

CANNOCK CHASE COUNCIL

CABINET

15 SEPTEMBER 2011

REPORT OF HEAD OF PLANNING AND REGENERATION

RESPONSIBLE PORTFOLIO LEADER – ECONOMIC DEVELOPMENT & PLANNING

DRAFT NATIONAL PLANNING POLICY FRAMEWORK – CLG CONSULTATION

KEY DECISION – YES

1. Purpose of Report

- 1.1 To inform Cabinet of the contents of the draft National Planning Policy Framework and to recommend a process for forwarding comments to the Department for Communities and Local Government (DCLG) by the deadline of 17th October 2011.

2. Recommendation(s)

- 2.1 That Cabinet notes the draft National Planning Policy Framework and the potential implications for planning within the District and responds to the Government's invitation to comment.
- 2.2 That Cabinet consider inviting the Economic Development and Planning Policy Development Committee to comment on the draft National Planning Policy Framework.
- 2.3 Subject to 2.2 above, that the Corporate Director in consultation with the Economic Development and Planning Portfolio Leader be authorised to respond to the Government's consultation taking into account the implications for the District in Section 4 of this report, and the draft response to the consultation questions at Annex 1, together with such other views of the Policy Development Committee as may be considered appropriate.

3. Summary (inc. brief overview of relevant background history)

- 3.1 The Government's plan for growth promised a single National Planning Policy Framework (NPPF) to simplify national planning policy with the aim of delivering sustainable development which accommodates growth needed for economic prosperity and to house a rising population. The intention is that it will replace existing Planning Policy Statements (PPSs) Planning Policy Guidance (PPGs) and some circulars. The Planning Minister Greg Clark states that by replacing over a thousand pages of national policy with about fifty, written simply and clearly, this will allow people and communities to get more involved in planning.

- 3.2 The Government expects the planning system to deliver homes, business and industrial units, infrastructure and thriving local places that the country needs while protecting and enhancing the natural and historic environment. This is to be achieved in a transparent way, safeguarding the public interest by a combination of –
- National Policies – i.e. the NPPF and those separate national policy statements specifically designed to provide the context for nationally significant infrastructure projects.
 - Local and Neighbourhood Plans (the latter proposed as a new tier of plan making in the Localism Bill).
 - Development Management which allows planning applications to be considered on their merits within this national and local policy framework.
- 3.3 Much of the NPPF summarises existing national planning policies and guidance, although the overall emphasis is more pro-development, whereby the default answer to development proposals should be yes unless this would compromise key sustainable development principles. Sustainable development means development that meets the needs of the present without compromising the ability of future generations to meet their own needs and is central to the economic, environmental and social success of the country.

Delivering sustainable development

- 3.4 The Framework makes clear that local councils should be positive and proactive in encouraging sustainable growth and addressing barriers to investment. They should set a clear economic vision and strategy for their area based on understanding of business needs across their areas. It defines three aims of sustainable development:-
- Planning for prosperity (an economic role),
 - Planning for people (a social role),
 - Planning for places (an environmental role).
- 3.5 There will be a **presumption in favour of sustainable development** designed to ensure that the planning system supports economic growth. It requires councils to work closely with businesses and communities to plan positively for the needs of each area. **Where a plan is absent, silent, indeterminate or where policies are out of date, planning permission should be granted**, unless this would compromise the key principles for sustainability in the Framework, including protecting the Green Belt and Areas of Outstanding Natural Beauty.
- 3.6 The presumption is aimed to encourage plan-making by councils and communities, giving them a greater say in how they meet their development needs. It will also give communities, developers and investors greater certainty about the types of applications that are likely to be approved, and to speed up the planning process.
- 3.7 The framework identifies ten core planning principles. Amongst these is the retention of a

“**plan-led**” system, with a Local Plan setting out a long-term vision and kept up to date.

