



Statement of Common Ground between Cannock Chase District Council and Rugeley Power Ltd in relation to Former Rugeley Power Station

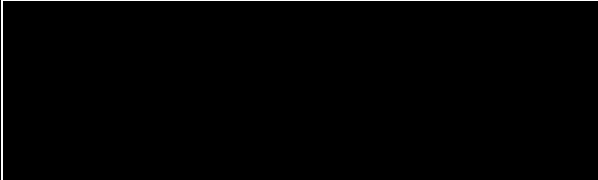

Cannock Chase Local Plan (2018-2040)

November 2024

1. Parties Involved

- Cannock Chase District Council (CCDC)
- Rugeley Power Ltd

2. Signatories

	Signed: 
Name: Dean Piper	Name: Euan Hardy
Position: Head of Economic Development & Planning	Position: Planner
Organisation: Cannock Chase District Council	Organisation: Stantec on behalf of Rugeley Power Ltd
Date: 16/12/2024	Date: 06/12/2024

3. Purpose of Statement of Common Ground

This SoCG sets out details of the agreement between Cannock Chase District Council (CCDC) and Rugeley Power Ltd in relation to the proposed strategic allocation in the Local Plan, referred to Former Rugeley Power Station, Rugeley (SM1). Both parties have worked jointly on redevelopment plans for the site and are committed to delivering quality development over the Plan period.

4. Planning Area Covered by SoCG

This SoCG covers the area included as the proposed strategic allocation as Former Rugeley Power Station (SM1) and comprises of the Cannock Chase District Council portion of the cross-boundary development with Lichfield District Council. The land is shown on the attached proposed amended Concept Diagram (figure 2) and currently comprises of previously developed land.

5. Background

The Site is approximately 139 hectares of which 55 hectares are within CCDC's administrative area. The greater part of the Site is previously developed land except for the area which will form the Riverside Park.

Outline planning permission for the redevelopment of the Site was granted by Cannock Chase District Council (CCDC) on 7th April 2021 and by Lichfield District Council (LDC) on 8th April 2021 with the references: CH/19/201 and 19/00753/OUTMEI. The site will comprise 2,300 new dwellings and residential units (approx. 1000 in Cannock Chase District), up to 1.2 ha mixed use, up to 5ha employment, a school, open space and key

infrastructure including accessible roads, ground and roof solar panels and retention of 2 existing electricity substations.

It is anticipated that the development will be completed over a period that broadly corresponds to the plan period.

Cannock Chase District Council & Lichfield District Council adopted the Rugeley Power Station Development Brief in February 2018 as a Supplementary Planning Document. The site has been subject to a number of reserved matters applications including for the Riverside Park and All Through School, as well as for infrastructure including access roads. An application currently pending relates to infrastructure to serve the residential phase on the former coal yard (CH/23/0017).

The site is able to be delivered without allocation in the new Local Plan. However, due to the strategic role of the site in delivering development over the plan period it was considered appropriate to include site specific policy SM1 in the plan. This will ensure that delivery is monitored over the plan period and in the unlikely event of delay, there is guidance in the Local Plan to help determine future applications.

6. Engagement

Engagement has taken place over a number of years since the decision to cease operation of Rugeley Power Station. From the earliest stage, the Rugeley Power Station Task Force comprising of officer and elected members from CCDC, Lichfield District Council and representatives from Staffordshire County Council, ENGIE, SSLEP and Homes England enabled cooperative working on the consideration and development of plans for the former power station site.

The Council has a Planning Performance Agreement in place which provides focused support to determine planning applications for the site.

Following the consideration of comments by Rugeley Power Ltd on the Reg 19. Local Plan consultation documents, a meeting was held between officers and representatives of Rugeley Power Ltd in July 2024. This enabled discussion of issues raised in the representations, the current status of proposals and planning applications for the site and issues such as timing of delivery and policy clauses prior to developing this Statement of Common Ground.

7. Agreed Strategic Matters

Land use principles

Both parties agree that the proposed allocated site SM1 can deliver residential development of 1,000 dwellings (in Cannock Chase) at a minimum density of 35dph. The site will deliver a new All Through School and employment development of approximately 3.5ha (in Cannock Chase District). The site will deliver affordable housing, open space and biodiversity net gain either on or off site as well as contributions towards infrastructure necessary to mitigate the impact of the development. The concept diagram shown in Figure 1 was the version presented in the Reg 19 Cannock Chase Local Plan. Amended plans associated with the Planning Application have resulted in changes to the layout and

location of uses on site. This is reflected in the proposed amended concept diagram in Figure 2 as detailed in Table 1 Agreed Proposed Modifications.

