



**The Plan for Stafford Borough –
Publication**

**Examination Statement – Legal
Requirements & Procedural Matters**

October 2013

LEGAL REQUIREMENTS & PROCEDURAL MATTERS

1. Key issues:

Has the Plan had regard to and been prepared in accordance with the current Local Development Scheme, Statement of Community Involvement, Sustainable Community Strategy, Local Development Regulations and national planning policy¹, including the National Planning Policy Framework (NPPF)?

Local Development Scheme

- 1.1. Stafford Borough Council has had full regard to the Local Development Scheme (LDS) in preparing the Plan for Stafford Borough. Further details are set out in the Stafford Borough Legal Compliance Checklist (B5). The Stafford Borough Revised Local Development Scheme in September 2007 (C10) initiated the process of preparing the Plan for Stafford Borough. The current LDS, published in August 2013 (C7) confirms that publication of the Plan for Stafford Borough took place in January and February 2013, with submission taking place in August 2013. The Plan for Stafford Borough is consistent with the description of its role and content in the LDS.

Statement of Community Involvement

- 1.2. Full details of how the Plan for Stafford Borough (A1) (hereafter "The Plan (A1)") has been prepared in accordance with the Statement of Community Involvement (A16), adopted in July 2006, and the Statement of Community Involvement Appendices (A16a), are set out in the Submission Consultation Statement – (Reg 22 (1) (c)) July 2013 (A14) and the Consultation Statement Appendices (A15).
- 1.3. The Statement of Community Involvement (A16) sets out key standards which the Council has used when involving the community in preparing the Plan (A1). In addition to meeting the requirements of Regulations, the Statement of Community Involvement sets out how the Council should involve consultation bodies, stakeholders and the community in the preparation of the Plan. This has been **complied with throughout the Plan's** preparation.
- 1.4. The Submission Consultation Statement - (Reg 22 (1) (c)) July 2013 (A14) and the Consultation Statement Appendices (A15) set out for each stage of the preparation of the Plan (A1) which organisations were invited to make representations and how, and provides a summary of the main issues raised and how these have been taken into account, demonstrating compliance with the Statement of Community Involvement (A16). The Submission Consultation Statement – (Reg 22 (1) (c)) July 2013 (A14) provides summaries of the consultation undertaken and responses received, together with an analysis of representations and implications for the next stages of plan making for each stage, as well as individual **notifications using the Council's on-line** consultation mechanism, press releases, public notices and guidance information from the Borough-wide Development Strategy (G9) to the Plan (A1). The Consultation Statement Appendices (A15) provides more details of all responses and representations received for the whole process and how the Council has responded.
- 1.5. The Council has considered all the responses and representations received through the consultation plan-making stages of the Plan. For the Publication stage the representations are documented in Plan for Stafford Borough – Publication Summary of Representations received (A17), the Schedule of

¹ *Detailed aspects of consistency with national policy, including the National Planning Policy Framework [DCLG; March 2012], will be dealt with under later topics and issues*

Additional (Minor) Modifications (A26) and the Submission Consultation Statement – (Reg 22 (1) (c)) July 2013 (A14).

Sustainable Community Strategy

- 1.6. The Plan for Stafford Borough has had regard to and been prepared in accordance with both the Stafford Borough Partnership Sustainable Community Strategy 2008 – 2020 (E105), and the equivalent County Strategy: Our County, Our Vision: A Sustainable Community Strategy for Staffordshire 2008-2023 (E104). It has also taken full account of the Stafford Borough Community Action Plan (E103).
- 1.7. The key priorities contained within the Stafford Borough Community Action Plan (E103), the Sustainable Community Strategy for Staffordshire 2008 – 2023 (E104) and the Stafford Borough Partnership Sustainable Community Strategy 2008 – 2020 (E105), are set out below:

Stafford Borough Community Action Plan

- *To ensure that the Borough has a housing provision that is of good quality – decent and safe, fit for purpose in terms of our population and affordable both to purchase / occupying and run*
- *To ensure that in an area with a high dependency on public sector employment that the community has the right skills set and access to employment opportunities*
- *To tackle health inequalities in given localities within the Borough*

Sustainable Community Strategy for Staffordshire 2008 – 2023

Our Vision

'It is our fifteen year vision to improve the quality of life for all our people, by increasing economic prosperity, improving local services, and developing partnership working'

We will only achieve our vision by working together to achieve four overarching priorities:

A vibrant, prosperous and sustainable economy

Staffordshire will be known regionally and nationally as a high knowledge, high value added, high skilled inclusive economy.