Plan Making

- 3.8 Local authorities are required to produce a “**Local Plan**” for the area, covering a **15** year period, which would identify **strategic priorities** including:-
- Housing and economic development;
 - Retail, leisure and other commercial development
 - Provision of infrastructure for transport, minerals, waste, energy, telecoms, water supply and water quality;
 - Provision of health, security, community infrastructure and other local facilities;
 - Climate change, protection and enhancement of the natural and historic environment;
 - Identify broad locations for strategic development;
 - Allocate sites to promote development.
- 3.9 Additional development plan documents should only be prepared where they are justified. Similarly, Supplementary Planning Documents would only be produced where these would bring forward sustainable development.
- 3.10 The current requirements for the plan to be based on a **relevant and up-to-date evidence base** is carried through into the new Framework. This will include using a **proportionate evidence base**, including information on the social and environmental characteristics of the area including floorspace requirements for economic development, retail and leisure development, town centre development, market and affordable housing, Strategic Flood Risk Assessment, Habits Regulations assessment and Sustainability Appraisal. There also needs to be **meaningful engagement** with neighbourhoods, organisations and business.
- 3.11 There is still a requirement to produce a **Strategic Housing Market Assessment** and a **Strategic Housing Land Availability Assessment** in order to develop policies and proposals which aim to match housing land supply with demand.
- 3.12 An assessment of **infrastructure requirements** will be required including transport, water, energy, telecommunications, utilities, health and social care, waste and flood defence infrastructure.
- 3.13 Planning authorities will need to have a clear understanding of business needs and work with county and neighbouring authorities as well as Local Enterprise Partnerships (LEPs) to address any barriers to investment, including lack of housing.
- 3.14 The plan will also need to demonstrate that its policies and proposals do not require such a scale of planning obligations on developers such that **viability and deliverability** or development would be threatened. Community Infrastructure Levy (CIL) should support and incentivise new development and where practicable the charges should be worked up and tested alongside the Local Plan.

3.15 The Local Plan would be subject to an **Examination** to test it was **sound**, namely that it is:

- **Positively prepared**
- **Justified**
- **Effective**
- **Consistent with national policy.**

3.16 The Framework supports the implementation of neighbourhood planning - a new right being introduced in the Localism Bill. It will allow communities to create their vision of what their area should look like: where new shops, offices or homes should go provided that this is in general conformity with the Local Plan. **Neighbourhood Plans** will be subject to independent examination and then go to a local referendum. An adopted plan will form part of the statutory development plan for an area.

3.17 People will also be able to define types of development which will be given planning permission via a **Neighbourhood Development Order** subject to approval via a local referendum.

Development Management

3.18 The framework sees the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

3.19 Local planning authorities are advised to:

- approach development management decisions positively – looking for solutions rather than problems so that applications can be approved where practical to do so.
- attach significant weight to the benefits of economic and housing growth.
- influence development proposals to achieve quality outcomes; and
- enable the delivery of sustainable development proposals.

3.20 Early **pre-application engagement and front loading is recommended** to improve the efficiency and effectiveness of the planning application system for all parties.

3.21 Developers and local planning authorities are advised to consider the potential of entering into planning performance agreements, where this might achieve a faster and more effective application process.

3.22 Local planning authorities are urged to consider using **Local Development Orders** to relax planning controls for particular areas or categories of development, where the impacts would be acceptable and in particular where this would boost enterprise and growth. The use of **Article 4 Directions** to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area.

- 3.23 Neighbourhoods can use Neighbourhood Development Order (NDOs) to grant planning permission. Developments that are permitted through an NDO will not require further planning permission from local planning authorities. Community Right to Build Orders require the support of the local community through a referendum.
- 3.24 Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the **use of conditions or planning obligations**. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 3.25 **Planning obligations (S106 agreements)** may only be sought where they meet all of the following tests:
- **necessary** to make the development acceptable in planning terms
 - **directly related** to the development; and
 - **fair and reasonably** related in scale and kind of development.
- 3.26 **Planning conditions** should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 3.27 Local planning authorities should avoid unnecessary conditions or obligations, particularly when this would undermine the viability of development proposals.