Access

The general locations of indicative access points on the Concept Diagram are agreed. Primary access to the site within Cannock Chase District is from Lea Hall Valley Way (A51) where a spine road will serve as the primary access corridor between the A51 at the western end of the site and the A513 to the east. Temporary internal roads may be required before the Spine Road is completed. Additional traffic movements on the local highway network can be mitigated.

Infrastructure

Infrastructure necessary to serve the development has been agreed as part of the planning approval CH/19/201. Proposals for the new All Through School and access are furthest progressed and works have already been undertaken to deliver the Riverside Park. It is anticipated that the All Through School and Riverside Park will open in September 2025.

Deliverability

Land required for the proposed allocation Former Rugeley Power Station (SM1) is available and can be delivered over the Plan period. The area is currently owned by Rugeley Power Ltd. Initial outline planning permission was granted in 2021 CH/19/201 and reserved matters applications with regards to the All Through School, and access points into the site including the main spine road have been submitted and in some instances implemented.

A planning performance agreement is in place to ensure the planning process aids delivery of the site.

Trajectory

The estimated start date for development is in year 2025/26 It is estimated that 100 dwellings will be complete per annum. Building will be phased over a 15 year period in line with the delivery trajectory below. This trajectory only shows the build out rate for development within the boundary of Cannock Chase District.

	25/ 26	26/ 27	27/ 28	28/ 29	29/ 30	30/ 31	31/ 32	32/ 33	33/ 34	34/ 35	35/ 36	36/ 37	37/ 38	38/ 39	39/ 40
Delive ry (dpa)	50	100	100	100	100	0	0	60	60	60	60	60	100	100	100

Figure 1 Concept Diagram (Cannock Chase Local Plan Pre Submission Reg. 19, Policy SM1)



Key

- | | |
|--|--|
| District boundary | Indicative Active Travel Routes & Connections |
| Site Boundaries | Indicative 'Rail Way' Route |
| Existing Streets | Indicative Vehicular Connection |
| Existing sub-stations | Indicative Location for Enhanced Screening |
| Existing Urban Area | Indicative Location for Residential Development |
| Existing Area of Woodland | Indicative Location for Employment Use |
| Existing Areas of Open Space | Indicative Location for Areas of Blue-Green Infrastructure |
| Existing Pond | Indicative Location for Mixed Use inc. Residential |
| Indicative Vehicular Access Points | Indicative Location for Community Square |
| Indicative Active Travel Access Points | Indicative Area Safeguarded for Energy |

Figure 2 Agreed proposed replacement concept diagram



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Note: This is a concept diagram and is not to scale

Key

- | | |
|--|--|
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8. Agreed proposed modifications

Page	Section/ para/ policy	Proposed Change	Reason
180	Supporting text Policy SM1	Amend wording under sub-heading 'Indicative Dwelling Yield': up to 1,000 dwellings in Cannock Chase (up to 2,300 whole site)	Flexibility
181	Policy SM1	Amend wording in first bullet point: • Up to <u>Approximately</u> 1,000 dwellings to be located within Cannock Chase District	Flexibility
181	Policy SM1	Policy SM1 - Amend wording in 2 nd bullet point: • Up to <u>5-3.5</u> ha of employment land	Factual correction
183	Concept Diagram	Replace concept diagram with amended version (Figure 2)	Factual correction to reflect amended plans

9. Matters of disagreement (uncommon ground)

Stantec on behalf of Rugeley Power Station Ltd. submitted detailed representations on the Local Plan (A0092 B0092A-B0092P). Many of the representations concern local planning policies within the plan that are relevant to the site requirements in addition to commentary on the Sustainability Appraisal. Modifications have been suggested by Rugeley Power Ltd. to address a number of points of objection. They do not consider the Cannock Chase Local Plan to be sound as currently drafted, commenting on Policy SM1 and the Sustainability Appraisal. Modifications have been suggested to address a number of points of objection.

The Council has provided a response to each of the points raised in the representation which was published at a meeting of Cabinet on 22nd August 2024. The Council's summary of the representation for Policy SM1 and response to the representation has been appended to this SoCG for clarity (Appendix 1).

CCDC does not agree that all of the suggested modifications are required in order for the policy to meet the tests of soundness detailed in the NPPF. Any areas where agreement cannot be reached can be considered through the Examination.

Appendix 1: CCDC Summary of Rugeley Power Ltd representation B0092I and response to issues raised.