Our County will be recognised as a place of innovation, enterprise and entrepreneurship, where new businesses thrive and survive, are profitable and contribute to the prosperity of our communities.

Staffordshire will contribute significantly more to the West Midlands Gross Value Added and enjoy greater competitiveness, than it currently does. There will be greater amounts of knowledge based employment and levels of research and development.

Our workforce will be better skilled with everyone having the opportunity to develop and improve their skills and achieve their full potential.

Strong, safe and cohesive communities

Staffordshire's communities and citizens will feel safe and be safe, and the fear of crime and actual crime, particularly violent crime will be reduced.

Our communities will benefit from accessible, integrated and responsive services, which meet their needs and which they have had a voice in shaping.

We will be known for our enterprising and thriving third level sector, which is rooted in our communities.

Across the County a social enterprise culture will exist, which plays an important part in raising skills and aspirations and in the delivery of key services such as recycling, caring and domestic services.

Our communities will continue to benefit from a strong cultural provision, which enriches everyone's quality of life.

Improved health and sense of well being

All Staffordshire's people will benefit from equality of opportunity and access to the resources they need to improve their health, well being and quality of life.

Our citizens will be encouraged to lead healthier, more active lives and make healthier choices. The emotional health and well being of the most vulnerable members of our communities, especially our vulnerable children and older people will be improved.

Our county's older people will be empowered to live independently and have greater choice and access to the services they need and want, as well as being provided with opportunities for employment and education.

A protected, enhanced and respected environment

Staffordshire will be known for its rich biodiversity, which is protected, restored and enhanced for both its own right and because of the benefits it contributes to our own well being.

The County will also be known for its diverse and unique built and historic environment. Staffordshire will contribute to be a high quality visitor destination based on a range of tourist attractions, pleasant countryside and natural environment. Tourism in the County will lead the way in 'green tourism', demonstrating good environmental practice to its visitors and the industry.

Every community, whether rural or urban will be able to make use of an effective, accessible and affordable transport network, developed in a sustainable manner, with increased use of public transport, cycling and walking as a proportion of total transport.

Together as individuals, businesses and communities, we will have greatly increased our ability to adapt to and cope with environmental challenges, in particular climate change and extreme weather events.

We will manage our waste effectively and there will be zero waste to landfill

Stafford Borough Partnership Sustainable Community Strategy 2008 – 2020

Improving the quality of life for our communities by making the Borough a safer, healthier, cleaner and more sustainable place for all to live, learn, work and invest in.

By 2020 we want Stafford Borough:

To have a vibrant, prosperous, sustainable economy and environment by

- Securing conditions for a thriving economy, where all businesses are supported in their development and long term sustainability.*
- Promoting innovation and nurturing enterprise so that new businesses are given every opportunity to develop and grow.*
- Being a place where the environment is protected and enhanced and a sustainable way of life is promoted, supported and delivered.*

To have a Borough where all members of our communities are safe and feel safe by

- *Being an area where all members of the community are secure and free from fear of crime in their homes, places of work or study, in the street, town centres and the countryside.*

To have a protected and enhanced environment by

- *Proactively preparing for and adapting to climate change.*
- *Increasing the understanding and awareness of sustainable development so that everyone is able to contribute to it.*

To be a Borough where all our members feel Included in society, live longer, healthier and more contented lives by

- *The promotion of healthy lifestyles and general wellbeing.*
- *Being a place where a strong sense of inclusion within the community, is promoted - one that enhances the quality of life for all and enables everyone to actively participate in society.*

- 1.8. In essence, the key themes from these Sustainable Community Strategies are to achieve sustainable development through a vibrant, prosperous, sustainable economy and ensuring a healthier lifestyle for communities delivered through high quality housing and employment opportunities whilst protecting and enhancing the environment. The Plan for Stafford Borough (A1) is entirely **consistent with these themes**. The Plan's vision, key objectives, development strategy and key delivery outputs provide the spatial planning approach to deliver these priorities of the Sustainable Community Strategies, as further detailed in the Examination Statement 2.