Planning for prosperity

Economic development

- 3.28 Planning should recognise and seek to address potential barriers to investment, including poor environment, lack of infrastructure, services or housing. Policies should be flexible enough to accommodate changing economic circumstances. The presumption in favour of sustainable development is re-iterated in the context of seeking solutions to overcome substantial planning objections where practicable. Planning policies should avoid long term protection of employment land/buildings and have regard to market signals when considering alternative land uses.

Town centres

- 3.29 The Framework makes clear that town centres should be recognised by councils as being at the heart of communities and should pursue policies that support the viability and vitality of town centres. The Framework maintains the 'town centres first' policy approach which means that retail and leisure development should look for locations in town centres first, and only if suitable and viable sites are not available look for edge of centre and then out of centre sites. The current sequential approach to site selection and impact assessments for edge of centre and out of centre proposals remain.

Transport

- 3.30 The transport system needs to be balanced in favour of sustainable transport modes giving people a real choice about how they travel whilst encouraging reductions in greenhouse gas emissions and reducing congestion. The Framework makes clear that local authorities should seek to ensure good access to high quality local public transport for new developments, with priority given to cyclists and pedestrians. It encourages decision-makers to provide charging points for electric cars and other low emission vehicles. Wherever possible, key facilities essential to local life such as schools and shops should be within walking distance of most properties.
- 3.31 Transport statements, transport studies and travel plans will continue to be required in appropriate cases to support planning applications for major developments.

Communications infrastructure

- 3.32 The Framework promotes growth for the telecoms industry, but reiterates that this growth should be sensitive to local areas. The policy supports the industry policy of sharing masts and using existing buildings, and well designed and camouflaged equipment. However planning authorities should not impose a ban on telecom development in certain areas or insist on minimum distances between such development and existing buildings.

Minerals

- 3.33 The Framework reaffirms the Government's objective of securing an adequate and steady supply of indigenous minerals needed to support sustainable growth, whilst limiting impact on the natural and local environment and encouraging recycling of suitable materials. The Local Plan is required to define Minerals Safeguarding areas where appropriate. There is a presumption against the extraction of coal unless it can be made environmentally acceptable or provide community benefits which outweigh the impact. Land required for existing, planned and potential rail links or movement by inland waterways of minerals, should be safeguarded.

Planning for people

Housing

- 3.34 The Government's key objective is to increase significantly the delivery of new homes. The Framework makes clear councils should ensure their Local Plan meets the full demand for market and affordable housing in their areas.
- 3.35 The Framework maintains the expectation that councils should have a rolling five year supply of deliverable sites to meet their housing needs with at least a 20% additional allowance to create competition and choice in the land market. They should also identify and maintain a supply of developable sites or broad locations for years 6/10 and 10/15 and not normally rely on windfalls coming forward in the first 10 years. They should also bring back into use empty homes and buildings wherever possible.

- 3.36 Applications should be considered in the context of the presumption in favour of sustainable development and permission should be granted particularly where local policies are out of date or there is insufficient supply identified.

Design

- 3.37 Good design is seen as an essential part of sustainable development. The planning system is encouraged to promote high quality design for all development - whether individual buildings or whole estates, municipal facilities or parks, and public or private spaces. Local Plans, including any neighbourhood plans, will need to set out the quality of development expected for an area, ensuring development that reflects the character and identity of local surrounding areas, creating safe and accessible environments.
- 3.38 Local design review arrangements should be in place to provide assessments and support to ensure high standards of design. Major projects should be referred for a national design review.
- 3.39 Developers will be expected to work closely with those directly affected by their proposals to evolve design proposals that take account of the views of the community.
- 3.40 Advertisements should be subject to control only in the interests of amenity and public safety.