Respondent						
Rugeley Power Ltd - Mark Dauncey (Stantec)						
1	2	3	4	5	6	7
Part A Ref	Part B Ref	Relevant Document	Part of the Document Referenced	Legally Compliant	Sound	Compliant with Duty to Cooperate
A0092	B0092I	Cannock Chase Local Plan 2018-2040	Strategic Site Specific Policy and at The Former Rugeley Power Station Site Reference: SM1	Not Specified	No	Not Specified
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Summary of Main Issue(s) Raised Within the Representation						
<p>Draft Policy SM1 reflects the development approved under the OPP and provides that the Site is allocated for:</p> <ul style="list-style-type: none"> • Up to 1,000 dwellings to be located within the District. • Up to 5 hectares of employment land. • Infrastructure requirements including education provision and local community facilities. <p>Firstly, it is important to stress that the 5 hectares of employment use covered by the OPP is across Lichfield District and Cannock Chase District. It is not envisaged that this amount of employment will be delivered in Cannock District. On this basis draft Policy SM1 needs to be amended to reflect the OPP and the figure stated at Table F of the consultation document (i.e. 3.5 hectares).</p> <p>The areas of the Site within CCDC identified for residential development total approximately 24.6 hectares split between 18.8 hectares at 75dph and 5.8 hectares at 50dph. This equates to a capacity of 1,700 houses (1,410 and 290 respectively) at currently permitted densities. Realising this increased capacity should be left open by removing the limiting words 'up to' in relation to the 1,000 dwellings currently proposed within CCDC. This is consistent with the approach to increasing densities on previously developed land noted in relation to Policy SO3.1.</p> <p>RPL are promoting part of the Site as a battery energy storage system (BESS). This will provide essential infrastructure that will help facilitate the transition to a renewable and low carbon future. It is therefore suggested that the allocation makes allowance for a BESS, taking advantage of the existing 400kv substation and solar panels approved by the OPP. It is considered that this use (the BESS) is compatible with other land uses permitted by the OPP and would support Objective 8 of Draft Plan and be consistent with the comments made in relation to Policy SO8.1.</p>						

Notably the draft policy goes on to take the details approved under the OPP as the starting point for the allocation but affords a level of flexibility appropriate to the scale of the development. For instance, the allocation requires a minimum of two primary access points but does not set a maximum; this enables the development to respond to changes in need and reflect local circumstances, as shown by the approval of a third primary access for the Site. This is a question of ensuring that where the allocation references the OPP or associated approved documents it includes wording that clarifies that subsequently approved documents should supersede previously approved documents. For instance, where the section 106 agreement is referenced it should include the words, 'as varied'.

While they note the value of the Rugeley Power Station Development Brief SPD it was adopted in February 2018 and is out of date in many respects. It references the first (2012) iteration of the NPPF and a number of other supersede national and local guidance documents. RPL therefore question the weight it can be afforded when more recent documents are available and suggest that further justification be provided as to the level of weight the SPD should be afforded and on which matters it should be considered in relation to.

RPL support the overall approach adopted by Policy SM1 but suggest the identified changes are adopted to ensure that there is sufficient scope for development to come forward under the allocation that responds to the changing needs of the District over the plan period, and to respond to the potential for amendments to the OPP to be made and sufficient flexibility for the approval of reserved matters. They also consider that there is the potential to include a battery energy storage system on site and the policy should be amended to include this essential energy infrastructure

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Summary of Main Proposed Modification(s)

It is important to stress that the 5 hectares of employment use covered by the OPP is across Lichfield District and Cannock Chase District. It is not envisaged that this amount of employment will be delivered in Cannock District. On this basis draft Policy SM1 needs to be amended to reflect the OPP and the figure stated at Table F of the consultation document (i.e. 3.5 hectares).

It is suggested that the allocation makes allowance for a BESS, taking advantage of the existing 400kv substation and solar panels approved by the OPP.

They support the overall approach adopted by Policy SM1 but suggest the identified changes are adopted to ensure that there is sufficient scope for development to come forward under the allocation that responds to the changing needs of the District over the plan period, and to respond to the potential for amendments to the OPP to be made and sufficient flexibility for the approval of reserved matters. We also consider that there is the potential to include a battery energy storage system on site and the policy should be amended to include this essential energy infrastructure.

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Cannock Chase Council Response

Draft Policy SM1 needs to be amended to reflect the Outline Planning Permission and the figure stated at Table F of the consultation document (i.e. 3.5 hectares instead of 5 hectares).

The allocation in the policy is based on the approved Outline Planning Permission for the site, which does not include a battery energy storage system, any proposed changes by the applicant to the approved plans would need to be subject to a revised or new Planning Application for the site.

The Local Plan contains policies including Policy SO8.1 that can be used to determine the appropriateness of battery energy storage system proposals on a site.

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Proposed Minor Modification(s)

Admin

Officer Ascribed Policy