Local Development Regulations

- 1.9. The Plan for Stafford Borough (A1) has had regard to and been prepared in accordance with the current Local Development Regulations with further details set out in the Stafford Borough Legal Compliance Checklist (B5). With regard to Regulation 19 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2012, the Plan (A1), the Policies Map and its Inset Maps (A2 to A9), the Revised Sustainability Appraisal Report (A10) and its Technical Appendices (A11) and the Publication Consultation Statement (now part of the Submission Consultation Statement and associated Appendices) (A14 & A15), together with supporting evidence based documents were:
- **made available for inspection at Stafford Borough Council's Civic offices and at public libraries;**
 - Published on the web-site, together with a statement that the documents were available for inspection and the places and times for inspection.
- 1.10. In addition a letter and the Statement of Representations procedure, together with the Statement of Fact raising awareness of the period for seeking representations on soundness and legal compliance (I1), detailed the representation procedure, where documents could be viewed and the deadline for making representations. This letter was sent to specific and general consultation bodies. Also a notice was included in the Staffordshire Newsletter (I1) of the Publication of the Plan (A1) on 17 January 2013 which set out the statement of fact that the documents were available for inspection until 28 February 2013 and of the places and times at which they could be inspected.
- 1.11. The Plan (A1) was submitted under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 in accordance with that Regulation. The Plan (A1), the Submission Policies Maps (A2 – A9), the representations received under Regulation 20 (A18) and the Summary of Representations (A17) together with one copy of late representations received (A19), the Regulation 22 (c) Consultation Statement with its Appendices (A14 & A15), the adopted Statement of Community Involvement (A16), the Revised

Sustainability Appraisal Report (A10), the Technical Appendices (A11) and the Sustainability Appraisal Addendum (A12) together with the evidence base and supporting documents (A1 to I12) were submitted to the Secretary of State. These were sent in both paper form and electronically.

- 1.12. Following submission of the documentation to the Secretary of State, the Council:
- Sent out the Notice of Submission (I10) and a letter (I11) raising awareness of the Submission to the general and specific consultation bodies that the Plan for Stafford Borough had been submitted and of the places and times where relevant documents were available for inspection;
 - Gave notice to those who, at the Publication stage of the Plan, had requested to be notified of its Submission;
 - Made the documents set out above in paragraph 1.1.10 available for **inspection at Stafford Borough Council's Civic offices and on the Council's web-site** in accordance with Regulation 35.

National Planning Policy Framework

- 1.13. The Plan for Stafford Borough (A1) has had regard to national planning policy set out in the National Planning Policy Framework (F1) as detailed in the Stafford Borough Soundness Self-Assessment Checklist (B4). This review considered the adequacy of the Plan (A1) against a series of questions in order to demonstrate compliance with the tests of soundness and policy requirements in the NPPF. The review found that the Plan is consistent with the NPPF, has been positively prepared and is well evidenced by up-to-date, local and robust evidence.
- 1.14. The Council considers that the policies in the Plan are consistent with national planning policy, with reference to relevant national policies contained in the justification text for the policies within the Plan (A1). A number of changes were incorporated into the Plan (A1) to reflect the NPPF following the Plan for Stafford Borough – Draft Publication document (G2). In particular Spatial Principle 1 (SP1) was added to the Plan (A1) to incorporate the national policy for a presumption in favour of sustainable development.

Has the Plan been subject to Sustainability Appraisal, including a final report on the published plan; and is it clear how the Sustainability Appraisal influenced the final plan and dealt with mitigation measures?

- 1.15. Sustainability Appraisal (SA) incorporating the Strategic Environmental Assessment (SEA) of the Plan has been carried out at all key stages of its preparation, as set out in the Introduction chapter of the Plan (A1). Therefore preparation of the Plan for Stafford Borough has been subject to a full Sustainability Appraisal process, culminating in the preparation of the submitted Plan (A1), as detailed through the Revised Sustainability Appraisal Report (A10) and its Technical Appendices (A11) together with the series of Sustainability Appraisal reports from the Sustainability Appraisal Scoping Report (H13) in October 2007 to the Strategic Policy Choices: Sustainability Appraisal (H2) in July 2012.
- 1.16. The Sustainability Appraisal process has influenced the Plan (A1) throughout the plan making process from the Borough-wide Development Strategy (G9) in 2008, Delivering the Plan for Stafford Borough – Issues and Options (G6), produced and consulted upon in 2009, through to the publication of the Plan (A1). Furthermore the Revised Sustainability Appraisal Report – Addendum (A12) and the Planning Strategy Statement (A13) published in April and May 2013 ensured that all reasonable alternatives were considered as part of the plan-making process including those introduced at the Publication stage.