Sustainable communities

- 3.41 The framework seeks to create a quality built environment with accessible local services, achieved through the delivery of community facilities, schools, hospitals and services and access to open spaces and recreational facilities.
- 3.42 Local authorities need to plan positively on the provision and integration of community facilities, including shops, meeting places, public houses and places of worship. Existing shops, facilities and services should be retained and the loss of such facilities safeguarded against. Particular emphasis is given to supporting proposals for new schools.
- 3.43 Existing policy on open space is largely unchanged with a presumption that open space, sports and recreational buildings and land, including playing fields should not be built on unless an assessment has been undertaken which clearly shows they are surplus to requirements and the needs and benefits of the development clearly outweigh the loss.
- 3.44 Local communities through neighbourhood plans, will be able to identify green areas for special protection, through the designation of **Local Green Space**. The Framework sets out a new right for local communities to protect green areas of particular importance to them. However, **Local Green Space designation is not seen as being appropriate for most green areas or open space**. Designation will only be appropriate where the green space is reasonably close to a centre of population; demonstrably special to a local community and holds local significance; is local in character and not extensive and does not overlap Green Belt land. These sites will be planned so they complement and do not

undermine investment in homes, jobs and other essential services.

Green Belt

- 3.45 The Framework re-affirms the Government's commitment to maintaining Green Belt protection to prevent urban sprawl. All inappropriate development harmful to Green Belt remains contrary to policy. Local authorities are encouraged to positively enhance the use of Green Belt, including by opening up walking routes, and improving biodiversity and damaged landscapes for the enjoyment of all.
- 3.46 The appropriateness of Green Belt boundaries should only be considered when a Local Plan is being prepared or reviewed and when drawing up or reviewing boundaries they should take account of the need to promote sustainable patterns of development and ensure that the boundaries are capable of enduring beyond the plan period. This may mean identifying "safeguarded land" between the urban area and the green belt identified for long term development.

Planning for places

Climate change and flood risk

- 3.47 The Framework confirms planning's important role in tackling climate change and making the transition to a low carbon economy. Planning can help secure radical reductions in carbon emissions through the appropriate location and layout of new development, support for energy efficiency improvements to existing buildings and backing the delivery of renewable and low carbon energy including community-led initiatives. The framework paves the way for green transport of the future – the electric car- by encouraging decision makers to provide charging points;
- 3.48 The Government also wants planning to ensure new development is future proofed against climate change through getting its location and design right (for example making sure that new housing estates are not at risk of flooding and have good flood storage capacity to reduce flooding elsewhere). The Framework also aims to meet the Government's commitment to preventing unnecessary building in areas of high flood risk.

Natural environment

- 3.49 A healthy and diverse natural environment is crucial to a sense of wellbeing. The Framework underlines that the planning system should seek not just to protect, but, where possible, to enhance biodiversity – making sure there are not just isolated pockets of wildlife, but rich and connected green spaces for all kinds of species to thrive. Plans should be prepared on the basis that objectively assessed development needs should be met unless doing so would significantly and demonstrably outweigh the benefits. To this end criteria based policies should be set against which any proposals on or affecting wildlife sites or landscape areas will be judged with distinctions made between the hierarchy of international, national and locally designated sites. Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including

- ancient woodland.
- 3.50 Great weight should be given to protecting the landscape in National Parks and Areas of Outstanding Natural Beauty.
- 3.51 Unacceptable risks from pollution should be avoided by ensuring that sites are remediated to a standard suitable for new uses, impacts of noise are mitigated and that development in Air Quality Management Areas is consistent with local air quality action plans.

Historic environment

- 3.52 The framework reaffirms protections for the historic environment and heritage. Development causing substantial harm or loss to an important heritage asset remains prohibited, unless in wholly exceptional circumstances. Similar protection should be given to unofficial sites of archaeological interest if it can be demonstrated they are of substantial significance. Local councils are encouraged to set out how they will protect and improve heritage most at risk through neglect or decay, for the enjoyment for communities now and in the future. They should have up to date evidence about the historic environment in their areas and use it to assess the significance of heritage assets and contribution they make to the environment.
- 3.53 Policies should aim to protect areas of tranquillity that are prized for their recreational and amenity value for this reason.

