller sites.
56. One locally distinctive feature about Cannock Chase district is that all existing gypsy and traveller sites are in the Green Belt, but in sustainable locations that are accessible to schools and other facilities. Work on the latest GTAA confirms that families on these sites are well established and settled in the local community, with strong family connections and a preference for any extensions or further sites to be in these locations. Although national policy confirms that temporary and permanent traveller sites represent inappropriate development in the Green Belt, the local circumstances in this district have to be taken into account, which Policy CP7 and the identified broad area of search does. However, CCDC confirms that the policies in the NPPF, including Green Belt policy and the specific policy guidance in the national policy for Traveller Sites will be considered

when assessing and identifying site allocations in the Local Plan (Part 2); any further local criteria will be set out in the Local Plan (Part 2). When seen in this context, and with the proposed amendment, the approach to the provision of gypsy and travellers sites is appropriate for Cannock Chase district, and is justified, effective, soundly based and consistent with national policy.

## **DEVELOPER CONTRIBUTIONS & INFRASTRUCTURE**

### ***Issue 5 – Does the Core Strategy provide an appropriate, effective, justified and soundly based framework for securing developer contributions for infrastructure, including open space, sport, recreation and other facilities and infrastructure, consistent with national policy?***

57. Policy CP2 requires all housing, employment and commercial developments to contribute towards providing affordable housing and/or infrastructure necessary to deliver the Plan, informed by viability assessment, and sets out details of the approach. Policy CP5 aims to ensure that appropriate levels of infrastructure are provided to support social inclusion and healthy living, and sets out the key elements of infrastructure to be provided. The main issue is whether this is a reasonable and appropriate approach, which is justified by evidence, including the individual and cumulative impact of these requirements on the economic viability and delivery of proposed development.
58. CCDC has provided a variety of evidence to justify the proposed approach [PS5a.6] and confirms that both the individual and cumulative impact of these requirements on the viability and deliverability of the strategy have been assessed. Contributions from developers towards infrastructure will be secured mainly through the CIL and S106 planning obligations. The critical and other elements of infrastructure needed to implement the strategy are set out in the Infrastructure Delivery Plan (IDP) [CD42/A], including transport, education and utility services, and the service providers have identified no major constraints to the delivery of the strategy. The viability implications of all these policy requirements have been assessed, both for affordable housing and for the CIL [CD53; PS2.27-2.28], and Policy CP2 explicitly recognises that contributions will be informed by viability assessment. A Developer Contributions SPD has been adopted [PS2.19] and will be updated once a CIL charging schedule is in place, and an interim policy on SAC Mitigation has also been adopted [PS2.2]. Detailed aspects relating to affordable housing have been dealt with earlier.
59. CCDC has also carried out a comprehensive assessment of open space, sport and recreation requirements, in consultation with Sport England and in line with national policy (NPPF; ¶ 73-74); this identifies qualitative and quantitative deficiencies [CD129ab]. CCDC is involved in providing a range of new and improved facilities, and further provision will be made as a result of new developments. A proposed amendment to Policy CP5 confirms that contributions to infrastructure and other facilities will be subject to viability [MM5.4]. Site-specific issues relating to Heath Hayes Football Club are dealt with later.
60. As amended, the Plan provides an appropriate, effective and soundly based framework for securing developer contributions for infrastructure, justified with evidence and subject to economic viability, including open space, sport, recreation and other facilities and infrastructure, which is consistent with national policy.

## **CANNOCK CHASE SPECIAL AREA OF CONSERVATION**

### ***Issue 6 – Does the Core Strategy provide an appropriate, effective and soundly based framework for conserving, protecting and enhancing the***

***Cannock Chase Special Area of Conservation, including mitigation measures, which is fully justified, positively prepared and consistent with national policy and the approaches of other neighbouring planning authorities?***

