

## **Checkley Parish Draft Neighbourhood Plan Regulation 16 public consultation (02/03/23 – 13/04/23)– SMDC response to Checkley Parish Council (CPC)**

The regulation 16 version of the draft Neighbourhood Plan:

<https://democracy.highpeak.gov.uk/documents/s32754/Appendix%201.pdf>

SMDC responses are based around the ‘basic conditions’ for neighbourhood plans, NPPF policy etc.

Basic conditions for neighbourhood plans (Schedule 4B, paragraph 8 Town and Country Planning Act 1990):

- Have regard to national policies and advice, such as the National Planning Policy Framework
- Contribute to the achievement of sustainable development
- Be in general conformity with the strategic policies in the development plan for the area
- Be compatible with European obligations and human rights requirements

CPC conducted two separate Regulation 14 consultations (on 11<sup>th</sup> February–25<sup>th</sup> March 2022, then 3<sup>rd</sup> June–15<sup>th</sup> July 2022). A summary of responses can be viewed at:

<https://www.dropbox.com/s/rfviwhxzy46vwn/Consultation%20Feb-Mar%202022%20Responses%20-%20Regulation%2014.pdf?dl=0>

[https://www.dropbox.com/s/x2o1i4s6f5fxsa9/Consultation%20Jun%20-%20Jul%202022%20Responses%20-](https://www.dropbox.com/s/x2o1i4s6f5fxsa9/Consultation%20Jun%20-%20Jul%202022%20Responses%20-%20Regulation%2014%20Part%202.pdf?dl=0)

[%20Regulation%2014%20Part%202.pdf?dl=0](https://www.dropbox.com/s/x2o1i4s6f5fxsa9/Consultation%20Jun%20-%20Jul%202022%20Responses%20-%20Regulation%2014%20Part%202.pdf?dl=0)

SMDC comments at regulation 16 stage also take into account whether comments raised at regulation 14 consultation that are still applicable, have been taken into account, in addition to new comments raised at the regulation 16 version of the draft plan.

Item number	Page number, paragraph, number or policy issue regulation 16	Comments at regulation 16 plan
1	Page 3. Introduction 4 <sup>th</sup> and 5 <sup>th</sup> paragraphs	SMDC notes monitoring has now been included. However SMDC also questions whether NP Steering Group may wish to additionally consider the case for setting formal, objective, measurable <b>monitoring indicators</b> within the draft NP.
2	Page 3 introduction	3 <sup>rd</sup> paragraph of introduction refers to abbreviation "CIC". Please explain what this means.
3	Page 3 introduction	The last paragraph refers to " <i>The plan will be reviewed and updated if and when necessary...</i> ". This needs to explain that subsequent reviewed plans would also require examination and referendum.
4	Aims page 5	<p>Housing aim states that "<i>Ensure future housing responds to the local needs and supports sustainability. With sympathetic development including a mixture of affordable housing and retirement properties, with a primary focus on brown field sites, to preserve the visual attractive character of the landscape and high-quality agricultural land.</i>"</p> <p>This should be amended to reflect the fact that future housing may need to respond to wider housing needs, not just "local needs" because of the wider Development Plan and NPPF [see also ITEM 28 below]. The aim should make clear that housing mix would not just include affordable and retirement housing. Also the policies collectively do not prioritise brownfield housing over other forms of housing so the term "primary focus" should be amended.</p>
5	Aims page 5	Transport Aim states " <i>Promote safer streets by encouraging traffic calming, accessibility to transport links and sensitive parking solutions.</i> " The aim could also reference active travel or sustainable travel.
6	Aims page 5	Business Aim states: " <i>Continue to encourage a range of commercial and community activities and services by preserving local facilities and organisations and supporting appropriate farm diversification.</i> " This could also reference the support for commercial operators beyond that of farm diversification (eg as Pol EMP2 encourages).
7	Aims page 5	Environment Aim states " <i>Protect our distinctive landscape and wildlife to preserve the rural feel.</i> " This could also reference <i>enhancing biodiversity</i> (ie since biodiversity net gain is expected under Pol DES3).
8	Page 9 Village introductions – Lower Tean.	Appears to be grammatical error in relation to Checkley village conservation <i>area</i> in 1 <sup>st</sup> paragraph. Please correct.

9	Page 10 Village introductions – Hollington.	Various punctuation errors – “ <i>Hollington’s</i> ” not “ <i>Hollingtons</i> ”.
10	(Objectives Section in Regulation 14 draft plan, page 4-7)	Objectives section removed entirely from latest draft following various SMDC comments at regulation 14 version.  We recommend that plan should contain some objectives, but subject to SMDC’s earlier regulation 14 comments covering the scope and wording of various objectives.
11	Page 11 Major Transport Routes and Links.	Amend 1 <sup>st</sup> para “ <i>The main road passing through the parish is the A522 Cheadle to Uttoxeter Road,..</i> ”.  Amend 2 <sup>nd</sup> para “ <i>Access to the A50 is outside the parish at Blythe Bridge <u>to the west and at Uttoxeter to the east</u>. To the west leading on to the M6 and Uttoxeter to the east leading onto the M1 and towards East Midlands Airport.</i> ”  3 <sup>rd</sup> paragraph. Reference is made to “ <i>The A50 Growth Corridor projects</i> ”. Can more detail be provided – what these projects involve, which organisations are undertaking them, stage of completion etc.  4 <sup>th</sup> paragraph refers to “ <i>increased traffic throughout Checkley Parish</i> ” following developments nearby. It is questioned whether this statement and the subsequent statement about Hollington and Checkley through-traffic, are based on objective evidence, or are subjective/anecdotal.  5 <sup>th</sup> paragraph. Clarity sought on villages served in Parish by Leek bus route.
12	Page 13, 3.3 Land Use	Reference to ‘woodland’ is made in both the 2nd and 4th paras. Clarification is sought about the distinction between ‘farmed’ woodland and other types of woodland.
13	Page 14 Housing Stock and Housing Needs Assessment	SMDC raised the following issue at regulation 14 stage:  “The sources of the statistics should be included.”  Still not provided. This should be provided in latest draft.
14	3.4 Housing Stock and Housing Needs	4 <sup>th</sup> para contains incomplete text. Please clarify:

