

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](http://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:	Tetlow King Planning on behalf of the <b>West Midlands Housing Association Planning Consortium</b> (consisting of Abri Homes, Alliance Homes, Aster Homes, Bromford Housing Association, Clarion Housing, Coastline Housing, Curo Housing Group, GreenSquareAccord, LiveWest Homes, Selwood Housing, Sovereign Network Group, Stonewater Housing Association, The Guinness Partnership, Westward Housing Group)
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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:	Policy SO3.1, Policy SO3.1, Policy SO3.3, Policy SO7.2, Policy	Site:		Policies Map:	
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Cannock Chase Council:  
 Cannock Chase Local Plan  
 Representation Form



			SO8.1, Policy SO8.3				
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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.

See full response set out in separate document – where there are concerns in respect of soundness then changes are suggested that would enable the plan to be made sound.

Cannock Chase Council:  
Cannock Chase Local Plan  
Representation Form



(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 full response set out in separate document – where there are concerns in respect of soundness then changes are suggested that would enable the plan to be made sound.

***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.***

Cannock Chase Council:  
Cannock Chase Local Plan  
Representation Form



**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)

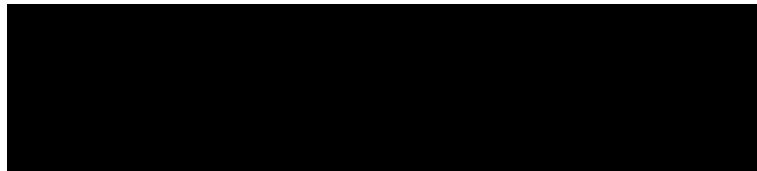
*(Please tick one box)*

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

*(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:		Date:	20/03/2024
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Planning Policy  
Cannock Chase Council  
Civic Centre  
PO Box 28  
Beecroft Road  
Cannock  
Staffordshire  
WS11 1BG

Date: 18 March 2024  
Our Ref: NP M5/0118-22

**By email only:**  
**planningpolicy@cannockchasedc.gov.uk**

Dear Sir/Madam

**RE: CANNOCK CHASE DISTRICT LOCAL PLAN PRE-SUBMISSION (REGULATION 19)**

**Tetlow King Planning** represents the **West Midlands Housing Association Planning Consortium (WMHAPC)** which includes leading housing associations across the West Midlands. Our clients' principal concern is to optimise the provision of affordable housing through the preparation of consistent policies that help deliver the wider economic and social outcomes needed throughout the West Midlands region.

As significant developers and investors in local people, the WMHAPC is well placed to contribute to Local Plan objectives and act as long-term partners in the community. Our clients play an active role in affordable housing delivery in Cannock Chase and so welcome this opportunity to contribute to the Local Plan.

We welcome the opportunity to comment on the Local Plan Pre-Submission (Regulation 19) and recognise it is an important step in the production of a new Local Plan. The current Local Plan Part 1 2006-2028 was adopted in June 2014, making it more than five years old and out-of-date when considered against the National Planning Policy Framework (NPPF, December 2023). It is encouraging that Cannock Chase Council is being proactive and preparing a new Local Plan to account for updates to national policy. The new Local Plan will cover the period 2018 to 2040, which satisfies the criteria set out in the NPPF.

**5. Local Plan Vision & Objectives**

The WMHAPC welcomes the Council's recognition of the need to deliver more affordable homes across the authority, particularly Strategic Objective 3 *"To deliver a sufficient supply of homes to provide for housing choice and ensure all people are able to live in a decent home which meets their needs by..."*. Strategic Objective 3 also adds that the council will ensure all people are able to live in a decent home by *"Helping meet local need for affordable dwellings"*.