61. Policy CP13 seeks to avoid new development directly or indirectly having an adverse effect on the integrity of the Cannock Chase SAC, and sets out the mitigation measures required, as identified in the evidence base, including contributions to habitat and access management, visitor infrastructure, publicity, education and awareness, and provision of SANGS, where necessary. This approach has evolved during the course of preparing the Plan, and as a result of new evidence about the impacts of new development and visitors on the SAC [CD26-29/38-38A/145-149; PS2.3D; PS2.12ab; PS3.2; PS5a.7].
62. The latest version of the policy confirms that the entire district lies within the SAC 15km "zone of influence" and sets out the required mitigation measures. It has been agreed with Natural England and most members of the Cannock Chase SAC Partnership, and is an appropriate approach, which follows the principles of the NPPF and has been subject to HRA. It is also consistent with the approach of several neighbouring authorities who lie within the SAC zone of influence (including Lichfield & South Staffordshire), as confirmed in the SOCG [PS5a.7]. It is based on specific and relevant evidence assessing the likely impacts of new development on the SAC, including increased numbers of visitors, recreational pressures, air quality and the need for appropriate mitigation [CD148]. The SAC Partnership intends to take forward the mitigation strategy in a SPD, but until this is in place, CCDC has adopted its own interim strategy for residential planning applications; this sets out the detailed requirements and contributions expected from new housing developments [PS2.2]. The extent of the zone of influence has now been firmly established and the nature of the likely mitigation measures has been set out, along with the implications of the proposed approach on the viability of development, which will be addressed when detailed proposals are submitted.
63. There is some concern from the Black Country authorities about the implications of this approach, particularly on regeneration; the validity and soundness of the supporting evidence is also questioned, referring to various zones of influence, the percentages of visitors and nature of the impact on the SAC. However, CCDC and Natural England, along with other SAC authorities, are content with the evidence justifying the proposed approach. It is for each authority to interpret and utilise the relevant evidence in the context of its own circumstances, subject to general consistency of approach and endorsement by the relevant responsible authority. In this case, CCDC and most of its neighbours have drawn up a consistent approach, reflecting the advice from Natural England, which effectively addresses the implications of new development on the integrity of the Cannock Chase SAC; this is positively prepared, appropriate for Cannock Chase district and justified with relevant evidence. Subject to the proposed amendments [MM3.1-3.4], the amended policy is soundly based and consistent with national policy.

***OTHER POLICIES***

***Issue 7 – Are the other policies in the Core Strategy appropriate for Cannock Chase District, justified with evidence, positively prepared, effective, deliverable, soundly based and consistent with national policy?***

*Economy*

64. Policy CP8 aims to support a vibrant local economy and workforce, providing an appropriate amount of employment land, amounting to at least 88ha of new and redeveloped employment land in the district. This is made up of 34ha of completions, 46ha of land available at key locations such as Kingswood Lakeside, Bridgtown and Towers Business Park, and 11ha of land available at other employment locations, including Mill Green and Norton Canes. This is an effective strategy, based on evidence about employment land availability and projections of labour supply [CD64-65/67/73-74; PS2.14], after considering various scenarios and

econometric and land/labour supply/demand forecasts [PS5a.8], and subject to sustainability appraisal. It is a positive approach, which helps to accommodate the projected growth of the local economy, including future business and employment needs. The evidence confirms that there is a significant supply of available employment sites of high or average quality in key locations along the A5 corridor and in other sustainable and accessible locations, such as Rugeley, with further sites identified in the RTCAAP [PS2.14].