	Assessment page 14	<p><i>“Market to exchange sales data from the ? prior to the 2019 pandemic indicated that the fastest selling sector is 1- and 2-bedroom apartments and terraced dwellings suggesting that this housing in terms of property types, value, affordability and size is in most or highest demand. The demand at the other end of the housing type range, detached properties <u>appears was reasonable</u> ? with lower demand based upon market to exchange time for semi-detached housing...”</i></p> <p>5<sup>th</sup> para last sentence <i>“. Currently there are 2 sites for new housing estates available and not acquired by developers.”</i> Please clarify if this means across the Parish as a whole, and where in the Parish.</p> <p>The 6<sup>th</sup> para refers to a ‘housing allocation’ for affordable housing at Tean Mill – presumably this refers to the affordable housing requirement of a planning permission for conversion at the mill premises (not an allocation as such). Please reword.</p> <p>The last para could be clarified by explaining that the conclusions of the MAHN apply to the District as a whole, but have been extrapolated by CPC as if they apply to the Parish specifically. Also see grammatical query:</p> <p><i>“The MAHN study is broadly in accord with the above commentary relating to <u>need or need ?</u>, stating that based on the characteristics of existing and new residents in the Staffordshire Moorlands District in the period up to 2031, there would be a need for the following:”</i></p>
15	3.4 Housing Stock and Housing Needs Assessment page 14	<p>Question if overview has taken into account existence, and findings within, any applicable parish needs surveys conducted by SMDC or similar. For example a Checkley Parish survey exists from 2012 – the (dated) findings of this could be discussed in the section <a href="https://www.staffsmoorlands.gov.uk/media/110/Checkley-Housing-Needs-Survey/pdf/Checkley_Housing_Needs_Survey_2012.pdf?m=1599048458403">https://www.staffsmoorlands.gov.uk/media/110/Checkley-Housing-Needs-Survey/pdf/Checkley_Housing_Needs_Survey_2012.pdf?m=1599048458403</a></p>
16	3.6 Land Prices page 15	<p>Query if more information can be provided in the 1<sup>st</sup> para, ie to what extent are land prices higher in the Parish than the District average.</p>
17	Page 14 Housing Needs Assessment	<p>SMDC raised the following issue at regulation 14 stage:</p> <p><i>“The information on tenure and sales data should be sourced.”</i></p> <p>Still not provided. Repeat concern</p>
18	3.8 Traffic and Infrastructure page 16	<p>The 3<sup>rd</sup> para refers to existence of a traffic count point near Fole. Please clarify which road(s) the vehicle flow counts relate to.</p> <p>The 4<sup>th</sup> para refers to Croxden quarry traffic using an <i>“approved route”</i> to the A50. Please explain what this means. For example are HGVs encouraged or (conversely) obliged to use this route.</p>

19	Infrastructure page 17	The last para refers to through roads serving major factories and offices. Please clarify if this refers to employers outside the parish, within the parish (or both).
20	Infrastructure Deficiencies page 18	the 11 <sup>th</sup> para refers to a 'key junction' in the centre of Hollington. Please identify the junction.
21	3.9 Environment Rural Look and Feel – Quality of Environment page 19	<p>The 3<sup>rd</sup> para refers to the River Tean Valley lying within three landscape areas. It is queried what source this is from (for example if it derived from the 2008 SMDC Landscape Character Assessment this should be referenced).</p> <p>The 5<sup>th</sup> para refers to how village groups have established, to define, locally important views for the villages in the Parish. It is noted that this forms part of separate evidence beyond the draft plan. It is therefore questioned whether this supplementary evidence should be referenced elsewhere in this plan (eg at interpretation sections for policies HSG1, DES1 and DES3) to provide context for the decision maker.</p> <p>Under 'Lower Tean and Checkley' subheading, 1<sup>st</sup> paragraph: please clarify that Bronze Age burial mound is "3500 year old". In the 2<sup>nd</sup> sentence please elaborate on the English Heritage advice, ie in what circumstances is the monument intended to be visible.</p> <p>3<sup>rd</sup> paragraph amend grammatical errors: <i>"This view across rolling gentle valley field gives an open feel to the settlement of Lower Tean. Viewed through the trees at the top of the valley is the Grade 1 listed gothic mansion of The Heath House, which has strong historic ties to Lower Tean and Checkley. A sense of historic context sat atop of rolling fields."</i></p> <p>Under Lower Tean and Checkley subheading text states <i>"The village group has identified:"</i>, but not for the other villages. Please clarify if the commentary under the subheadings for all four villages, is that provided by the respective 'village groups'.</p> <p>Amend last para: <i>"Staffordshire Moorlands Green Infrastructure Plan Strategy 2018 identifies..."</i>.</p>
22	Environmental Issues, page 21	<p>Question can 4<sup>th</sup> para 2<sup>nd</sup> sentence have grammatical errors removed, and meaning clarified: <i>"The Parish Council will in 2022 take up their offer of to work up a plan deliverable by The Parish Council that would support and promote flood mitigation..."</i>.</p> <p>The last sentence of the para could perhaps also say how the Plan promotes SuDS (eg in Policy DES1) and clarify that <i>free-standing</i> drainage schemes that require consent, would be supported by the NP and the District Local Plan (under Policy SD5).</p> <p>Amend 5<sup>th</sup> para <i>"<del>In</del> All 4 villages are prone to flooding, we have several areas affected by floodzones 2 and 3 <del>flooded areas as well as zone 1 and 2 areas</del>, these can be found on <a href="http://flood-map-for-planning.service.gov.uk">http://flood-map-for-planning.service.gov.uk</a>".</i></p>

