

STAFFORDSHIRE MOORLANDS LOCAL PLAN EXAMINATION

Agenda

Session 1 – 09.30 Tuesday 9 October 2018

Matter 1

Legal Compliance, Procedural Requirements and the Duty to Cooperate

Inspector's Introduction to the Hearings

This matter explores whether the Local Plan (LP) has been prepared in accordance with legal and procedural requirements set out in the Planning Act 2004 and the Local Planning Regulations 2012.

There are provisions within the Act and Regulations relating to the Duty to Cooperate (DtC), Sustainability Appraisal (SA), publication and notification requirements and dealing with representations.

The Council has pointed that at each stage of the LP different sites have come forward but that consultation has taken place on the various iterations.

Issues:

1. Compliance with procedural requirements including consultation/participation procedures

1.1 Is there any evidence that the Council has not complied with the Statement of Community Involvement (SCI) or otherwise not met the minimum requirements for consultation or that consultation and publicity has otherwise been inadequate at various stages of the LP process?

The Council refers to the two versions of the SCI, the four rounds of consultation and the three consultation statements.

Supplementary Question – *Have the consultation processes been intelligible to the public?*

2. Compliance with the DtC, particularly in relation to consideration of housing needs

2.1 Is there evidence that the Council has cooperated effectively with adjoining authorities in considering unmet housing needs and employment land requirements from elsewhere in the Housing Market Area (HMA) and Functional Economic Market Area (FEMA)?

The Council refers to the DtC statement (SD9.2) and the final Statement of Common Ground (SOCG) with nearby authorities.

Supplementary Question – *Are any of the adjoining authorities able to meet any of SMDC's housing needs e.g. those arising from Cheadle?*

2.2 Are there likely to be any unmet needs from the overlapping Stoke-on-Trent

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HMA?

The Council confirms that neither Stoke nor Newcastle-under-Lyme Councils have asked Staffordshire Moorlands to help meet their combined development needs of 1390 dwellings per annum (dpa). Stoke will need to take into account any shortfall from Newcastle once this is known (same HMA).

2.3 Has the Council cooperated effectively with the Peak District National Park Authority (PDNPA) in meeting development and infrastructure requirements?

The Council refers to the SOCG with the PDNPA forming part of the DtC statement.

2.4 Are the Statements of Common Ground effective tools to facilitate ongoing engagement with adjoining authorities?

The Council notes that the SOCG set out how engagement will continue but accepts that they may need to be revised to reflect new policy and guidance¹.

2.5 Is there evidence that the Council has cooperated effectively with Staffordshire County Council (SCC) and other infrastructure providers and technical consultees on relevant issues such as transport, education, waste, minerals and flood risk?

The Council notes the DtC statement which includes reference to engagement on the Infrastructure Delivery Plan (IDP) together with other ongoing cooperation.

3. The SA and its consideration of reasonable alternatives

3.1 Does the SA meet statutory and legal requirements in relation to the assessment of reasonable alternatives?

The Council refers to various chapters of the SA Report (SD 6.5) which deal with reasonable alternatives

4. Habitats Regulations Assessment (HRA)

4.1 Is there any evidence to contradict the HRA conclusions that the LP either alone or in combination will not result in an adverse effect on the integrity of any European sites?

The Council notes that Natural England supports the HRA conclusions.

5. The Local Plan timeframe

5.1 Is the timeframe of the LP appropriate (2016-2031) or should it be extended to provide a 15 year period upon adoption?

The Council notes that the Inspector's Report into the Core Strategy (CS) refers to the need for an early review for the period 2016-2031 and that the requirement for a 15 year period is not mandatory (para 157 of the Framework).

Supplementary Question – *As the LP will not be adopted until 2019 at the earliest and*

¹ For example para 27 of the revised National Planning Policy Framework

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having regard to the comments of the CS Inspector and the need for long term permanence of Green Belt boundaries, should the timeframe be extended to 2034 or beyond?

5.2 Is the start date of 2016 consistent with the evidence base (see also Matter 3, Issue 1 which will deal with the relationship between the plan period and the housing requirement)?

The Council refers to the base dates for the Strategic Housing Market Assessment (SHMA) and employment and retail studies.

Main Evidence Base (Submission and Examination Library Documents – SD and EL)

SD.5 – Consultation Statements

SD.6 – SA Reports

SD.7 – HRA

SD.9 – DtC Statements and SOCG

SD.12.2 and 12.3 - SCI

EL1.001b – Council response to Inspector’s preliminary questions

Participants

Staffordshire Moorlands District Council (SMDC) EL2.046

Emery Planning for Mr and Mrs Webb LPS369 EL2.001

Knights for Harlequin Development LPS526 EL2.002

Advance Planning for Seabridge Development Ltd - LPS384 EL2.003

Peter Cowie LPS54 EL2.004

Cheadle Unite LPS429 EL2.030

Cllr. Lesley C Roberts LPS104

Mr J Steele LPS141

Mrs Barbara Forster LPS516

Statements

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