- 1.17. In October 2007 the Sustainability Appraisal Scoping Report (H13) and its associated Technical Appendix (H14) set out the baseline information used to set the Sustainability Appraisal framework. The statutory environment consultation bodies were consulted on the Sustainability Appraisal Scoping Report (H13) in October 2007 through the e-consultation system and letters circulated. Responses received were documented in the Responses and Officer Comments Sustainability Appraisal Scoping Report (H15).
- 1.18. A series of Sustainability Appraisal reports and commentaries were published alongside the Development Plan consultation documents between January 2008 and March 2009, which considered development and sustainability alternatives to inform the identification of options, as detailed in the following reports:
- Sustainability Appraisal Commentary Volume 1 (H10)
 - Sustainability Appraisal Commentary Volume 2 (H7)
- 1.19. Alongside the Borough-wide Development Strategy (G9) the six alternative spatial options consulted upon were assessed through the Sustainability Appraisal Volume 1 (H10). Importantly, the findings of the Sustainability Appraisal of these six alternative spatial options showed that no one option would address all of the sustainability framework objectives for the Borough, but a combination of two options would need to be considered in order to address sustainability issues and best meet the sustainability framework objectives. A summary of each of the six alternative spatial options is detailed on pages 27 – 28 of the Sustainability Appraisal Volume (H10), together with the recommendation of the Sustainability Appraisal which supported a combination of Option C and D, i.e. a focus on Stafford, Stone and a number of principal settlements, with Weston, Haughton and Tittensor also identified by the Sustainability Appraisal process.
- 1.20. Delivering the Plan for Stafford Borough – Issues and Options (G7) (February/March 2009) set out two development scenarios for consideration, together with the potential scale of new development for particular settlements within Stafford Borough. A number of potential location options were identified (pages 38 to 66) for new developments, including Stafford and Stone as well as each of the principal settlements (Eccleshall, Gnosall, Hixon, Great Haywood, Little Haywood & Colwich, Woodseaves, Weston, Tittensor, Yarnfield and Barlaston). Delivering the Plan for Stafford Borough - Issues and Options (G7) was assessed through the Sustainability Appraisal (Volume 2 (H7), summary pages 36 – 42 and further details pages 45 – 73), which considered each of the potential location options for new development in turn. At this stage of plan making Delivering the Plan for Stafford Borough – Issues and Options (G7) did not contain policies, only potential policy topics.
- 1.21. Based on the recommendations within the Sustainability Appraisal Commentary Volume 2 (H7), responses received and the evidence based reports the preferred development strategy was identified and a number of Strategic Development Locations (SDLs) at Stafford and Stone were subsequently advanced through the Plan for Stafford Borough – Draft Publication (G2) in September and October 2011, taking into account the infrastructure requirements and mitigation measures required for the alternative sites identified.
- 1.22. The Borough Council prepared a series of documents, set out below, in order to consider the preferred approach and options for new development and policies through the new Plan (A1). The Sustainability Appraisal process appraised the objectives, development location options and policies, as well as identifying

policy amendments to be included in the Plan for Stafford Borough to address key matters and highlighted mitigation measures in:

- Plan for Stafford Borough: Draft Publication (G2)
- Sustainability Appraisal Report (H4)
- Plan for Stafford Borough: Strategic Policy Choices (G1)
- Sustainability Appraisal of Strategic Policy Choices (H2)

- 1.23. Based on the recommendations within the Sustainability Appraisal Report (H4) and the Sustainability Appraisal of Strategic Policy Choices (H2), responses received and the evidence based reports, the Plan (A1) was published in January 2013.

Are there any implications of the recent revocation of the West Midlands Regional Strategy for the Plan, both in terms of its strategy, policies and text?

- 1.24. Implications of the revocation of the West Midlands Regional Spatial Strategy (WMRSS) (F7) are fully considered within the Background Statement (K1) (Topic Paper G).