65. Policy CP8 also safeguards existing employment sites and sets out a criteria-based approach for considering alternative non-employment uses on these sites, reflecting relevant evidence [CD67] and in line with the guidance in the NPPF (¶ 22/51). This approach recognises the need to consider favourably the redevelopment of some existing employment land, whilst continuing to support the local economy and meet the needs of existing and future businesses; indeed, some existing employment sites are already included within the housing land supply, confirming the favourable approach to residential development on specific sites. The Plan identifies enough employment land to meet identified needs, and has considered options for longer-term and further high-quality employment land [CD64-65/73-74; PS2.14], including at Kingswood Lakeside business park. It also recognises that there are several existing employment sites in the Green Belt, and sets out the criteria for considering proposals that provide improvements, based on the local circumstances. Overall, it provides an effective and positive approach to supporting the local economy, which is deliverable, appropriately justified with evidence, consistent with national policy and soundly based.
66. Policy CP9 aims to support a balanced economy, setting out the economic ambitions for the district, reflecting the Plan's vision and objectives, and relating well to the local economic strategy and the LEPs' economic strategies. It also helps to positively and proactively encourage sustainable economic growth by focusing on rebalancing and strengthening the local economy by increasing the overall levels of employment, broadening the range of opportunities and improving the level of skills and education of the workforce. It seeks to cater for the needs of existing businesses as well as encouraging their diversification and promoting new sustainable business sectors, in order to achieve a more balanced economy, reflecting a range of evidence on the local economy and employment land supply [CD62-65; CD70; CD126-127]. It sets out specific criteria to support and enhance local employment prospects and new job opportunities in the district, and also addresses the visitor economy and tourism sector, including canal restoration. Overall, Policy CP9 sets out an effective economic strategy which positively and proactively encourages sustainable economic growth, consistent with national policy and the economic strategies of the LEPs, which is justified with evidence and soundly based.
67. Policy CP11 sets out the hierarchy of centres, designating Cannock as the strategic sub-regional centre, Rugeley and Hednesford as town centres, Hawks Green as a district centre, and six other local centres. This hierarchy is supported by robust and reliable evidence [CD81-82/84-85], updating earlier regional retail studies [CD83]. The retail capacity targets are supported by the updated retail study [CD81], whilst new office provision is justified in the updated employment land study [CD65]. The policy directs most new retail and office development to Cannock and the other town centres, in line with the NPPF (¶ 23-24), and there are no outstanding cross-boundary concerns from other local planning authorities. It prioritises the "town-centre first" approach, recognising evidence-based constraints and economic factors, and provides a positive economic steer to future retail, office and other town centre proposals.
68. In order to deliver town centre improvements and expansions, the Plan extends the town centre boundary of Cannock and defines a new town centre boundary for Hednesford; further details for Rugeley town centre, including a revised town centre boundary, are provided in the RTCAAP. The hierarchy of other district and

local centres is based on the current level of shops and services, and the policy supports their continued vitality and viability with developments appropriate to their scale, consistent with the NPPF (¶ 17; 23-27; 70; 161). Overall, this is an appropriate, positively prepared, effective and soundly based approach, justified with up-to-date evidence and consistent with national policy.

*Climate change and sustainable use of resources*

69. Policy CP16 aims to tackle climate change and ensure the sustainable use of resources, and sets out measures that new developments are expected to provide or aim for. The main issue is whether the approach and criteria set out are appropriate, effective, justified with evidence and consistent with the latest national policy and planning practice guidance, and whether it would impose unduly onerous standards and requirements for new developments, undermining their viability.
70. Policy CP16 generally promotes national standards on climate change and sustainability. The criteria for energy efficiency, renewable and low-carbon energy generation are supported by evidence, both at county-wide and district level [PS5a.10; CD110-112], which also identifies the main opportunities for such energy generation in the district. The overall approach seeks to promote renewable and low-carbon energy, in line with the NPPF (¶ 97), with further details being provided in a subsequent SPD, following further research work. The approach to wind energy is consistent with the latest national policy, practice guidance and ministerial statements, including consideration of the cumulative impact on the landscape and local communities.
71. Evidence is also provided to support the approach to air and water pollution [CD38A; CD105-107; CD113/A; CD145; CD148], including roads, traffic and the Cannock Chase SAC, along with the use of previously developed land, the role of woodland, flood risk and protection of water resources and the water environment [CD37B; CD114/A/115; CD116-117], including Strategic Flood Risk Assessments and Water Cycle/Management Studies. Water efficiency standards have been updated to reflect the latest requirements, in order to ensure that the policy is accurate and effective **[MM5.6]**.
72. Although there is a long list of criteria and standards for new developments, the policy is drafted in a way which supports proposals that meet the criteria, encourages developers to meet certain standards and expects them to "explore" opportunities for higher standards, rather than imposing them prescriptively. These assist in the implementation of the strategic policy, and have been reconsidered during the plan-making process, balancing the views between higher and lower standards, and supported by specific evidence explaining how the district can best respond to the challenges of climate change and sustainability.
73. The policy does not generally seek to impose higher standards than those currently expected in national policy and other building/development requirements, in line with the NPPF (¶ 17; 97; 173-177); further details will be provided in the Design SPD. National requirements may change over time, and the policy has the flexibility to respond to any changes. Detailed viability assessments [CD53; CD112; PS2.27-2.28] have examined the economic and other consequences of these criteria and standards, along with the requirements of other policies (including Policies CP5 & CP13). Criterion 3a of the policy also confirms that viability will be specifically considered on a site-by-site basis, providing further flexibility. A further clause in the policy criteria ensures that mineral resources are not sterilised, including prior extraction and land stability issues, reflecting local evidence, guidance in the NPPF (¶ 142-144) and the approach in the emerging County Minerals Local Plan.
74. Overall, the approach in Policy CP16, as amended, provides an appropriate and effective framework to address climate change and sustainability issues, which is