23	History, Heritage and Special Designations, Pages 21-22	<p>The last sentence of 2<sup>nd</sup> para refers to how a number of listed structures, and some unlisted structures “<i>All merit preservation and conservation</i>”. In the case of listed structures the statutory duty relates to “preservation”. In the case of non-designated heritage assets, SMDC would determine applications in accord with para 203 NPPF and Local Plan policy DC2 The Historic Environment. Suggest rewording:</p> <p><i>“There are 58 listings of buildings and structures for the parish of Checkley which represents 72 individual buildings or structures when considering that some of the national listings are made up of small groups of buildings or structures. 20 in Upper Tean, 15 in Lower Tean, 11 associated with Heath House between the two Tean villages, 14 in Checkley, 9 in Hollington and 3 in Fole. <u>The District Council has a statutory duty to have a special regard to the desirability of preserving listed structures in the Parish. In the case of historic structures in the Parish that are not listed or within conservation areas or scheduled monuments, the District Council will determine whether these are to be treated as “non-designated heritage assets” under the NPPG, and if so process applications involving them in accord with paragraph 203 NPPF and wider Development Plan policy All merit preservation and conservation, as do those historical buildings, structures and monuments that remain unlisted or scheduled, however some Prominent examples of listed and non-listed structures in the Parish</u> note include: -“</i></p> <p>Consequently please clarify the 6<sup>th</sup> bullet underneath pertaining to 11 buildings – question if this is referring to 11x other buildings not listed in the bullet list.</p> <p>Amend the following sentence “<i>In addition to the <del>special</del> <u>heritage</u> designations <u>and other historic buildings</u> above the following indicate the rich heritage and historical character/nature of the parish: -“</i></p> <p>Amend last para page 22: “<i>Staffordshire Moorlands District Council has also identified the importance of the presence of fields with medieval ridge and furrow earthworks and surviving mature hedgerows in post medieval enclosure, there is an opportunity here to <del>conserve</del> <u>assess</u> these under <u>detailed historic environment character assessment evidence, or similar, which could then be used to assist in determining planning applications</u> <del>the umbrella of a zone or zones in a Green Infrastructure Plan for the District. Including in addition any areas of relict parkland such as the parkland identified at Oakhill in Upper Tean and ancient semi natural parkland or natural trees and woodland throughout the parish.</del></i>”</p> <p>Amend 1<sup>st</sup> para page 23: “<i>Any designated <del>historic</del> heritage assets in the parish <del>and their surroundings</del>, both above and below the ground including listed buildings <u>and their settings</u>, and any scheduled monuments or conservation areas should be preserved <del>and</del> <u>or enhanced for their historic significance and their importance to local distinctiveness and character.</u></i>”</p>
24	Local Green Spaces, page 23	<p>The term “Local Green Space” is not used in this section (except for the heading). It should be made clear that LGS within the specific meaning of the NPPF, is being referred to, rather than generic “green space” which has a wider meaning.</p>

		Further the last para reads: <i>“Our objective is to preserve all green spaces and where possible look to expand and improve.”</i> The meaning of this sentence is not clear. If it is referring to preserving all <i>existing LGS</i> , the District Council would seek the same under wider Development Plan and NPPF policies. If it is referring to <i>all generic</i> greenspaces, this would firstly not be in accord with wider Development Plan/ NPPF policies, and secondly the draft NP in its current form does not extend this much protection [eg Pols HSG1, EMP3 allow for greenfield development). In any event, the draft LGS1 policy in its current form has proposed a reduction in the number of sites the PC Steering Group considers as qualifying as (mostly new) LGS, under the NPPF. Therefore the sentence should be amended accordingly.
25	Community Space, page 24	Some of the bullets do not identify the villages/locations of the existing facilities, eg 1 <sup>st</sup> bullet (churches), 7 <sup>th</sup> bullet (community spaces). Please can this be clarified.
26	4.0 Community and Stakeholder Engagement - 4.3 Key Outcomes and Issues, pages 29 -31.	Both sections could provide more clarity by providing a timetable of dates of when the events described, occurred.
27	5.0 Policies for Checkley Parish Neighbourhood Area, page 33	Refers to Schedule of Evidence at the end of the document, but this schedule appears to be missing. SMDC question whether a Schedule of Evidence should be attached to the latest draft of the Plan.
28	5.1 Housing Purpose, page 34.  'Staffordshire Moorlands Local Plan' preamble to Policy HSG1, page 35	<p>The purpose states <i>“To support residential development to meet <u>local needs</u> in sustainable locations.”</i> This should be amended to reflect the fact that future housing may need to respond to wider housing needs, not just “local needs” because of the wider Development Plan and NPPF. See also ITEM 4 above.</p> <p>The 7<sup>th</sup> para explains how the Parish’s housing allocation under Local Plan Policy SS4 is 50 no. dwellings (2019 -2033). As the Local Plan already makes an allocation of 15 no. dwellings in Upper Tean, this leaves a <b>residual requirement of 35 dwellings for Checkley Parish</b>. It is explained that this is to be achieved through the two housing allocations in the draft NP. However the HSG1 policy does not set out the yield of both intended allocations, neither is this information set out anywhere in the draft NP. This Information should therefore be provided (refer also to SMDC’s regulation 16 comments about Policy HSG1 [ITEM 29] regarding this). Ie, the HSG Policy itself, and the interpretation text beneath, should provide this information.</p>

		<p>SMDC also notes that, in any event, the period of coverage of this draft plan, remains at 2021 – 2035. SMDC therefore queries if the CP Steering Group have considered how the additional 2-year period (up to 2035) has been factored into local Parish housing requirements under Local Plan Policy SS4. This needs to be explained within the draft NP.</p> <p>This information needs to be clear so that the status of NP Policies can be determined to establish whether the ‘tilted balance’ applies, under paragraph 14(b) NPPF 2021 in response to planning applications.</p>
29	<p>Page 34</p> <p>HSG1: Housing and Site Allocations Page 29</p>	<p><u>SMDC raised the following objections at regulation 14 stage [summarised]:</u></p> <p>“Point 3 refers to residential development and settlement boundaries and point 4 refers to housing development and development boundaries the wording should be amended to be consistent across both points.</p> <p>Point 3 supports development in addition to the housing allocations in 3 locations;</p> <ul style="list-style-type: none"> <li>• within the settlement boundaries</li> <li>• on infill sites</li> <li>• on brownfield sites</li> </ul> <p>Presumably the infill sites and brownfield sites are outside the settlement boundaries or they would not be specifically referred to. However point 4 restricts development outside the settlement boundaries. The interpretation section 3<sup>rd</sup> paragraph states “<i>It is recognised that there could be exception sites in the rural area in brownfield locations, and these would be considered policy H3 of the Staffordshire Moorlands Local Plan September 2020</i>” It does not refer to infill sites. The policy wording needs some more clarification as it is ambiguous as written.</p> <p>Further the policy needs to be in line with the LP spatial strategy. The spatial strategy of the LP allows for residential in the countryside in certain circumstances.</p> <p>Policy H1 supports for limited residential development of an appropriate scale and character for the Spatial Strategy outside the development boundaries provided the specified criteria detailed in the policy are met.</p> <p>The interpretation section last paragraph refers to development on a large scale being unsustainable in these villages. The Local Plan differentiates between the smaller villages of Checkley &amp; Lower Tean and the large village of Upper Tean and applies a different policy approach through the spatial strategy policies SS8 and SS9.</p>