4. Key issues and Implications

- 4.1 The **presumption in favour of sustainable development** has implications for the Council's development control and development plan functions. In particular it **requires local planning authorities to grant planning permission where the plan is absent, silent, indeterminate** or where relevant policies are out of date. An exception would be where a development would have a significant effect on sites covered by the Habitat Directives, such as Cannock Chase Special Area of Conservation (SAC) or the Cannock Extension Canal SAC. This requirement could work against the Council's interests until the Cannock Chase Core Strategy has been through the Examination stage and hopefully adopted in 2012. It could also weaken the planning system's ability to direct development, if market forces are deemed to have priority over other considerations.
- 4.2 **Soundness** – The Council's emerging Core Strategy will need to be consistent with the new NPPF rather than the former PPS, PPG and Regional Spatial Strategy higher order policy structure. It will also need to be demonstrated in examination that the Core Strategy has been positively prepared i.e. with no unnecessary barriers to sustainable development.
- 4.3 **Housing** – The Government's key housing objective is to **significantly increase the delivery of new homes**. The requirement to maintain a 5 year land supply is amended to include an allowance of a further 20%, "to ensure choice and competition in the market for land". In a small District like Cannock Chase, where 60% of the area is in Green Belt,

together a significant part lying within Cannock Chase AONB, the imposition of this higher housing supply requirement coupled with the presumption in favour of sustainable development will place a sharper focus on the need to identify sufficient deliverable sites from within the urban areas in order to avoid further incursions into the Green Belt.

- 4.4 **Cross Boundary** – In response to the loss of a regional tier of planning the NPPF makes clear that a local agreed position will be required with neighbouring authorities on cross boundary matters in advance of a development plan examination. As such there is a duty to co-operate placed on local authorities. Key to the Cannock Chase Core Strategy will be agreement with Lichfield District Council on the level of housing need to be met within Lichfield District for the Rugeley Housing market area.
- 4.5 **Offices** – The requirement that Councils should favour office developments in town centres by following a sequential approach is removed. The identification of office development within Cannock town centre has been difficult to date. This change may provide a more flexible approach in locating such development.

5. Conclusions and Reason(s) for the Recommendation(s)

- 5.1 The draft NPPF appears to be a genuine attempt to simplify national planning policy. Its emphasis on the NPPF facilitating economic growth, exemplified by the presumption in favour of sustainable development is however of some concern and has the potential to undermine the Council's ability to direct development. The essentially market driven approach has the potential to not be in the best interests of securing the best planning outcome in all cases. Genuine sustainable development requires more equal weight between economic, environmental and social considerations.
- 5.2 The recommendation allows for fuller debate of the significant implications in the draft NPPF both within Cabinet and in the Economic Development and Planning Policy Development Committee before an agreed response is returned to the DCLG..

6. Other Options Considered

- 6.1 This report deals with the proposed changes to the statutory development plan system proposed by the Government. There are no other alternatives.

7. Report Author Details

- 7.1 Mr R. Phillips, Head of Planning & Regeneration, 01543 462621.

SCHEDULE OF ADDITIONAL INFORMATION

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Section 1

Contribution to Council Priorities (i.e. Corporate Plan)

The development plan is an important part of the Council's priority outcomes in respect to promoting People – Active and Healthy Lifestyles; Place – Improved Living Environment through promoting a sustainable form of transport and Prosperity – Economic Resilience.

Section 2

Contribution to Promoting Community Engagement

The draft NPPF places emphasis on the Council's need to engage with the local community, community groups and other organisations being fully engaged in the plan making process.

Section 3

Financial Implications

There are no direct financial implications for the Council as result of this report; any costs associated with the report will be contained within existing budgets.

Section 4

Legal Implications

There are no identified legal implications arising from the report.

Section 5

Human Resource Implications

There are no human resource implications in the report.

Section 6

Section 17 (Crime Prevention)

The draft NPPF recognises the need to address crime and disorder and the fear of crime, as part of the need to provide sustainable communities.

Section 7

Human Rights Act Implications

There are no identified implications in respect of the Human Rights Act 1998 arising from this report.