consistent with national policy, is supported by specific evidence and should not undermine the viability of individual developments.

*Sustainable transport*

75. Policy CP10 seeks to work with transport providers to develop and promote sustainable transport modes that provide realistic alternatives to the private car, including buses, rail, roads, walking and cycling, which help to contribute to achieving national climate change targets. It also sets out the key elements of transport infrastructure needed to deliver the strategy, including bus and rail services, road improvements and cycling and walking facilities [PS5a.9], as well as contributions and improvements needed for key development sites and for the A5/M6T and its junctions. This provides an effective strategy to improve accessibility, promote sustainable travel and manage the demand for travel, which is justified with evidence (including the Local Transport Plan, IDP and other studies [CD42/A; CD95; CD108; PS2.17]), and is appropriate for the district, consistent with national policy and soundly based.

*Biodiversity, landscape and environment*

76. Policy CP12 sets out the ways in which the district's biodiversity and geodiversity assets will be protected, conserved and enhanced, including the management of local assets such as the Hednesford Hills, local nature reserves and geological sites. This complements the Green Infrastructure Strategy and the approach to enhancing the landscape and other environmental features, such as Cannock Chase. Since large parts of the district are of ecological importance, the approach to protecting, conserving and enhancing such features is entirely appropriate and is justified with relevant evidence [CD131; CD138-140; CD142-143]. CCDC has considered the cross-boundary implications of the approach, including Cannock Chase, Chasewater and Sutton Park, so the policy is positively prepared. It is also consistent with national policy (NPPF; ¶ 113-117) and is soundly based.
77. Policy CP14 seeks to protect, conserve and enhance the district's landscape character, including the Cannock Chase AONB. Some 30% of the district falls within the AONB designation, so it is important to ensure that landscape character is properly considered in order to protect locally distinctive qualities and landscape features. Tourist-related developments are covered by Policy CP9. The policy is supported by specific evidence [PS5a.10; CD131; 133-136; 152], is soundly based and consistent with national guidance (NPPF; ¶ 17, 81, 115).
78. Policy CP15 sets out the ways in which the district's historic environment will be protected and enhanced. Since the district is rich in historic environment sites and assets, including built heritage in the towns, conservation areas and listed buildings, the canal network and rural areas, it is important to ensure that such assets are safeguarded and enhanced, where possible. The approach is justified with relevant evidence [PS5a.10; CD137; CD168-171], is supported by English Heritage, and is consistent with national policy. The proposed addition of text to clarify the approach to archaeological assets **[MM5.1]** ensures that the policy is comprehensive and effective. As amended, it is appropriate and soundly based.

*Design*

79. Policy CP3 seeks high standards of design and spaces in new developments, and sets out the key requirements expected; implementation will be supported by more detailed guidance in a forthcoming Design SPD. This approach is supported by specific evidence based on characterisation studies [PS5a.11; CD172/174], and is consistent with national guidance (NPPF; ¶ 58-62). It is effective in clearly setting out the main design and development requirements; this is a key element of sustainable development in seeking a high quality design and good standard of amenity for existing and future occupiers. It is directly related to the Plan's vision and objectives and with other policies, and is supported by local communities and English Heritage. CCDC has considered the implications of the various

requirements on the deliverability and viability of future developments, and it is clear that they are not prescriptive or overly detailed. There is flexibility in meeting the final design requirements, without being more costly in the long run or unduly onerous for developers. Consequently, the policy is effective, appropriate, consistent with national policy and soundly based.