Local Plan policy SS8 Larger Villages supports housing development on windfall sites within the village boundaries and on the edge of boundaries in accordance with policy H1. It states development should be of a scale and type appropriate for the settlement considering infrastructure and character. Policy SS9 applies a more restrictive approach to development in the smaller villages stating development of a large scale will be unsustainable.”

The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:

“The NP policy needs to be in accord with the spatial strategy of the LP. Additionally the NP needs to ensure it can deliver the minimum net housing requirement of 50 dwellings detailed in policy SS4 of the Local Plan. The policy as it stands is contrary to the LP spatial strategy.

Comments at Regulation 16:

Noted that the term ‘housing’ amended to ‘residential’ as suggested, for consistency.

No amendment to policy wording made in relation to Clauses (3) and (4) of the policy to regulation 14 version. **SMDC maintains objection.**

It is noted that an additional paragraph has been added into the Interpretation to deal with this issue which simply reads *“Paragraph 4 of the policy augments Policies H1, SS8, SS9 and SS10 of the adopted Staffordshire Moorlands Local Plan, September 2020.”*

However the policy itself has not been amended to deal with the issue of non-conformity with strategic policies described above. The policy as read is internally inconsistent as (presumably) Clauses 3(b) and (c) conflict with Clause (4).

The interpretation last paragraph seems to limit rural exceptions sites to those that are brownfield only – this is misleading as existing Local Plan strategic policies allow for exceptions housing in non-brownfield locations; further it does not set out that other forms of housing may be also acceptable beyond development boundaries, as the we describes above. (Also note that agricultural buildings are notionally greenfield).

Further Clause 3(c) now includes reference to (brownfield) homesteads. This added text is not essential to the policy although could be referenced in the interpretation.

It is noted that Clause (2) of the policy formally allocates two sites for housing; yet the policy (or the wider plan) does not contain any policy criteria (for example relating to design, amenity, yield and density, landscaping, access expectations etc) of development on these sites. Wider Neighbourhood Plan and Local Plan policies would of course apply but it is questioned whether this draft plan should contain detailed policies for the development of both sites. Further, the interpretation section does not identify relevant NP policies (eg DES1).

Further the plans provided of both allocations (page 42) raises the following queries:

- Discrepancies between the two plans for Fole Dairy (ie question whether the triangle of land at SE corner grid ref 404450 / 337260 is part of the allocation. Question whether the allocation includes or excludes the Fole Reformed Evangelical Chapel at NE corner.
- Question if the Tearne House Quarry allocation is intended to include the *Hollington Village Hall* building at the northern side. if so question how this building to be treated as a community facility under wider Checkley Neighbourhood Plan policies, and wider Development Plan policies.

The policy provides new development boundaries for Checkley and Lower Tean, but not Hollington. The interpretation section should explain that, despite this difference, all three villages remain identified as 'smaller villages' under Policy SS9 of the SM Local Plan, and therefore serve the same strategic function.

Gypsy and Traveller Policy:

SMDC raised the following issue at regulation 14 stage:

*"[Draft Plan in 3.3 Land Use page 12] States" It should be noted that following a recent review by Staffordshire Moorlands District Council and in terms of land use there is no requirement for provision of temporary or permanent sites for travellers and their families within the parish."*

The position regarding gypsy and traveller sites and sites for travelling showpeople is detailed in policy H4 of the LP which says: *"The Council's joint GTAA identified a requirement for 6x residential and zero transit pitches for the District over the period 2014–2019. Given subsequent commitments the residual requirement for 2014-2019 is now 3x residential pitches. A requirement for a further 2x residential pitches was also identified for the period 2019 -2034 taking account of household formation."* The policy further states the Council will seek to meet these residual requirements through the application of a number of criteria (detailed in

		<p>the policy) in the determination of applications for gypsy and traveller sites or sites for travelling showpeople. The text should be changed to reflect this.”</p> <p><u>Comments at regulation 16:</u></p> <p>Original reference has been removed to regulation 14 version, but replacement text <i>has not been inserted</i>.</p> <p>The suggested amendment text is important in providing context for local gypsy and traveller needs, and regarding how planning applications for this use are to be assessed. As the latest draft plan makes <i>no reference at all to travellers</i>, SMDC question whether the scope of the housing policies in this draft plan (HSG1, HSG2) are intended to cover <i>all residential accommodation needs</i>, not just those of the settled community (as per para 62 NPPF 2021). It is noted that as there is no reference to traveller accommodation needs in either the Housing Stock and Housing Needs Assessment section, nor the pre-amble, nor interpretation sections of the housing policies, so it can be reasonably inferred that the housing policies are only intended to cover bricks and mortar housing. Therefore <b>SMDC maintains its regulation 14 objection</b> because either:</p> <ul style="list-style-type: none"> <li>• The draft plan needs to clarify that the scope of housing policies is intended to cover different groups in the community as per para 62 NPPF; or</li> <li>• If this is not the case the draft plan would need to explain this and a cross-reference to Local Plan <b>Policy H4 Gypsy and Traveller Sites and Sites for Travelling Showpeople</b> would be recommended, as per SMDC’s original regulation 14 suggested text.</li> </ul> <p>In the case of the former, the interpretation section to policy HSG1 would need to clarify that Local Plan Policy H4 and the Government’s Planning Policy for Traveller Sites <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf</a> also applied. SMDC would also remind the CP Steering Group the locational expectations for traveller sites in Policy H4 may differ from those set out (for “housing”)in policies in the draft NP.</p>
30	Page 36 Map of Upper Tean	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>“The proposed settlement boundary for Upper Tean includes an area of land to the north of the village which is in Cheadle Parish and therefore outside the designated Neighbourhood Plan area. It is noted you have referred to the planning permission on this site but it is beyond the scope of a neighbourhood plan to include areas within the proposed settlement boundary beyond its</p>

