

Cannock Chase Council: Cannock Chase Local Plan Representation Form



and your data will not be shared. You may unsubscribe at any time by email or writing to us using the details on this form. Data will only be held until adoption of the Cannock Chase Local Plan.

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:	Elizabeth Whiteley
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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:	SO7.2	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).

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.

It should be noted that although this is a Regulation 19 consultation, it is the one and only consultation on policy SO7.2 Biodiversity Net Gain (BNG). This is an additional policy since the previous consultation.

There is insufficient consideration of reasonable alternatives. In particular there has been no work done to establish whether a higher minimum BNG than 10% is viable in some parts of the District as a reasonable alternative. It is self-evidently desirable to mandate a greater minimum level than 10% if possible, for the reasons stated in the plan. The objectives which policy SO7.02 seeks to address would be better met by using the same 20% minimum requirement for BNG throughout the District's Green Belt, including those areas which the Local Plan seeks now to remove from the Green Belt.

Cannock Chase National Landscape (AONB)'s current management plan has a section titled 'National leadership in biodiversity net gain'. CCDC should play its part and require 20% minimum BNG throughout the District's Green Belt as currently designated.

The Local Plan does not appear capable of delivering Net Zero as required by council policy.

There are also factual inaccuracies to be corrected.

Paragraph 6.284 Reference is made to The Environment Act 2021 and secondary legislation to set a date for the requirement to come into force, but during the lengthy delays with the Local Plan, the BNG rules have become effective.

Paragraph 6.286 states 'Cannock Chase Council has declared a Climate Change Emergency with a target date for achieving Net Zero'. That target date is 2030 – it's a cop out not to include that.

Paragraph 6.287 states that as [at the time of writing they were awaiting] "future publication of guidance" Cannock Chase have chosen to adopt the minimum standard. During the lengthy delays with the Local Plan, guidance has been published and BNG requirements are in place. This is not a valid reason to adopt only the minimum standard and reasonable alternatives have not been considered.

(Please continue on a separate sheet if necessary)

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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.

There needs to be proper formal consultation on policy SO7.2, not just at Reg 19 stage.

Reasonable alternatives to a minimum 10% BNG should be subject to a viability assessment, particularly with a view to setting a higher minimum such as 20% as has been done for the Green Belt in the Cannock Wood Neighbourhood Plan.

Paragraph 6.284: This text should be updated. Before the scheduled submission of the Local Plan for examination mandatory BNG requirement will be fully in place. The mandatory requirement came into place on 12 February 2024 for all Town and Country Planning Act development but exemptions and non-major development. BNG will be required for development not defined as non-major development from 2 April 2024.

Paragraph 6.286: The target date for Net Zero should be stated. If not, why not? According to the Council's own website it has a 'vision for the District to become carbon neutral by 2030'. The Local Plan should have Objectives and Policies to bring the vision about.

Policy SO7.02, first paragraph states '... delivery of mandatory biodiversity net gain arising from the Environment Act 2021'. The word **minimum should be inserted between the words mandatory and biodiversity**. This would be clearer as for users, both within CCDC and those seeking to apply the policy or to monitor its application.

Policy SO7.02, second paragraph states 'where a policy in a made Neighbourhood Plan has set a higher target, this will be applied within the applicable neighbourhood area'. The use of the word 'target' in the policy is inappropriate. The Neighbourhood Plan for Cannock Wood adopted in January 2024 introduced a minimum 20% requirement within the green belt parts of the Neighbourhood Plan Area. **Policy SO7.02 should be corrected to use the word 'requirement' instead of 'target'**.

(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.

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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)?

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:

In order to reserve the right to participate once the main matters, issues and questions the inspector specifically wishes to address are known.

(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: 8th March 2024