

Cannock Chase Council:
Cannock Chase Local Plan
Representation Form



Making a representation: We cannot accept anonymous representations. You must provide your contact details but only your name and comments will be published on the website. Your personal data will be held securely and processed in line with our privacy notice www.cannockchasedc.gov.uk/privacynotices. Once the plan is submitted your comments will be shared with the Planning Inspectorate and an independent inspector will review representations. You have the right to withdraw your representation and your data will be destroyed. Data will only be held until adoption of the Cannock Chase Local Plan.

Part B: Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**. We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

Part B: Representation

Name and Organisation:	David Green, Cannock Chase Green Party
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Q1. To which document does this representation relate? (Please tick one box)

- Cannock Chase Local Plan 2018-2040
- Sustainability Appraisal of the Cannock Chase Local Plan 2018-2040
- Habitats Regulations Assessment of the Cannock Chase Local Plan 2018-2040

Q2. To which part of the document does this representation relate?

Para-graph:	See below	Policy:	See below	Site:	See below	Policies Map:	See below
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Q3. Do you consider the Cannock Chase Local Plan is:

- A. Legally compliant Yes: No:
- B. Sound Yes: No:
- C. Compliant with the Duty to Co-operate Yes: No:
- (Please tick as appropriate).*

For office use	Part B reference	B0067A
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Q4. Please give details of why you consider the Cannock Chase Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Cannock Chase Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Cannock Chase Local Plan (The Plan) is not sound for the following reasons:

- It is not positively prepared. It does not meet the area's objectively assessed needs set out in The Plan's stated Strategic Objectives in terms of protecting and enhancing open spaces and biodiversity; providing housing of the highest quality; supporting sustainable transport or supporting a greener future.
- It is not justified. Overall, it is far too weak in its wording and is far too developer-led. This view is supported by conversations with officers during the public consultations. It does not take into account the reasonable alternatives set out below. As an example, during the consultations, officers were asked why there wasn't a requirement that all new developments have solar panels and heat pumps and also why there wasn't a requirement for a higher level of Biodiversity Net Gain or open leisure space as part of residential developments. They said that developers knew that these features were desirable to buyers and therefore may well voluntarily include them as part of their planning applications. This approach is, frankly, laughable. Developers are businesses. They are required by their shareholders to develop in a way that is as profitable as possible. Such a response also misses the point of a Local Plan – it is not to leave it to developers to “do the right thing”. It is to set the standards that are required to meet the objectively assessed needs of the district.
- It is not effective. The Strategic Objectives are not deliverable over The Plan period, due to the weak way in which policies are expressed. A Local Plan should be an opportunity for a community to express its view of the shape of future development, taking into account factors specific to that local area. The Plan in this case relies too heavily on simply adopting minimum national standards, rather than recognising the important position that Cannock Chase holds in being a predominantly green area on the edge of the West Midlands conurbation. It fails to recognise that the Cannock Chase National Landscape lies at the heart of the district and that 60% of its area is greenbelt. These factors mean that The Plan must put the protection and enhancement of our regionally, nationally and internationally important green spaces above all other planning considerations and must do this by setting standards above national minimums. It is understood that any requirements in The Plan must be viable, but no evidence has been provided by the council as to why nothing more than national minimums are viable. The attractiveness of Cannock Chase as a place to live is evidenced by the increase in population over the last 10 years and the requirement in The Plan for additional dwellings amounting to over 10% of current numbers over the period. It is evidenced by developers wishing to build over 2,100 dwellings in the 3 large developments identified in the Plan. This level of interest is evidence that higher standards could be set and still be viable.

The following comments are made about these specific parts of the Local Plan:

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Strategic Objectives 7 and 8 – To Protect and Enhance the Natural Environment and To Support a Greener Future

These Objectives should be re-numbered 1 and 2 respectively. They should be expressly stated to take precedence over the other Strategic Objectives in the case of conflict between them. This is justified as it reflects and celebrates the unique nature of Cannock Chase District, the importance of the National Landscape and Greenbelt and all the smaller areas of green space within and around the urban areas of the district. Surveys by Cannock Chase SAC have shown that many visitors to Cannock Chase come from outside the district. Cannock Chase's Local Plan should recognise that part of our regional role is to protect and enhance our green spaces for the benefit of neighbouring districts as well as our own. By re-numbering these SOs, the plan would become more positively prepared.

The need for this is evidenced by the fact that The Plan as written is not justified or effective. The Habitat Regulations Assessment (at p.63) states that "*adverse effects on integrity have not been able to be ruled out in relation to air pollution from vehicles at Cannock Chase SAC, Cannock Extension Canal SAC, Pasturefields Salt Marsh SAC, and West Midland Mosses SAC and Midlands Meres and Mosses Ramsar Phase 1 site*" This relates to sites with the highest level protection, it can therefore be fairly assumed that adverse effects have not be ruled out on many more green spaces and areas of habitat.

Strategic Objective 7.2 should be re-worded to require that development delivers "at least a 20% increase in net biodiversity". This would bring The Plan in line with that in the neighbouring district of Lichfield. Arguable it should be even higher given the National Landscape, SACs and protected sites present in our district. It is particularly important that Lichfield and Cannock Chase's Local Plans align in this regard given that the biggest development in a generation (the former Rugeley Power Station site) crosses the border of the districts. It is not positively prepared or justified for a single development across two districts to deliver half the level of biodiversity net gain in Cannock Chase than Lichfield.