Has the Plan been prepared in accordance with the Duty to Co-operate and has the Council fully discharged its duty to co-operate, particularly with regard to strategic matters, including housing requirements and other cross-boundary issues^{2/3}?

- 1.25. The Borough Council has produced a Duty to Co-operate Statement (B3) and provided further details through the Initial Questions to the Council and Response (J4). In addition a Duty to Co-operate Statement – Update (K2) is being submitted alongside this Examination Statement, which provides further information regarding the continued compliance with the Duty to Co-operate following Submission of the Plan (A1).
- 1.26. The Duty to Co-operate Statement (B3) identifies the prescribed bodies to which the Duty applies. It highlights the strategic issues which need to be subject of co-operation, and documents the approaches taken to meeting the Duty, including preparation of a series of pro-formas signed at a senior / political level with a significant number of prescribed bodies. Prior to introduction of the Duty to Co-operate requirement through the Localism Act 2011 the Council had already been co-operating through a range of stakeholders meetings at the local, County and regional level, as described in the Duty to Co-operate Statement (B3).
- 1.27. The Borough Council has discharged its Duty to Co-operate by engaging with all neighbouring planning authorities and other prescribed bodies to consider the relevant cross boundary issues (including housing requirements). The Duty to Co-operate Statement's pro-formas (B3) set out the meetings held together with the key areas of agreement on a range of strategic matters. In addition the Initial Questions to the Council and Response (J4) confirm that there are no outstanding matters concerning Appropriate Assessment under the Habitat Regulations, Strategic Flood Risk Assessment and water management, or transport infrastructure.

² Localism Act 2011 [S.110] & Planning & Compulsory Purchase Act 2004 (as amended) [S.33A]

³ *This section only relates to the legal requirements related to the Duty to Co-operate; detailed aspects of cross-boundary/strategic issues relating to housing, employment and other matters will be dealt with later*

Has the Council co-operated constructively, actively and on an on-going basis with neighbouring local planning authorities and other prescribed bodies with regard to strategic matters, including:

- **Local authorities in Staffordshire and the West Midlands conurbation with regard to housing requirements within the appropriate housing market area and wider cross-boundary future housing requirements, including any unmet requirements from surrounding areas;**
- 1.28. In 2008 Stafford Borough Council commissioned the West Midlands North Housing Market Area – Strategic Housing Market Area Assessment with the City of Stoke-on-Trent Council, Newcastle-under-Lyme Borough Council, Staffordshire Moorlands District Council and East Staffordshire Borough Council. In 2012 Stafford Borough Council updated the Strategic Housing Market Assessment and engaged, through a series of meetings detailed in the Duty to Co-operate pro-formas (B3) housing requirement implications together with the latest 2008 and 2011 household projections and migration flows. The Duty to Co-operate **Statement's pro-formas (B3)** not only set out the meetings held but also key areas of agreement for housing requirements within the housing market area and cross-boundary housing requirements. The Borough Council can confirm that there are no unmet requirements from surrounding areas which need to be met through the Plan (A1). **The adequacy of the Plan's housing provision in these terms is considered in the Background Statement (K1) (Topic Paper B).**
- **Stoke-on-Trent CC & Newcastle-under-Lyme BC** with regard to the potential impact of proposed development in Stafford Borough on urban regeneration in the North Staffordshire conurbation;
- 1.29. The Borough Council has co-operated constructively, actively and on an on-going basis with the City of Stoke-on-Trent Council and Newcastle-under-Lyme Borough Council regarding the potential impact of proposed development in Stafford Borough on urban regeneration in the North Staffordshire conurbation through a series of meetings as detailed in the Duty to Co-operate Statement – Update (K2). It should be noted that the Submission Consultation Statement – (Reg 22 (1) (c)) July 2013 (A14) and the Consultation Statement Appendices (A15) contains a number of responses and representations from the City of Stoke-on-Trent Council and Newcastle-under-Lyme Borough Council through the plan-making process, including a representation to the Plan (A1) recorded within the Representations Received (A18).
- **South Staffordshire DC** with regard to the issue of Regional Logistics Sites;
- 1.30. The Borough Council has co-operated constructively, actively and on an on-going basis with South Staffordshire District Council with regard to the issue of the Regional Logistics Sites as detailed in the Duty to Co-operate Statement pro-forma (B3) with that authority. Furthermore Stafford Borough Council worked in partnership other local planning authorities in southern Staffordshire and the Black Country to commission the URS Black Country and Southern Staffordshire Regional Logistics Site Study. The Final Report of that Study (E18) confirmed the need and demand for major distribution provision in the West Midlands. The Borough Council will continue to work with South Staffordshire District Council and other Councils in progressing the next stage of the project concerning areas of search for any new Regional Logistics Site, as detailed in the Duty to Co-operate Statement pro-forma (B3) and amended wording proposed by Stafford Borough Council as M10 in the Schedule of Additional (Minor) Modifications (A26), in response to the letter dated 21 February 2013 from South Staffordshire District Council (see Appendix 1 to this hearing statement).