		<p>designated area. It can be referred to as but not included in the settlement boundary. The key should be changed so the site outside the neighbourhood plan area is not referred to as being in the proposed settlement.</p> <p>The settlement boundary for Upper Tean is slightly different to the development boundary on the policies map in the LP.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>“The settlement boundary cannot include land outside the Neighbourhood Plan area”.</p> <p><u>Comments at regulation 16:</u></p> <p>Whilst the last paragraph under ‘Staffordshire Moorlands Local Plan’ section (page 36), explains this issue in the latest version, the accompanying map still shows an amended “proposed settlement boundary” for the NP in the legend. The terminology should be amended to explain that it refers to the site of a planning permission in any adjacent Parish.</p> <p>Also this map deviates from the actual proposed settlement boundary map on page 41 so in any event there is scope for confusion.</p>
31	Maps of villages and allocation plans, pages 39-42	<p>In the case of the village maps it is noted that “settlement boundary” is used whereas in the Local Plan “development boundary” is used.</p> <p>In all cases a scale should be provided (including for the allocation plans).</p>
32	Page 43 HSG2: Housing Mix.	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>“There is some repetition of LP policy H1. What evidence of local need will be required. Is there evidence of local needs for different housing types. The Local Plan used the Strategic Housing Market Assessment to provided evidence for housing need. The policy only refers to residential developments of more than 10 houses LP policy H3 also includes sites over 0.5ha the policy should refer to this.</p> <p>Point 2 of the policy stipulates the affordable housing should be an integral part of the development. This deviates from the NPPF and LP policy and is too restrictive.</p> <p>[para 63 NPPF quoted]</p>

		<p>LP policy H3 reflects the NPPF and states affordable housing should normally be provided on site but recognises that provision off-site or through a commuted sum will be considered where it can be robustly justified. LP policy SS1 Development Principles details the principles that underpin the whole plan and includes the provision of <i>“mix of types and tenures of quality, affordable homes, to meet the needs and aspirations of the existing and future communities”</i></p> <p>Limiting provision to on site only may have the unintended consequence of limiting the amount of affordable housing that could be provided. Sites may not have the capacity to provide onsite affordable housing or affordable housing providers may not wish to take certain sites.</p> <p>The policy should be reworded to better reflect the NPPF and LP policy.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>“Policy needs to be in accord with the NPPF.”</p> <p><u>Comments at regulation 16:</u></p> <p>It is noted some amendments have been made in response to SMDC comments in the latest version: the 10 dwelling threshold has been removed, and the word ‘must’ changed to ‘should’.</p> <p>However, the policy still does not (in the interpretation) elaborate on the forms of evidence an applicant would require. Neither does it refer to the 0.5ha threshold from the Local Plan. <b>SMDC maintains objection.</b></p> <p>Clause (2) and its interpretation is still contrary to the Local Plan and NPPF as explained above, in that the policy expects affordable housing (where required) to be provided on-site at all times. Also it expects that first homes ‘must’ be provided at all times. <b>SMDC maintains objection.</b></p>
33	5.2 Business and Employment, page 44	<p>‘Purpose’ states: <i>“To encourage the re-use of heritage assets in the neighbourhood area and promote active ground floor uses in Upper Tean.”</i> . The term ‘active’ is ambiguous, recommend this amended to <i>“...and promote active ground floor uses in Upper Tean open to the public.”</i></p>
34	Page 47 EMP1: Upper Tean High Street	<p><u>SMDC raised the following issue at regulation 14 stage:</u></p> <p>“Does this policy apply to Upper Tean High Street It states  <i>“Ground floor frontage commercial units in the Upper Tean High settlement should remain in ...”</i></p>

The policy seeks to ensure ground floor frontage commercial units remain in commercial use open to the public. Planning permission is not always required for change of use of commercial premises. Permitted development rights regarding changes of use of retail properties which allow for certain changes of use to be carried out without the need for planning permission. Use Class E from Sept 2020 covers what was previously class A1, 2 ,3 shops financial services ,cafes & restaurants, B1 business, part D1 non residential institutions and part D2 Assembly& Leisure.

The interpretation states the policy aims to “enables diversification of the retail centre and recognises the importance of complementary uses.” Whereas the policy seems more restrictive as it ground floor frontage commercial units shall remain in commercial use and uses not open to the public will not be supported.

Policy needs some clarification.”

Comments at regulation 16:

Noted that in the latest version ‘settlement’ changed to ‘street’ and the first word ‘commercial’ deleted.

New Clause (2) added stating “Shopfronts should be retained for ground floor frontage units in the Upper Tean High Street settlement” in response to Council’s earlier comments.

As individual premises may currently, or in future, benefit from permitted development rights, it is recommended that amendments are made to the policy text as follows:

“(1) Where changes of use require planning permission, ground floor frontage units in the Upper Tean High Street...”

Clause (1) states “Ground floor frontage units in the Upper Tean High Street settlement should remain in commercial or community uses open to the public..”. Because of punctuation, It is not clear if “commercial” must be ‘open to the public’ – recommend amending to “..should remain in commercial uses open to the public, or community uses open to the public..”

The interpretation section should similarly explain that changes of use (for example those covered by Class E) may not always require planning permission and therefore would not be controlled by the policy.