Section 8

Data Protection Act Implications

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

Section 9

Risk Management Implications

The Framework could potentially usurp the Council's own emerging Development Plan Documents, in view of the requirement to "grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date". At this stage the three Development Plan documents under preparation have not reached adoption stage. The requirement to "increase significantly the delivery of new homes" including an additional allowance of 20% in housing land, is also going to be very difficult to achieve, in a small District with large Green Belt and AONB designations. The requirement to maintain an adequate and up-to-date evidence base, may have future financial implications. Many of the studies prepared to date, were carried out by consultants who had the necessary expertise and not available within the Council. These were funded through the now abolished Housing and Planning Delivery Grant. The provision of future funding to up date these studies is therefore no longer available.

Section 10

Equality and Diversity Implications

There are no implications in the report.

Section 11

List of Background Papers

Draft National Planning Policy Framework, CLG, July 2011.

Section 12

Report History

Council Meeting	Date
Cabinet n/a	

Annexes

Annex 1. Questionnaire response on draft National Planning Policy Framework.

Consultation questions

A. Policy questions

1a. Delivering sustainable development - The Framework has the right approach to establishing and defining the presumption in favour of sustainable development.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/
Disagree/Strongly Disagree

Response: Disagree

1b Do you have comments? (Please begin with relevant paragraph number)

Response: The essentially market driven approach has the potential to not be in the best interests of securing the best planning outcome in all cases. Genuine sustainable development requires more equal weight between economic, environmental and social considerations.

2a. Plan-making – The Framework has clarified the tests of soundness, and introduces a useful additional test to ensure local plans are positively prepared to meet objectively assessed need and infrastructure requirements.

Do you: Strongly Agree/Agree/Neither Agree or Disagree / Disagree/Strongly Disagree

Response: Neither Agree or Disagree

2b. Do you have comments? (Please begin with relevant paragraph number)

Response: Para. 23. Further clarification is required on the term “strategic priorities”. If local authorities are encouraged to produce a Local Plan, does this mean that local as well as strategic issues can be included?

Response: Para. 24. Similarly, if the Local Plan can be used to allocate sites, does this mean that such sites have to be strategic in nature? If not can all site allocations be included in the Local Plan, whether they be “strategic” or local?

Response: Once existing Core Strategy DPDs have been adopted, should work on existing Site Allocation DPDs be continued, or should this work be rolled forward into a new Local Plan? In this context what constitutes “clearly justified” (para. 21), in the preparation of additional Development Plan Documents?

2c. Joint working - The policies for planning strategically across local boundaries provide a clear framework and enough flexibility for councils and other bodies to work together effectively.

Do you: Strongly Agree/Agree/Neither Agree or Disagree / Disagree/Strongly Disagree

Response: Disagree.

2d. Do you have comments? (Please begin with relevant paragraph number)

Response: The NPPF is unclear on sanctions for non-co-operation in the context of cross boundary working or on the benefits to both parties in doing so.

3a. Decision taking - In the policies on development management, the level of detail is appropriate.

Do you: Strongly Agree/Agree/Neither Agree or Disagree / Disagree/Strongly Disagree

Response: Neither Agree or Disagree

3b. Do you have comments? (Please begin with relevant paragraph number)

Response:

4a. Any guidance needed to support the new Framework should be light-touch and could be provided by organisations outside Government.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/ Disagree/Strongly Disagree

Response: Neither Agree or Disagree.

4b. What should any separate guidance cover and who is best placed to provide it?

Response: Clarity needed on organizations, their planning capability and their ability to be independent.

5a. Business and economic development -

The 'planning for business' policies will encourage economic activity and give business the certainty and confidence to invest.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/ Disagree/Strongly Disagree

Response: Neither Agree or Disagree.

5b. Do you have comments? (Please begin with relevant paragraph number)

Response: The question is speculative. The effects of the NPPF will not be known for sometime after its implementation. The weighting of the draft NPPF in favour of facilitating economic development has the potential to encourage economic activity to the detriment of environmental and social considerations.