#### *Neighbourhood planning*

80. Policy CP4 explains how the processes of community and neighbourhood-led planning can be facilitated in this district. Neighbourhood planning is a key element of the localism agenda, in which there is some interest in this district, particularly at Brereton & Ravenhill. The approach to facilitating neighbourhood planning is largely driven by statutory legislation and requirements, and so strictly speaking, Policy CP4 may be unnecessary. However, it helps to set out the processes and potential options for communities to achieve their aims within the Plan's strategic framework, recognising the strategic needs and priorities of the wider area [PS5a.12]. Minor changes to the policy wording have addressed local concerns, and overall, the approach is effective and soundly based.

#### *Other issues*

81. The Local Plan (Part 1) comprises only part of the Local Plan, and is to be accompanied by a Part 2 Local Plan which will focus on further site allocations, as well as supporting the implementation and delivery of Part 1. Part 2 will also consider safeguarding sites for potential development beyond the current plan period to help meet the district's longer term development needs, and help to address Birmingham's housing needs, if this is found necessary. As indicated earlier in the report, this will involve a review of the Green Belt. CCDC proposes to confirm this in an amendment to the introduction to the Local Plan (Part 1) **[MM5.2]**, to ensure the Plan is effective and provides the necessary strategic context for the Local Plan (Part 2).
82. The Local Plan (Part 1) also refers to several SPDs, including design and developer contributions, which CCDC considers are needed to support the implementation of the Local Plan. These will provide guidance and more detail about the delivery of standards and requirements already set out in the Plan. CCDC confirms that these subsequent SPDs will be subject to full consultation with the local community and stakeholders, in line with the adopted SCI [PS5a.14]. Making reference to these subsequent documents in the CCLP ensures that it provides a comprehensive planning framework and is effective; CCDC will need to justify each of these SPDs in terms of the NPPF (¶ 153) when they are prepared.

#### *Monitoring and implementation*

83. Section 8 of the Plan sets out the key policies, outcomes and local indicators that will be monitored for each of the Plan's objectives. This provides an adequate, effective and comprehensive framework aligned to the spatial vision, objectives and policies, including a range of key indicators to be regularly monitored. Delivery mechanisms, phasing and timescales for implementation are clearly set out, directly linked to the IDP and AMR, which will be regularly updated [PS5a.13].
84. The Plan and its policies also include sufficient flexibility to take account of unexpected circumstances, whilst proposed minor amendments to the details in the accompanying appendices ensure that the Plan is accurate and up-to-date, reflecting discussions with service providers.

### **SITE-SPECIFIC ISSUES**

**Issue 8 – Should the Core Strategy include policies/proposals setting out the approach to specific sites, and are such sites required, suitable, available, deliverable, developable, sustainable and viable for the proposed use(s), and consistent with the spatial strategy?**

*Brereton Colliery*

85. The owners suggest that the tourism and recreation potential of this site should be specifically recognised under Policy CP9, similar to Poplars Landfill and Grove Colliery. However, Brereton Colliery lies within the Green Belt and AONB, and is not directly comparable with the two other sites referred to, which have not yet been restored; restoration of Brereton Colliery is at an advanced stage, including approval of aftercare management [PS5c.2.10; PS5c.3.10b]. Any future proposals that may come forward would have to be considered in the context of relevant policies in the Plan, including Green Belt and Policies CP9 & CP14; CCDC has proposed a minor change confirming that the visitor economy includes tourist accommodation as well as visitor and recreational facilities. Consequently, there is insufficient justification to include a specific policy for this site or highlight its potential for tourism/recreation uses in this strategic part of the Local Plan, but the need for such a policy could be reconsidered in the Local Plan (Part 2), if necessary.