It is noted that the extent of the High St frontage that this policy relates to, is not defined. SMDC would recommend the draft plan incorporates a plan of the High Street defining the extent of the policy. (For example the village conservation area covers the High

		<p>St across and slightly to the west of the River Tean where it becomes Draycott Road, and to the east beyond the Hollington Road junction and south onto Uttoxeter Road – question whether the extent of the policy is intended to be coterminous with ‘High St’ covered by conservation area).</p>
35	Page 48 EMP2: Heritage- Led Regeneration	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>“There is some overlap with LP policy DC2.</p> <p>Point 1a The policy states “<i>Schemes involving heritage assets should:</i> a) <i>preserve or enhance the heritage asset and its setting;</i>” This is different to the NPPF which refers to substantial harm &amp; less than substantial harm and considers the significance of the heritage asset and considers if there are benefits from proposed development that outweigh the harm see para 199-208. This approach is reflected in LP policy DC2 The Historic Environment. The Neighbourhood Plan policy needs to be in accord with national policy in the NPPF.</p> <p>Point 1b a refers to high quality and durable materials the interpretation section provides some clarification but it is not clear what materials would be acceptable and how development materials would be assessed as being high quality or durable.</p> <p>[NPPG Paragraph: 041 Reference ID: 41-041-20140306 quoted].</p> <p>The interpretation section states the policy applies to all development not just residential. It is not clear how this relates to policy HSG1 which restricts residential development outside the settlement boundaries.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>“The policy needs to be in accord with the NPPF.”</p> <p><u>Comments at regulation 16:</u></p> <p>No substantive changes made to policy or interpretation in latest version following SMDC regulation 14 comments.</p> <p>Additionally SMDC questions whether Clause (1) of the policy is clear that it applies to heritage assets <i>both inside, and outside</i> of development boundaries.</p>

		<p>SMDC also questions whether there is scope for conflict with for example, Policy EMP1 (where a heritage ‘enabler’ scheme would involve a change of use of a heritage asset on Upper Tean High St to a use(s) not supported by that policy). Question if the policy is sufficiently clear for use by a decision maker in these circumstances.</p> <p><b>SMDC maintains objection.</b></p>
36	Page 49 EMP3: Rural Business Diversity and Growth	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>“Point 2. Vehicle movements are mentioned in the interpretation section but not the policy. The policy could also consider if the site is in an accessible location with links to sustainable transport. The scale of development is also not referred to in the actual policy but is in the interpretation section.</p> <p>It is important that the policy reflects the overall spatial strategy of the Local Plan. Policy SS2 of the Local Plan identifies the settlement hierarchy and sets the development principles and level of development appropriate within the settlement hierarchy – larger villages, smaller villages and other rural areas. Policies SS8 Larger Villages, SS9 Smaller Villages and SS10 Other Rural Areas provide more detail. The scale of development reflects the size of the settlement and the principles of the settlement hierarchy. These policies seek to encourage an appropriate level of employment development in line with the spatial strategy and do not restrict such development to specific locations. Policy SS10 allows for the limited expansion or development of business for employment uses where a rural location can be justified.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>“Policy needs to be in accord with the Spatial Strategy in the LP.”</p> <p><u>Comments at regulation 16:</u></p> <p>No substantive changes made to policy or interpretation in latest version following SMDC regulation 14 comments.</p> <p>Note that the policy itself needs to meet the basic conditions, this cannot be set out in the interpretation alone.</p> <p>The interplay between clauses 1(a) and 1(c) and 1(d) is queried. For example whether the policy intends for existing businesses and brownfield sites that benefit from the policy, <i>to only be within, or adjacent</i> to villages. This needs to be clarified. Also grammatical error at 1(c) “<i>extension of or enhancement.</i>”</p>



		<p><b>Therefore SMDC maintains objection.</b></p> <p>A further point is that as the Local Plan Spatial Strategy is predicated around sustainable travel (eg Pol SS10 part (3) refers to rural traffic movements and part (5) refers to tourism growth that is “sustainable”), the policy should also expect sites to be in an accessible location with links to sustainable transport. Refer also to paras 84-85 NPPF 2021.</p> <p>The 3<sup>rd</sup> paragraph of the interpretation (which lists spatial strategy policies) could also identify SM Local Plan policy E4 Tourism and Cultural Development.</p>
37	<p>5.3 Community Facilities and Assets,</p> <p>National Planning Policy, page 50</p>	<p>3<sup>rd</sup> para refers to ‘protected views’ being identified in the draft NP. Whilst some views are described textually under Section 3.9, these are not depicted on maps anywhere in the document (and are not cross-referred to as contained within other evidence).</p>
38	<p>Staffordshire Moorlands District Council, Open Space Study, October 2017, page 52</p>	<p>All abbreviations used in the play space table should be defined/set out in full.</p>
39	<p>Checkley Parish Neighbourhood Plan – Local Green Spaces Steering Groups Review September 2021, page 52</p>	<p>This section (and the interpretation section to Policy LGS1 – see ITEM 42 below), should explain how this document has influenced which sites originally proposed as LGSs have subsequently been taken forward in this draft NP, ie how this later document influenced the results of the earlier 2018 Local Green Space audit.</p>
40	<p>Page 53 COM1: Community, Sport and</p>	<p><u>SMDC raised the following issue at regulation 14 stage:</u></p> <p>“There is overlap with Local Plan policy C1 and C2</p>