5c. What market signals could be most useful in plan making and decisions, and how could such information be best used to inform decisions?

Response:

6a. The town centre policies will enable communities to encourage retail, business and leisure development in the right locations and protect the vitality and viability of town centres.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

Response: Disagree.

6b. Do you have comments? (Please begin with relevant paragraph number)

Response: The question is speculative. The effects of the NPPF will not be known for sometime after its implementation. In the absence of a robust call-in system, it will be left to local authorities to reach their own subjective judgments.

7a. Transport - The policy on planning for transport takes the right approach.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/ Disagree/Strongly Disagree

Response: Strongly Disagree

7b. Do you have comments? (Please begin with relevant paragraph number)

Response: The section on transport is very limited in scope compared to PPG13 Transport. As such it is more theoretical than practical and in itself, will not lead to any significant promotion of sustainable transport initiatives.

Para. 94. Route safeguarding. The need to provide meaningful protection of former or mothballed transport routes is supported, particularly for rail or canal corridors. The essence of forward planning should be to look to the future to safeguard routes for schemes that may not be viable in the short term but are recognised as having future strategic potential. The use of the term “where there is robust evidence” and the issues of “deliverability”, in only including schemes where they can be delivered within the plan period, are likely to undermine this policy. There are also contradictions in route safeguarding of railways and canals in the wording used in para. 102, Minerals. The latter is more supportive and the use of the words “existing, planned and potential rail heads and rail links and waterways”, should be included in paragraph 94. It should also be made clear that route safeguarding includes former physical infrastructure including embankments, cuttings and bridges and not just the former space a route occupied. The Council’s comments are based on previous discussions with CLG on the need to safeguard the route for restoration of the Hatherton Branch Canal.

8a. Communications infrastructure - Policy on communications infrastructure is adequate to allow effective communications development and technological advances.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/
Disagree/Strongly Disagree

Response: Agree

8b Do you have comments? (Please begin with relevant paragraph number)

Response: No.

9a. Minerals - The policies on minerals planning adopt the right approach.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/
Disagree/Strongly Disagree

Response: Agree

9b. Do you have comments? (Please begin with relevant paragraph number)

Response: The District Council's role is limited to identifying mineral safeguarding areas having discussed particular sites with stakeholders including Staffordshire County Council as the Mineral Planning Authority, the Coal Authority, landowners and other industry stakeholders. The key responsibility on Minerals rests with County Council or unitary authorities as the Minerals Planning Authorities. The need to address prior extraction is recognised.

10a. Housing - The policies on housing will enable communities to deliver a wide choice of high quality homes, in the right location, to meet local demand.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/
Disagree/Strongly Disagree

Response: Disagree

10b. Do you have comments? (Please begin with relevant paragraph number)

Response: In a small District such as Cannock Chase, where 60% of the area is within Green Belt and a major part of Cannock Chase AONB is also within the District, the identification of land for future housing and employment growth is becoming increasingly difficult, particularly when other constraints such as the River Trent flood plain and other local authority boundaries and tightly drawn around the major urban areas of Cannock and Rugeley, are taken into account.

Paras. 107 and 109. It would be helpful if absolute clarity could be provided as to whether or not the 20% flexibility on deliverable sites within the five year supply is expected to be translated across the plan period to give a 20% flexibility on the plan target of developable sites.

More guidance is needed on whether meeting all housing need is an absolute requirement, even if this is at the expense of Green Belt and environmental designations of national and international importance.

Para. 107. Does the requirement to meet housing need trump Green Belt policy?

Para. 109. How are Government likely to interpret 'deliverable and available' for SHLAA housing sites in the new NPPF?

Para. 109. How will affordable housing evidence through the SHMA play into any attempt to reduce housing numbers?

Para. 109. Does the Core Strategy need to safeguard land for the longer term (post plan period)?

Para. 109. What % of flexibility is recommended on the overall housing figure?