*Rugeley Power Station*

86. The owners press for a site-specific policy to recognise the importance of this facility, both for employment and energy generation. However, permission has already been granted for converting the existing power station to 90% biomass fuel, in line with Policy CP16. Policies CP8 & CP9 support proposals which contribute to economic growth and prosperity, including meeting the needs of existing businesses, whilst Policies CP12, CP13 & CP16 support improved environmental performance measures at all developments. These and other policies in the Core Strategy provide a supportive framework to consider future proposals for the site, which would also be considered against national policies and statements, particularly if they involve nationally significant infrastructure, including expansion or diversification into other forms of energy generation through the use of renewable and other energy sources. The national importance of the power station is recognised in the Plan (¶ 4.108/Fig 4.8), in line with the NPPF, and there is little in the Plan which would prejudice current operations or proposals at this site.
87. The suggested policy adds little to this framework, and is therefore unnecessary in this strategic part of the Plan. However, CCDC proposes to clarify the position in the accompanying text relating to energy generation (¶ 4.109) **[MM5.3]**, making the Plan clearer and more effective. With this amendment, the CCLP is sound, but the need for a site-specific policy could be reconsidered in the Local Plan (Part 2), if necessary and consistent with the strategic policy framework.

*Land West of Pye Green Road, Hednesford*

88. In the submitted Core Strategy, this site is proposed as a strategic housing allocation for 750 houses, and is subject to an adopted development brief [CD60], with planning permission agreed subject to completing a S106 agreement. However, the current scheme does not cover all the available land and CCDC recognises the possibility of increasing the total housing capacity of the site by a further 150-200 dwellings if adjacent land is included in the development area, even taking account of the need for a 30ha SANGS to mitigate the impact on the nearby Cannock Chase SAC. CCDC has therefore put forward a series of amendments to Policy CP6 and the associated text confirming that the site has potential capacity for 900 dwellings, rather than 750, as in the submitted Plan **[MM1.1-1.6]**. The developer supports these amendments, which would ensure that the proposal fully recognises the potential housing capacity of this site, and that the Plan is accurate, effective and soundly based; it would also provide some additional flexibility to accommodate slightly more new housing within the current Plan period or in the longer-term.

*Land East of Wimblebury Road, Heath Hayes and around Norton Canes*

89. The owners of land east and north-east of Wimblebury Road, Heath Hayes, and of land north of Norton Canes and south of Norton Canes off Brownhills Road consider these sites, currently in the Green Belt, should be specifically designated as "safeguarded land", to meet current or future housing needs, advancing the case for a Green Belt review; this latter issue is dealt with earlier in this report. However, the Plan provides the policy framework for those sites identified as part of the proposed urban extension south of Norton Canes and for the land already safeguarded east of Wimblebury Road. The spatial strategy has also addressed other site options east and north-east of Wimblebury Road and north of Norton Canes, including options for urban extensions east of Heath Hayes and north of Norton Canes. Some land east of Wimblebury Road is already identified as safeguarded land, and will remain safeguarded; given that the outer boundary was originally defined by the route of a now abandoned road proposal, the appropriateness of its detailed boundary will be re-assessed in the Local Plan (Part 2), as confirmed in a proposed modification **[MM5.5]**. Other land to the south of Norton Canes (but not including the land off Brownhills Road) will be developed as part of an urban extension proposed in the Local Plan (Part 1), much of which is already committed.
90. However, further housing land is not needed at this stage to meet currently identified housing requirements, and there are no exceptional or very special circumstances to justify releasing these other sites from the Green Belt and allocating them for housing at this stage. The need to identify or safeguard further land for possible development in the future (including the future housing needs of Birmingham, if found necessary) will be addressed in the Local Plan (Part 2), as confirmed in another proposed modification **[MM5.2]**. With these agreed amendments, which enable these sites to be reconsidered in the Local Plan (Part 2), there is no need for these specific sites to be safeguarded or allocated for housing development in the Local Plan (Part 1).

*Heath Hayes Football Club*

91. HHFC has outgrown its existing facilities and has aspirations to establish a major new football facility with improved facilities and additional pitches on nearby land in the Green Belt at Heath Hayes Park, with the existing site (also in the Green Belt) being used for new housing. However, the project is not at an advanced stage and funding is uncertain; the sale of the existing site would only raise about a third of the £2 million cost of the new facility. As well as Green Belt issues, there may be practical difficulties in providing satisfactory vehicular access to the existing site, as well as ownership, deliverability and land availability issues relating to the existing and proposed sites. CCDC has discussed this matter previously with HHFC, and has offered assistance in terms of a feasibility study; other options may also be available. Although HHFC is a successful football club and community facility, in the absence of any firm proposals, with timescale, agreed funding and delivery, and secured alternative land, it is premature and unnecessary to include a site-specific policy in this strategic Plan. In the meantime, Policy CP5 provides the strategic framework for considering any specific proposals, supported by CCDC's Playing Field Strategy [PS5c2.4]. If a suitable scheme becomes further advanced, the need for a site-specific policy could be reconsidered in the Local Plan (Part 2).