	Recreational Facilities	<p>Point 1 states new CF will be supported provided there is no adverse impact on residential amenities, the policy could also consider if the site is in an accessible location with links to sustainable transport.</p> <p>Point 2 says replacement facilities have to be within the Neighbourhood Plan area nearby this may not always be appropriate and a location further afield could in some circumstances be acceptable or necessary and the policy should allow for this.</p> <p>Point 3 states residential development should be supported by a balanced range of facilities but it does not mention if this will apply to all residential developments or developments over a certain size. The interpretation section states for larger developments of 10 dwellings or more in-development play areas should be included. Clarification is needed as to what would be expected for smaller developments and how facilities would be provided - through a contribution of on site provision. LP policy SS12 Planning Obligations and Community Infrastructure Levy provides details on the on-site and off-site infrastructure and facilities development proposals will be required to provide and the policy needs to be in accord with this.</p> <p>[LP policy C2 quoted].</p> <p>The studies being the Open Space Study, Playing Pitch Strategy and Indoor Sports Facility Assessment (2017).”</p> <p><u>Regulation 16 comments:</u></p> <p>In relation to Clause (1), the policy should also consider if the site is in an accessible location with links to sustainable transport, given Local Plan Policy SS10 part(1) last bullet.</p> <p>In relation to Clause (2) it is noted that the suggested change has been made to the latest version. However it is questioned what form of evidence would be needed to demonstrate that an existing facility is no longer needed or viable – this issue is already covered in Local Plan Policy C1 part(3) – therefore question if the policy expects <i>further</i> evidence to demonstrate this, or does it rely on Policy C1(3). This issue should be covered in the interpretation section.</p> <p>It is also noted that whilst Local Plan Pol C1(3) only requires demonstration of an <i>alternative facility</i> of the same type in the locality in justifying a loss, draft plan policy COM1 expects demonstration of a ‘<b>replacement</b> facility’ also being provided [ie to maintain the quanta of existing community facilities]. It is questioned whether the latter approach is consistent with NPPF para 93(c) which only discusses the range of community facilities in terms of <i>a community’s ability to meet its day to day needs</i> in general. For example, question whether a community facility could be lost where, because of the presence of other similar facilities in the locality, the community could still meet its day to day needs.</p>
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		SMDC's comments with respect to Clause (3) of the policy have not been addressed, therefore still apply.
41	COM2: Infrastructure Priorities	Notes that policy in its entirety, and interpretation has been deleted in the latest version, following SMDC concerns that the policy in regulation 14 plan did not meet the basic conditions.
42	Page 54 – 56 LGS1: Local Green Space	<p><u>SMDC raised the following objection at regulation 14 stage [summarised]:</u></p> <p>“The designation of Local Green Spaces must be done in line with criteria set out in the NPPF [para 102] and demonstrated by providing a clear rationale and robust and proportionate evidence to support the designations. LGS should be those spaces are demonstrably special to the local community where it can be shown to have a particular significance. Local significance is generally considered to be based around beauty, historic significance, recreational value and tranquillity and richness of wildlife. In line with the requirements of the NPPF and national planning guidance, any sites that are identified in a Neighbourhood Plan should be assessed against a methodology and this should be explained in the Neighbourhood Plan.</p> <p>Consideration needs to be given as to why it is appropriate to designate an LGS if the area already has a designation or existing use eg a park, sports pitch. Would there be any additional local benefit to designating such areas a LGS?</p> <p>The Local Green Spaces Steering Groups Review September 2021 provides an assessment of the proposed LGS sites against the NPPF criteria. A number of the proposed LGS sites fall within the following categories;</p> <ul style="list-style-type: none"> <li>● School playing fields</li> <li>● Play areas</li> <li>● Informal open space within residential developments</li> <li>● Cricket ground</li> </ul> <p>The Local Plan contains a number of policies which seek to maintain important areas of open space and consideration should be given to the need to designate all the proposed sites as LGS where the site is are already covered by policies in the Local Plan. [policies listed].</p> <p>The Local Green Spaces Steering Groups Review September 2021 provides an assessment of the proposed LGS sites against the NPPF criteria. A number of the proposed LGS sites fall within the following categories;</p>

- School playing fields
- Play areas
- Informal open space within residential developments
- Cricket ground

It is considered that while these sites provide local amenity space they do not meet the criteria for LGS designation as they are not demonstrably special and as existing play areas and recreation space and informal open spaces they are protected by policy C2. Additionally a number of these sites are identified as open space on the Local Plan policies map. A number are in Council ownership and as landowner of areas of informal open space in residential developments the Council is unlikely to support designation of Council owned sites as LGS in the Neighbourhood Plan.

Further it is considered where sites already have an existing designation such as site LGS15 includes a scheduled ancient monument and surrounding area, sites and LGS11 & LGS 12 are designated (in whole or part) as Biodiversity Action Sites, designation may not be appropriate.

LGS1, LGS2 and LGS3 are already designated as LGS in the Local Plan.

[commentary provided on whether LGSs 1-21 from regulation 14 version of plan, already benefit from some form of designation].

Paragraph 103 of the NPPF states “ *Policies for managing development within a Local Green Space should be consistent with those for Green Belts.*” The policy should reflect this and refer to Green Belt policy. LP policy DC4 Local Green Space states “*Development proposals within a Local Green Space will be assessed against national Green Belt policy*”

There should also be maps of the LGS.”

In relation to the basic conditions SMDC concluded:

“The designation of Local Green Spaces must be in line with criteria set out in the NPPF and demonstrated by providing a clear rationale and robust and proportionate evidence to support the designations.”

Comments at regulation 16:

It is noted that the latest version of draft plan has reduced the number of proposed sites for LGS designation from **21x to 14x** under this policy. Also, maps of these 14x sites have now been provided.

		<p>However of the sites remaining, and given SMDC’s comments at regulation 14 above, the majority remaining appear to benefit from either some form of designatory protection already (eg open space, LGS), or are parts of biodiversity alert sites, or are part of school playing fields operated by SCC LEA.</p> <p>For these reasons the inclusion of the LGSs proposed under this policy is queried by SMDC, in the light of para 102 NPPF, and the Local Green Spaces Steering Groups Review September 2021 submitted by the NP steering group.</p> <p><b>SMDC therefore maintains objection.</b></p>
43	5.4 Place, Design and Environment - National Planning Policy, page 57	<p>Amend 1<sup>st</sup> para for clarity and address grammatical errors:</p> <p><i>“One of the basic intentions for this Neighbourhood Plan is to support and define where possible conditions and criteria for the achievement of sustainable development. One of the key principles of the NPPF (paragraph 11) is the presumption in favour of sustainable development. Sustainability has wide ranging social, economic and environmental element, within this Neighbourhood Plan we intend to ensure the sustainability of any new development. The intention is to achieve growth across the Neighbourhood Area of Checkley Parish that is not <del>be</del> to the detriment or loss of <u>designated</u> Local Green Spaces, landscape and settings by siting potential developments on identified <u>allocations and locations identified as acceptable for development through policies</u>. This Neighbourhood Plan promotes the re-use of existing buildings and brownfield sites.”</i></p>
44	Page 60  Green Infrastructure Strategic Network for Staffordshire Moorlands 2018	<p>Rename to: “Green Infrastructure Strategy May 2018”.</p> <p>Add text to the existing para to clarify the role of the Green Infrastructure Strategy [ie see introduction to document].</p>
45	Page 61 DES1: Design	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>“There is overlap with LP policies DC1 &amp; SD5</p> <p>Point 1e and f the policy needs to expand on how development will respond to views/landmarks and what is meant by not impacting upon or removing locally important views and visually sensitive landscapes. Are there specific views landmarks you wish to protect or is it more general eg views into open countryside. The interpretation section provides some detail on views and vistas</p>

but it needs expanding. There is a lot of detail on pages 15-16 in the Rural Look and Feel – Quality of Environment section on views in settlements and in the supporting document Locally Protected Views which could be used to inform the policy.