**6. Local Plan Policy Options**

**Policy SO3.1: Provision for New Homes**

Draft Policy SO3.1 outlines that *"Housing provision will be made for a minimum of 5,808 dwellings (net) to meet the objectively assessed local housing needs"*. We are pleased that this figure has been derived from the Local Housing Needs Assessment (LHNA) which was published in January 2024, updating the 2019 assessment. The WMHAPC welcomes setting the housing delivery target as a minimum requirement and supports the use of the government's standard methodology to calculate this housing need figure.



The WMHAPC supports the inclusion of a rural exception site policy. This principle is appropriate and supported by the WMHAPC as it helps to secure land for delivery of affordable housing in rural areas where housing delivery would otherwise not be supported.

### **Policy SO3.2: Housing Choice**

The WMHAPC supports the proposed draft policy requirement of 20-35% (dependant on site location and type) affordable housing provision for developments above 10 homes. This of course aligns with the NPPF and is a welcome update on the current 15 home threshold requirement in the Local Plan (2014).

The WMHAPC is pleased that the policy outlines that affordable housing will be required in a mix of tenures to meet affordable housing needs over the Local Plan period. The suggested tenure mix is 25% First Homes, 60% rented and 15% intermediate housing. The WMHAPC seeks further clarification on the 60% rented aspect and how this applies to both affordable rented and social rented housing.

We note that the Council will adopt the Government's minimum percentage for the provision of First Homes at 25%. The WMHAPC has long had concerns about the introduction of First Homes and its potential implications on the delivery of traditional forms of affordable housing. The WMHAPC accepts that First Homes will assist some first time buyers in entering the property market, but it will likely not help as many households as shared ownership currently does. Shared ownership is a more accessible form of homeownership which can start with a 25% share and in most cases permits staircasing up to 100% of the property value. As such, it is a flexible affordable home ownership product that allows households to enter home ownership with a small deposit and to staircase to full ownership over time.

Paragraph 6.105 seeks to secure affordable housing in perpetuity. There is no wording in the NPPF (December 2023) or PPG that requires all affordable housing to be secured in perpetuity. National policy is silent on the requirement to secure affordable housing in perpetuity, other than the specific reference to rural exception sites in Annex 2 of the NPPF (December 2023), which states:

*“Rural exception sites: Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.”* (Emphasis added)

This principle is appropriate and supported by the WMHAPC as it helps to secure land for delivery of affordable housing in rural areas where housing delivery would otherwise not be supported. However, a blanket approach to securing affordable housing in perpetuity is not supported for a number of reasons. Firstly, it restricts lenders' appetite to fund development, as mortgage provision becomes more difficult with greater restrictions on individual properties. Private companies will not typically invest in developments if there is no prospect of realising the original investment and any returns. As such, affordable housing should only be secured in perpetuity on rural exception sites. The WMHAPC requests that, in line with national planning policy, the policy wording of paragraph 6.105 is changed to only relate to rural exception sites.

The WMHAPC is pleased that paragraph 6.106 states that a Viability Assessment has been prepared to support the Local Plan and demonstrates that the affordable housing provision shown in Table D is viable.

### **Policy SO3.3: Delivering High Quality Housing**

Draft Policy SO3.3 Delivering High Quality Housing requires all development to meet the internal space standards that are set out in the Nationally Described Space Standards (NDSS). The WMHAPC takes this opportunity to remind the Council that the NDSS is not a building regulation and

remains solely within the planning system as a form of technical planning standard. It is not essential for all dwellings to achieve these standards in order to provide good quality living.

We have not been able to locate an emerging Local Plan evidence base in relation to NDSS for Policy SO3.3. As such, in its current form and considering the evidence available Policy HO3 does not clearly justify the need to apply NDSS across all residential development in the authority. The PPG is clear that the Council needs to fully evidence need, viability and timing of applying NDSS:

*“Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:*

- **need** – *evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- **viability** – *the impact of adopting the space standard should be considered as part of a plan’s viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- **timing** – *there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.”*

(Paragraph: 020 Reference ID: 56-020-20150327)

Without the appropriate evidence, a blanket application of NDSS might undermine the viability of development schemes and through viability testing of application proposals, could result in fewer affordable homes being delivered across Cannock Chase.