**SECTION 2 – RUGELEY TOWN CENTRE AREA ACTION PLAN**

***Issue 9 – Are the strategic, site-specific and other policies in the Rugeley Town Centre Area Action Plan soundly based, effective, justified with evidence, appropriate for the local area and consistent with the Core Strategy, and do they clearly set out the strategy for regeneration, land uses and urban design principles in the town centre, with a clear indication of how they will be delivered?***

92. Section 2 of the CCLP sets out the more detailed planning framework for Rugeley Town Centre in a separate Area Action Plan (RTCAAP), including the background, town centre profile, vision and objectives, with strategic, site-specific and topic-based policies. The preparation of this part of the CCLP has met all the legal and procedural requirements, as summarised at the end of this report and in CCDC's evidence [PS5a.16]. There is considerable support for the strategy and proposals for the town centre, and very few have challenged this part of the plan.

*Strategic policies*

93. The strategic policies clearly set out the regeneration strategy, land uses and urban design principles for the town centre, having been influenced by earlier consultation and engagement with the public and stakeholders. The strategy emerged after considering three distinct spatial options, all assessed as part of the sustainability appraisal of the Plan. The town centre strategy is challenging, not least because of economic conditions, but is starting to be implemented, as shown in the recent opening of a large new Tesco supermarket on the north-eastern fringe of the town centre. CCDC is also assisting in the implementation of the strategy in its role as landowner and local planning authority, including improvements to the public realm. Taken as a whole, the strategic policies provide a locally distinctive approach to the town centre to address its specific challenges and issues, justified with evidence, effective and soundly based.

*Site-specific policies*

94. The RTCAAP provides a suite of policies, covering five key sites, clearly identifying the location, distribution and type of land-uses and their inter-relationship, which are consistent with the strategic policies of both the RTCAAP and CCLP. These policies address the need to focus new development within a strengthened core town centre area, regenerating key sites within the town centre and improving the linkages to, and integration with, edge of centre sites such as the new Tesco store. These policies fully address the provision and management of car parking, including replacement and new public car parking, and confirm the possible use of CPO powers for specific sites, if necessary. They also address flood risk and the route of existing watercourses, following extensive discussions with the Environment Agency; biodiversity/ecological issues have also been addressed, including the impact on the Trent & Mersey Canal. The key players, land ownership, infrastructure requirements, delivery mechanisms and priority are set out for each policy, and although the delivery of some proposals may be challenging, there is certainly a good prospect of implementation within the lifetime of the Plan. Overall, these policies are specific, effective, realistic, deliverable, justified and soundly based.

*Other policies*

95. The RTCAAP also sets out specific policies dealing with enhancements to the public realm, transport and flood alleviation, which are appropriate, effective and justified with evidence. They have been drawn up following discussions and engagement with stakeholders, landowners and developers, including SCC, English Heritage and the Environment Agency. Specific proposals and key projects have been costed, indicating how and when they will be delivered, with detailed evidence [CD42/A; CD117]. These include flood alleviation measures, including the need for detailed flood risk assessments and a town centre flood relief study. Key sites and land uses are shown on the various RTCAAP diagrams, whilst policy boundaries, including those of the town centre and primary shopping area, are shown on the Policies Map. CCDC will monitor the implementation of the RTCAAP through a set of monitoring indicators and targets, linked to the plan's objectives, set out in the monitoring framework.
96. CCDC proposes a series of minor amendments to the text and policies of the RTCAAP, but none of these directly affect the soundness of the Plan, and no "main modifications" are needed. Consequently, the strategic, site-specific and other

policies in the RTCAAP are soundly based, effective, justified with evidence, appropriate for the town centre area, and consistent with the strategy and policies of the Core Strategy.