Strategic Objective 7.8 states that, "*The Policies of this Local Plan seek to protect, conserve and enhance existing green infrastructure*". SO8.6 states that The Plan will, "*prioritise the use of suitable brownfield land for homes and other uses*" and "*Make effective use of under-utilised land and buildings, particularly within designated settlement boundaries, through building renovations and conversions*". These are not effective given the content of The Plan. This is evidenced by the fact that of the three main developments in The Plan's site allocations, approximately 1,000 dwellings are to be built on a brownfield site (former Rugeley Power Station), whilst 1,100 are to be built on greenfield sites (land to east of Wimblebury Road and South of Lichfield Road). Other than the bare statement, there is nothing in The Plan to say *how* the council will make effective use of under-utilised land. In 2022, there were 1,078 empty houses in the district. The Plan is not effective as it does not explain *how* these will be brought back into use. The SOs should be re-worded as follows: "When seeking to build on a greenfield site, the applicant must submit with their application a list of all under-utilised brownfield sites within a 2-mile radius, along with an explanation of why they are not being considered for development. The council will not grant permission for such an application unless there are compelling reasons to favour the greenfield site over alternative brownfield sites." Also, "The council will identify all empty houses (including within its own housing stock) and under-utilised land in the district and will keep a database of this land, updated annually. It will use all

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legally powers available, including charging enhanced council tax rates and seeking Compulsory Purchase Orders, to bring that land back into use.”

Overall these SOs are far too weak and therefore not positively prepared, justified or effective. This is evidenced by the use of language such as “*Development proposals for appropriate low and zero carbon (LZC) energy and heat production installations (including solar photovoltaic (PV), wind energy, and air and water source heat pumps) **will be supported***” (SO8.1) and “*All development proposals should **strive to achieve the highest level of building performance standards for cooling, ventilation and energy use and achieve the lowest carbon emissions that can practically and viably be achieved.***” (SO8.2) (emphasis added). The council has set itself a target to achieve net zero, but is still allowing residential development of greenfield sites, with fossil fuel heating systems and without any form of renewable energy production.

The use of solar/wind energy production should be “required [not “supported”] on all developments, residential or commercial and major or minor unless exceptional reasons exist not to require it, for example the development of a listed building”.

SO8.2 should be changed to, “All new development proposals, residential or commercial and major or minor, must use non-fossil fuel heating sources and submit evidence to show that they achieve the highest level of building performance standards for cooling, ventilation and energy use and achieve the lowest carbon emissions that can practically and viably be achieved.”

Strategic Objective 1 – TO DELIVER HIGH QUALITY DEVELOPMENT THAT PROTECTS THE HISTORIC ENVIRONMENT AND IS APPROPRIATE, DISTINCTIVE, ATTRACTIVE AND SAFE

This SO should be re-numbered SO3 as above.

SO1.2 states that The Plan will “*deliver a high quality of building design and layout*”, whereas the non-technical summary states that it will deliver “*the highest quality of building design and layout*”. This is contradictory and therefore not effective. The latter phrase (“highest”) should be adopted and developments should be required to comply with relevant standards, for example the Passivhaus Standard.

This should also be included as part of SO3.3.

STRATEGIC OBJECTIVE 2: TO CREATE COMMUNITY FACILITIES AND HEALTHY LIVING OPPORTUNITIES ACROSS THE DISTRICT

This should be re-numbered SO 4 as above.

The Plan is too vague and therefore not effective or justified in this area. The Plan should set a minimum level of public open space that each dwelling/each bedroom as part of a development should create. Nearby local authorities such as South Staffordshire and North Shropshire have done this. In order to meet the requirement of being positively prepared, The Plan should do the same.

Developments of 50 dwellings or more should be required to provide play facilities and allotment/community garden facilities.

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STRATEGIC OBJECTIVE 5: TO SUPPORT THE PROVISION OF
SUSTAINABLE TRANSPORT AND COMMUNICATIONS INFRASTRUCTURE

This should be re-numbered SO7 as above.

The Plan is too vague and therefore not effective or justified in this area. SO5.6 shouldn't just "safeguard", but should actively promote the development of identified cycleways/footpaths.

There are a number of former mineral railway lines that could be brought back into use as footpaths/cycleways to promote sustainable transport, create safe developments and promote tourism. This is particularly the case with the former line running from Hednesford, through Rawsley and Prospect Village and on to Chasewater. This forms part of the "missing link" of National Cycle Route 5 and would link Cannock Chase to Chasewater providing tourism and recreation, similar to the Monsal Trail in Derbyshire. This has sat as a "priority" for the council for over 20 years with nothing having been done to promote the development of the route. This is despite the fact that 60 houses have been built alongside the route on land off Rawsley Road. This shows that the current and previous Local Plans are ineffective and need to be strengthened. The Plan should be amended to require any residential development within 0.5 miles of identified cycle routes/footpaths to contribute to the development of those paths.

(Please continue on a separate sheet if necessary)

Q5. Please set out the modification(s) you consider necessary to make the Cannock Chase Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Cannock Chase Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See above.

(Please continue on a separate sheet if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues they identify for examination.

Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Cannock Chase Local Plan, do you consider it necessary to participate in examination hearing session(s)?

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to

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participate.

- No, I do not wish to participate in hearing session(s)
 Yes, I wish to participate in hearing session(s)

(Please tick one box)

Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

These representations state that The Plan is not positively prepared, justified or effective in a number of different areas. It is proper and in accordance with the rules of natural justice that these points be properly heard and expanded upon in a public hearing.

(Please continue on a separate sheet if necessary)

Please note: *The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

Signature: [REDACTED]

Date: 17th March
2024