

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

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

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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 Brereton. 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). CCDDC 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. CCDDC 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, CCDDC 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 being 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.

LEGAL REQUIREMENTS	
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