**Other matters**

97. Other matters were raised in the representations and at the hearing sessions which do not go to the heart of the soundness of the CCLP or relate to more detailed matters concerning specific proposals or planning applications. In many cases, "improvements" to the Plan are suggested, particularly in terms of the clarity and coherence of the strategy and policies. In response, CCDC proposes several minor changes to the text of the policies and accompanying text as "Additional Modifications", but these do not directly affect the overall soundness of the Plan. Having considered all the other points made in the representations and at the hearing sessions, there are no further changes needed to ensure that the CCLP is sound in terms of the NPPF and associated guidance.

**Assessment of Legal Compliance**

98. My assessment of the compliance of the CCLP (including the RTCAAP) with the legal requirements is summarised below, and confirms that it meets all the relevant legal requirements.

<b>LEGAL REQUIREMENTS</b>	
Local Development Scheme (LDS)	The timescale and content of the CCLP is identified within the approved LDS (October 2012) [CD40]. The submitted CCLP accords with the role and content outlined in the LDS and was submitted to the Secretary of State within the timescale envisaged. Adoption of the Plan will be slightly delayed due to the need to publish and consult on <i>Main Modifications</i> .
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in June 2006 [CD41]. The plan-making and consultation processes met the minimum requirements of the Local Development Regulations and the Council's adopted SCI, including consultation on <i>Main Modifications</i> .
Sustainability Appraisal (SA)	Adequate SA has been carried out at all stages during the preparation of the CCLP [CD15-23; PS2.3; PS6.3].
Habitat Regulations Assessment (HRA)	Habitats Directive/Regulations Assessment has been undertaken [CD24-29; PS6.4] to the satisfaction of Natural England [CD38A].
National Policy	The CCLP is consistent with national policy, except where indicated and modifications are recommended.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the Cannock Chase and Staffordshire SCSs [CD175/176], and the CCLP has aligned its vision, area-based visions, district-wide objectives and Town Centre vision and objectives with the priorities of the SCSs.
2004 Act (as amended) and 2012 Regulations	The CCLP complies with the Act and the Regulations, including the arrangements for publication and consultation [CD37AC/39/41;PS5a.1]. The CCLP (Appx 1C) identifies the "saved" policies in the Cannock Chase Local Plan (1997) that

will be replaced by the plan.

## Overall Conclusion and Recommendation

99. The submitted Plan has a number of deficiencies in relation to soundness and legal compliance for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.
100. The Council has requested me to recommend Main Modifications to make the Plan sound and legally compliant and capable of adoption. I conclude that with the recommended Main Modifications set out in the Appendix, the Cannock Chase Local Plan (Part 1) satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*Stephen J Pratt*

Inspector

Appendix: Main Modifications required to make the plan sound and capable of adoption



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Cannock  
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Our Ref: PINS/X3405/429/9

Date: 14 February 2014

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Dear Antony,

## **CANNOCK CHASE DISTRICT COUNCIL LOCAL PLAN PART 1 : FINAL REPORT**

Thank you for your letter today, providing your comments in response to the fact check of the Inspector's report on the Council's Local Plan Part 1.

The Inspector has corrected the errors that have arisen and made the amendments to the report where appropriate, and I enclose your final report.

Clearly it is now for the Council to adopt the Document at its discretion. The Inspectorate maintains a national database of Local Plans progress on the Planning Portal (and a submissions database) and we would be grateful if you can advise the Plans Team when you adopt in order that your plan status can be updated.

Please provide us with a Purchase Order Number so that we can include it on your invoice. Both the fees and expenses will be payable for all duties carried out in examining your Local Plan.

The Council should consider whether adoption could have any effect on appeals currently being considered by the Planning Inspectorate. As you know, appeals must be determined on the basis of the development plan as it exists at the time of the Inspector's (or the Secretary of State's) decision, not as it was at the time of the Council's decision. If adoption changes the policy position, the relevant Inspector(s) will need to take that into account. In addition, please ensure that your new policy position is clearly explained when submitting your Questionnaire in relation to future appeals received after adoption.

If the above circumstances apply, it would be very helpful if the Council could contact the relevant Case Officer(s) in the Planning Inspectorate dealing with any outstanding case(s) at the time of adoption.

Yours sincerely

Stuart Liddington  
Plans Team