11a. Planning for schools - The policy on planning for schools takes the right approach.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

Response: Agree

11b. Do you have comments? (Please begin with relevant paragraph number)

Para. 124, & 127. While the provision of new schools is supported, in the absence of funding from Government to replace the BSF initiative, the planning system alone, is unlikely to be able to deliver major investment needed in the provision of such facilities.

12a. Design - The policy on planning and design is appropriate and useful.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/
Disagree/Strongly Disagree

Response: Agree

12b. Do you have comments or suggestions? (Please begin with relevant paragraph number)

Response: No.

13a. Green Belt - The policy on planning and the Green Belt gives a strong clear message on Green Belt protection.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/
Disagree/Strongly Disagree

Response: Agree.

13b. Have you comments to add? (Please begin with relevant paragraph number)

Response: While support for the Green Belt is given, this has to be caveated against the comments to paras. 124 and 127, that should the requirement to provide 20% housing supply flexibility be required for the whole plan period, this will be very difficult to achieve in Cannock Chase District without major incursions into the Green Belt or agreement from adjacent authorities to meet the housing needs of Cannock and Rugeley.

14a. Climate change, flooding and coastal change. The policy relating to climate change takes the right approach.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/
Disagree/Strongly Disagree

Response: Agree.

14b. Do you have comments? (Please begin with relevant paragraph number)

Response: None.

14c. The policy on renewable energy will support the delivery of renewable and low carbon energy.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/ Disagree/Strongly Disagree

Response: Neither Agree or Disagree. The policy is very general and delivery can only be judged at a future date.

14d. Do you have comments? (Please begin with relevant paragraph number)

Response: Paras. 152-153. The policy is very general and delivery can only be judged at a future date.

14e. The draft Framework sets out clear and workable proposals for plan-making and development management for renewable and low carbon energy, including the test for developments proposed outside of opportunity areas identified by local authorities.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/
Disagree/Strongly Disagree

Response: Neither Agree or Disagree/

14f. Do you have comments? (Please begin with relevant paragraph number)

Response: Paras. 152-153. The policy is very general and delivery can only be judged at a future date.

14g. The policy on flooding and coastal change provides the right level of protection.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/
Disagree/Strongly Disagree

Response: Agree

14h. Do you have comments? (Please begin with relevant paragraph number)

Response: None.

15a. Natural and local environment - Policy relating to the natural and local environment provides the appropriate framework to protect and enhance the environment.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/
Disagree/Strongly Disagree

Response: Neither Agree or Disagree.

15b. Do you have comments? (Please begin with relevant paragraph number)

Response: In general there is a lack of detail on the natural environment. Cannock Chase SAC has had major implications for the development of the Cannock Chase Core Strategy, as well as for 18 other planning authorities in the West and East Midlands. The lack of reference to SACs and also to the requirements necessary to satisfy the Habitats Regulations Assessment has not been sufficiently recognised.

16a. Historic environment - This policy provides the right level of protection for heritage assets.

Do you: Strongly Agree/Agree/Neither Agree or Disagree/
Disagree/Strongly Disagree

Response: Disagree.

16b. Do you have comments? (Please begin with relevant paragraph number)

Response: 176-191. In essence the draft NPPF uses the same definitions and general policy direction as the existing PPS5. However in simplifying and shortening the advice a great deal of useful guidance and policy principles to ensure consistency and objectivity and to support local and appeal decision making has been lost.

The balance of presumption has changed in favour of development and away from protection of the historic environment which is very likely to lead to less significant historic

assets (eg buildings of local historic interest on a Local List) standing no chance at all when weighed in the balance as there will always be an argument for their loss. It refers to loss of historic assets in a general way as a distinct possibility if no 'reasonable' use can be found. 'Reasonable' is not a very precise word and denies consideration of conservation of assets on their own merits. PPS5 has a clearly stated 'presumption' in favour of conservation, defined as a 'material consideration'.

It refers to assessment of significance using appropriate expertise 'where necessary'. The latter phrase lacks precision and weakens the strength of PPS5. Assessment of impact on an asset is also weakened.

Overall the draft guidance is very lightweight and of little practical use in considering the historic environment.