- **Natural England and other local authorities in Staffordshire and the Black Country** with regard to the Cannock Chase Special Area of Conservation, including mitigation measures and Appropriate Assessment under the Habitats Directive/ Regulations.

- 1.31. The position regarding the Cannock Chase Special Area of Conservation (SAC) has been fully addressed in the Background Statement (K1) (Topic Paper F). Co-operation on this issue has taken place through the Cannock Chase SAC Partnership formed in 2011 and including all local authorities identified as falling **within the SAC 'zone of influence', Natural England**, the Cannock Chase Area of Outstanding Natural Beauty (AONB) Unit, Staffordshire County Council and the Forestry Commission. The aims of the Partnership have been to update relevant evidence to assess the extent of potential damaging impacts on the SAC and to agree a co-ordinated approach to mitigation.
- 1.32. The Borough Council has co-operated constructively, actively and on an on-going basis with Natural England and other local authorities in Staffordshire and the Black Country with regard to the Cannock Chase Special Area of Conservation, including mitigation measures and Appropriate Assessment under the Habitats Directive/ Regulations. Evidence of co-operation is provided through the Habitat Regulations Assessment in respect of the Cannock Chase SAC (A25) and a series of Footprint Ecology reports and surveys (D30 to D33 and E50 to E53). In addition details of co-operation are included in the Duty to Co-operate Statement (B3), the Initial Questions to the Council and Response (J4) and the Background Statement (K1) Topic Paper F regarding the Cannock Chase SAC.

What is the latest position on any Further Proposed Changes that the Council wishes to make to the submitted Plan, including the arrangements for any further public consultation and/or sustainability appraisal?

- 1.33. The Council has submitted the Schedule of Additional (Minor) Modifications (A26) to the Examination for consideration by the Inspector within the category of additional modifications.
- 1.34. Through the process of preparing the Examination Statements, in responding to **the Inspector's Matters & Issues**, a number of additional proposed modifications have been produced for consideration as part of the Examination process. A list of further proposed modifications are provided to the Inspector to accompany **the Council's** Examination Statements, entitled Schedule of Further Additional Modifications (A27), which the Council believes would help improve the Plan but are not required to achieve its soundness.
- 1.35. It may be that discussion of issues at the Examination Hearings, reflecting the conclusions of the Inspector, could lead to the need to promote further changes, which might be necessary, in his view, to achieve a sound Plan. It may also be that the Inspector concludes that some of the changes advanced in document A26, or in the later set of changes advanced in document A27, also are matters affecting soundness. If either circumstance occurs, and subject to the guidance of the Inspector, the Council will carry out Sustainability Appraisal followed by public consultation as required on such proposed modifications, following the Examination Hearings.



**South
Staffordshire
Council**

Date: 21 February 2013
Our Ref: AJ/JF
Your Ref:

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Head of Planning & Regeneration Services
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Dear Mr Manders

THE PLAN FOR STAFFORD BOROUGH – PUBLICATION PRE-SUBMISSION DOCUMENT

South Staffordshire Council welcomes the opportunity to be able to comment on the Plan for Stafford Borough – Publication Pre-Submission Documents Consultation. The Council's response is a decision of the Cabinet Member for Strategic Services, Cllr Bob McCardle, and this decision will be open for scrutiny by Members outside the Cabinet. Please accept this letter as an interim response of South Staffordshire Council, pending the expiry of the Council's formal Constitutional processes. I shall write to you again once these have been completed.