#### **Policy SO7.2: Biodiversity Net Gain**

Draft Policy SO7.2 outlines that developments will be required to provide at least 10% Biodiversity Net Gain (BNG). The WMHAPC supports this policy proposal, although it would be helpful for the draft Local Plan to signpost how a 10% BNG can be practically achieved on site.

#### **Policy SO8.1: Low And Zero Carbon Energy And Heat Production and Policy SO8.2: Achieving Net Zero Carbon Development**

Whilst the WMHAPC acknowledges the importance of promoting sustainable development, we ask the Council to be wary of the ways in which such policies could impact development viability that may restrict the provision of affordable housing in Cannock Chase. Reducing operational CO2 to net zero would represent a 25% greater target than that set to be implemented in the Government’s Future Homes Standard (FHS) by 2025. Furthermore, having majorly differing standards for compliance provides a fragmented approach to net zero targets, which can result in a lack of clarity on what is considered compliant and creating a postcode method of compliance. We would like to remind the Council that the Government’s FHS 2025 seeks a 75% reduction with the remaining 25% reduction being achieved through decarbonisation of the national grid, therefore providing an operational zero approach.

Finally, the draft net zero and carbon policies should be carefully considered against Building Regulations and the Future Homes Standard which is being introduced from 2025 to avoid duplication and any potential inconsistencies. With the introduction of Building Regulations Part O (overheating), parts of draft Policy SO8.1 Low and Zero Carbon Energy and Heat Production overlap with statutory requirement and is therefore unnecessary.

#### **Policy SO8.3: Sustainable Design**

Promoting sustainable development is the core objective of the plan system and it is important that all new developments continue to support this aim. This importance was underlined in the December 2023 Written Ministerial Statement on energy efficiency and environmental standards. The Housing Associations of the WMHAPC recognise the critical role that they play in ensuring that residents have

a healthy and sustainable place to live. However, we ask the Council to be wary of the ways in which policies could impact development viability which may restrict the overall provision of affordable housing in Cannock Chase.

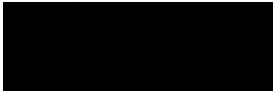
**Further Comments**

We would like the Local Plan to acknowledge the role of Housing Associations in providing affordable housing in Cannock Chase. It would be beneficial to see the Council recognise the role of Housing Associations and encourage developers to have early active engagement with Housing Associations in the preparation of planning proposals. Early engagement enables Housing Associations to have an active role in the planning and design of developments to ensure that the development addresses local housing needs and meets the management requirements of WMHAPC members.

We would like to use this opportunity to highlight the successful proven track record that Community Land Trusts (CLTs) have in delivering affordable housing for local people. The Council may find it insightful to know that a number of the WMHAPC Housing Associations have delivered significant levels of affordable housing through partnerships with CLTs across the West Midlands. Therefore, it would be particularly useful if the Local Plan acknowledges this working relationship in order to encourage commitment in the Local Plan to support CLTs in their choice of sites.

The above comments are intended to be constructive, to ensure the policies are found sound at examination. We would like to be consulted on further stages of the above document and other publications by the Council, by email only to [consultation@tetlow-king.co.uk](mailto:consultation@tetlow-king.co.uk); please ensure that the West Midlands Housing Association Planning Consortium is retained on the consultation database, with Tetlow King Planning listed as its agent.

Yours faithfully

A solid black rectangular box redacting the signature of Nathan Price.

**NATHAN PRICE BA (Hons) MSc**  
**ASSISTANT PLANNER**  
For and On Behalf Of  
TETLOW KING PLANNING

A solid black rectangular box redacting contact information, likely a phone number.

cc: Aspire  
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Bromford  
Platform Housing Group  
Walsall Housing Group

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