

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

1.8

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:	Walsall Council
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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:	1.8 bullet point 10	Policy:		Site:		Policies Map:	
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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	B0061A
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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.

It is noted that the Regulation 19 Local Plan assumes 10 hectares of the district's employment land requirement will be met from the West Midlands Strategic Rail Freight Interchange. It is noted that this is in line with the conclusions of the Stantec 'West Midlands Strategic Rail Freight Interchange- Whose need will the SFRI serve?' (2021) report (as per Table 5 of the report).

(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.

N/A

(Please continue on a separate sheet if necessary)

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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 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)

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Part B: Representation Form

SO3

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Part B: Representation

Name and Organisation:	Walsall Council
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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:	Strategic Objective 3- bullet point 2 and para- graph 6.84	Policy:		Site:		Policies Map:	
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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	
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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 principle of the Strategic Objective 3 is supported, including a contribution towards the unmet housing needs of the wider housing market area. However, the text refers to 'Delivering sufficient housing to meet the District's own need and an appropriate and sustainable contribution to the wider housing market area shortfall where justified in **adopted plans**' (emphasis added). The text is considered unsound as the reference to 'adopted plans' does not take account of evidence from emerging Local Plans, particularly those that have reached more advanced stages.

Paragraph 6.84 refers to the latest position with regards to housing shortfalls from each of the Black Country authorities being unknown, however the draft Black Country Plan was consulted on most recently in 2022. Whilst the BCP is not being proceeded with, it was supported by published evidence about the housing capacity of the area. Since work ceased on the BCP, Dudley, Sandwell and Wolverhampton councils have all consulted on their Regulation 18 draft Local Plans. These plans all set out up to date positions on the housing shortfalls within these Black Country authorities, reinforcing previous evidence and reaffirming that the authorities are seeking to address shortfalls via the Duty to Cooperate.

The text is not therefore considered to meet the tests of the Plan being positively prepared, justified, effective and consistent with national planning policy.

(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.

The text at bullet point 2 of Strategic Objective 3 should be amended to delete reference to 'adopted plans' and be replaced with 'adopted and emerging Local Plans including supporting evidence'. Paragraph 6.84 should be updated to reflect the latest position with emerging Local Plans across the Black Country. This will ensure that the Plan is positively prepared, justified, effective and consistent with national planning policy.

(Please continue on a separate sheet if necessary)

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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 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:

I would be willing to attend any session on behalf of Walsall Council if it would assist the inspector in examining the issues we have raised.

(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:	N Ball
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Date:	18/03/2024
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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

SO3.1

Name and Organisation:	Walsall Council
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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:		Policy:	SO3.1	Site:		Policies Map:	
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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	
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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.

We support the contribution of 500 dwellings to meet the unmet needs of the Greater Birmingham and Black Country Housing Market Area.

The regulation 19 plan however is considered ambiguous in respect of the total housing requirement to be met by the plan. **Policy SO3.1** states that a minimum of 5,808 dwellings will be delivered over the period 2018 to 2040. This is the equivalent of 264 per year for local need based on the period 2018-2040 which is derived from the government's standard method. The policy also states that the plan will deliver 500 dwellings to contribute to the needs of the Greater Birmingham and Black Country HMA. If so, the policy should state clearly that provision will be made for a total of 6,308 dwellings rather than 5,808. The higher figure would appear to be the intended one, at least based on the 2023 capacity study which forms part of the supporting evidence. Paragraph 7.1 of the latter states that the 500 dwelling contribution gives rise to a need for land for 6,308 homes over the plan period.

(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.

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The text should be amended to reflect the total housing target figure of 6,308 dwellings and that the contribution to unmet housing needs will be apportioned to Birmingham City and the Black Country authorities. This will ensure that the policy is 'positively prepared' and 'effective'. Amended suggested text below (additional text underlined):

'In addition to the local housing need, the plan will deliver 500 dwellings to meet the unmet needs of neighbouring areas in the Greater Birmingham and Black Country Housing Market Area. This gives a total housing requirement of 6,308 dwellings over the plan period. The contribution will serve to address the unmet housing needs of the Black Country authorities and Birmingham City.'

This would be consistent with other parts of Plan where reference to the 6,308 dwellings is made (see paragraph 1.8 and page 35, although note these both state 6,303 dwellings).

(Please continue on a separate sheet if necessary)

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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)?

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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:

I would be willing to attend any session on behalf of Walsall Council if it would assist the inspector in examining the issues we have raised.

(Please continue on a separate sheet if necessary)

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Signature:	N Ball
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Date:	18/3/24
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Part B: Representation

SO3.2

Name and Organisation:	Walsall Council
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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:		Policy:	SO3.2	Site:		Policies Map:	
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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).*

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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.

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Policy SO3.2 states that for developments above 10 homes, the percentages of dwellings which should be affordable are between 20 and 35%. This requirement should be for developments of 10 or more homes to match the definition of major development in the GDPO. These percentages are also lower than the previously stated need for at least 37% to be affordable. Given that there will be no affordable housing requirement for sites of fewer than 10 homes, the requirement for larger sites should be greater than 37% to ensure the overall need is met. Any lower provision should be justified.

(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.

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The third paragraph of the policy should begin “**For developments ~~above~~ above of 10 or more homes,...**”

The affordable housing percentages in table D should be consistent with previous evidence that the overall need is for 37% of housing to be affordable.

(Please continue on a separate sheet if necessary)

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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:

<i>(Please continue on a separate sheet if necessary)</i>

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Signature:	N Ball
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Date:	18/3/24
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Part B: Representation

6.398

Name and Organisation:	Walsall Council
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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:	6.398	Policy:		Site:		Policies Map:	
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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	
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The text only refers to the local housing need figure of 5,808 dwellings and refers to 69 hectares of employment land. This is considered to be unsound as it does not include reference to the additional 500 dwellings that are to be provided to accommodate unmet housing needs from the wider housing market area (as per Policy SO3.1). The 69 hectares of employment land does not appear to correlate with the 74 hectares of employment land referenced at Policy SO4.1. The text is not therefore considered to meet the tests of the Plan being 'positively prepared' or 'effective'.

(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.

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The text should be amended to include reference to the additional 500 dwellings to be provided to accommodate unmet housing needs from the wider housing market area. This should reflect the fact that the overall housing target is 6,308 dwellings. The trajectory that accompanies this paragraph appears to reflect this housing target of 6,308 dwellings.

Clarification should be provided on the employment land target for the plan i.e., is it 69 or 74 hectares.

These changes will ensure that the Plan is positively prepared and effective.

(Please continue on a separate sheet if necessary)

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- 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:

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Signature:	N Ball
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Date:	18/3/24
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