The Council's responses to the proposals in this Consultation are:

Development of land south of Stafford

South Staffordshire Council supports the Publication Document which states in para 3.12 that, *'The Plan for Stafford Borough is based on the clear conclusion that development [to the land south of Stafford in South Staffordshire] is both less practical and less sustainable than other locations around Stafford town and is therefore not proposed to identify significant development south of Stafford in the new Plan'*. More development to the south of Stafford, would harm the setting of villages and could set the precedence of coalescence with Dunston, Acton Trussell and other small villages in the north of our District. The villages of Penkridge and Dunston need to be protected, where any development should be of a modest scale and delivered for their own local needs. It is proposed therefore, to respond that this part of *The Plan for Stafford Borough* is sound and justified.



Regional Logistics Site

Paragraph 3.12 of *The Plan for Stafford Borough* states, 'the West Midlands Regional Spatial Strategy (RSS) evidence base highlighted a requirement to provide a new 50 hectares Regional Logistic Site with access to multi-modal transport facilities to serve the Black Country, to be located in southern Staffordshire'. It then continues to say that, 'a study to assess the need and identify potential areas to accommodate a new Regional Logistics Site is subject to on-going work and cross-border discussions with relevant planning authorities. If a preferred location is identified with implications for Stafford Borough, this may be considered through a partial review of the new Local Plan'. The reference to RLS is extremely similar to the information contained in our submitted Core Strategy. However, during our Core Strategy Examination, the Inspector considered South Staffordshire's stance and felt that a lack of commitment to a study in the Core Strategy without the evidence to support such a view, was a matter of soundness, in that our Local Plan was not positively prepared nor justified. He stated:

65. The RS Phase Two Revision includes a policy relating to the provision of a Regional Logistics Site (RLS) to serve the needs of the Black Country. Local Authority areas within southern Staffordshire are identified within an area of search for the RLS. As submitted, the CS acknowledges the need for a comprehensive study to explore the alternatives, but does little to facilitate this or otherwise positively address the issue. The positive preparation of the CS is at issue here.

66. However, the Council has put forward a modification (MM13) on this point. New wording is proposed which recognises that Wolverhampton City Council has agreed to lead on joint working with the other Councils involved. It also commits the Council to co-operating in this study and endeavouring to ensure that it is completed by the end of 2012. This is necessary for soundness and the proposed text goes as far as could reasonably be expected, given that this matter is not wholly in the Council's control.

South Staffordshire Council is extremely concerned that Stafford Borough Council has no evidence to support not agreeing to be an equal and willing participant in any RLS studies and agreeing to do so formally in their Core Strategy. Stafford Borough Council is in a similar position to South Staffordshire with a location identified in a list of 'possibilities to be explored further for the provision of RLS' in the RSS evidence base (RSS2 EiP Panel Report Recommendation R 5.15). It is South Staffordshire's view therefore, that Stafford Borough Council's Local Plan should be consistent with our Core Strategy. It is proposed therefore, to object to soundness of *The Plan for Stafford Borough* on the grounds that it is not 'positively prepared' or 'justified'.

These concerns have been conveyed to officers at Stafford Borough and a meeting has taken place with their Director of Planning. Following this meeting, revised wording has been proposed and our officers have responded. The revised wording now proposed is attached at Appendix 1.

Subject to confirmation that the revised wording will be integrated into the emerging Local Plan, it is considered that Stafford Borough have gone as far as can reasonably be expected in order to address the issue of Regional Logistics Sites (RLS) provision.

Cannock Chase SAC and potential impacts resulting from The Plan for Stafford Borough

South Staffordshire Council supports the provision of Policy N6 within *The Plan for Stafford Borough*, which provides detailed policy on development proposals that may affect the Cannock Chase SAC. The criteria is considered appropriate. It is based on appropriate evidence and it supports the provisions set out in the Cannock Chase Visitor Impact Management Strategy in terms of appropriate mitigation measures. It is proposed therefore, to respond that this part of *The Plan for Stafford Borough* is sound and justified.

Duty to Co-operate

The duty to co-operate is a requirement of the Localism Act 2011. The two Authorities have a good working relationship, which includes the period prior to the enactment of the Act. South Staffordshire Council welcomes and supports further co-operating working with Stafford Borough on the above issues or any other issues that may arise in the future.

I trust that due consideration will be given to the Council's responses set out above.

Yours sincerely

Andy Johnson
Director (Planning & Strategic Services)