There are a number of ways which the policy wording could be improved to assist users of the plan. It is considered that the wording is a little vague – how will development respond to views what and where are the views.

Further explanation of the importance of the views and a detailed description of them is needed in order to help users of the plan to design their particular scheme accordingly. Developers could not demonstrate how their proposal would impact on a view without more details about the view. Photographs and arrows are useful, with a description behind them of what the view is and what it means. The level of detail required to support an application should be proportionate to the size of the development proposed.

The London Plan identifies and manages protected views and they have a very detailed SPD covering this [hyperlink provided]. The SPG may provide some useful elements to incorporate into the NP to provide applicants and case officers with more detail on how the protected views should be addressed in planning applications.

Each protected view is clearly identified point to point. It's significance is clearly identified along with specific design responses that developments may take within each vista.

The London Plan suggests that Design and Access Statements (or Townscape Visual impact Assessments) should be used by applicants to set out how the development responds to the view. [excerpts from this quoted].

[NPPG Paragraph: 041 Reference ID: 41-041-20140306 quoted].

Point 4 you need to consult with Staffordshire County Council as Lead Local Flood Authority. LP policy SD5 deals with flood risk and is quite detailed regarding how development should manage surface water. The first sentence needs some clarification its not clear what it means. Drainage is also covered in the green development guidance note and therefore this part of the policy could be deleted as it is included in the green guidance note.

The interpretation section could be expanded to cover all elements of the policy.”

The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:

“Policy needs to be in accord with national policy.”

		<p><u>Comments at regulation 16:</u></p> <p>Clause 1(e) and (f) – SMDC note that Clause 1(f) has been removed from the policy in the latest version of the plan. However Clause 1(e) substantially remains [re-numbered as Clause (7) of the policy]. Also refer to earlier Regulation 16 comments above [ITEM 21/ ITEM37] which also raise the point about valued views not being identified in this draft plan. <b>SMDC maintains objection.</b></p> <p>Clause (4) in relation to surface water and drainage: note that SM Local Plan Policy SD5 Flood Risk, already contains requirements concerning provision of on-site SuDS and regarding surface water run-off rates (4<sup>th</sup> and 5<sup>th</sup> paragraphs). However in the case of SuDS these are <i>not required in all cases</i> [see supporting text para 7.27 for explanation]. Therefore the SMDC recommends that Clause 8(b) is amended slightly to refer to the SuDS requirement in “<i>all applicable development</i>”, or “<i>all major development</i>” or similar. Or otherwise CPC need to demonstrate that you have consulted with Staffordshire Lead Local Flood Authority and this level of requirement has specifically been requested by them.</p> <p>The interpretation section could also reference policy SD5; and in relation to clause (4) the SMDC’s adopted Local Plan appended parking guidance.</p> <p>It is re-iterated that the interpretation section could be expanded to cover all elements of the policy.</p>
46	Page 63 DES2: Infill	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>“Point 1b Policy is too restrictive it may in some cases be appropriate in design terms to have infill development which would involve the loss of garden space. There needs to be some clarification as to what is meant by inadequate gaps between buildings.</p> <p>Point 2 The loss of POS may in some circumstances be acceptable eg if alternative provision was made or the POS was no longer needed. This is covered in policy COM1: Community, Sport and Recreational Facilities</p> <p>LP policy SS4 Strategic Housing and Employment Land Supply details the housing requirement for the LP area and the NP area being 50 dwellings for Checkley Parish. It states NP should demonstrate they can support the housing requirement through site allocations and/or windfall sites. Infill sites would form part of the windfall sites.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>“The NP needs to ensure it can deliver the housing requirement in policy SS4 of the LP”.</p>

		<p><u>Comments at regulation 16:</u></p> <p>No substantive changes made to policy or interpretation in the latest version following SMDC Regulation 14 comments. Therefore <b>SMDC maintains objection.</b></p> <p>The interpretation cross-refers to NP Policy HSG1. Also note SMDC objections above to that policy [ITEM 29].</p>
47	Page 64 DES3: Landscape and Rural Character	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>“There is overlap with LP policies NE1, NE2.</p> <p>Point 2.The NPPF (para 179-182) seeks to protect and enhance biodiversity and recognises a hierarchy of international, national &amp; local designated sites. It does not completely prohibit all development which has an adverse impact on biodiversity but considers mitigation, compensation and the wider benefits of development and applies different approach to designated sites in the hierarchy. It provides a detailed and comprehensive approach to the impacts of development on biodiversity. The Neighbourhood Plan policy needs to be in accord with national planning policy.</p> <p>[Paragraph: 041 Reference ID: 41-041-20140306 quoted].</p> <p>This policy, as it stands does not comply with the guidance. You need to think about how the policy wording could be applied to a development site proposal. Taking it literally, as the wording stands everything on every map must be preserved or enhanced by new development. There needs to be explanation in the policy to distinguish which areas are important and how a developer can address this in creating a site layout.</p> <p>The examiner of the Biddulph NP which contained a similar policy raised a number of concerns. [excerpts from report quoted].</p> <p>The maps themselves are difficult to read when they are zoomed in to focus on individual sites and this is how they would be used.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>“The policy needs to be in accord with the NPPF”.</p> <p><u>Comments at regulation 16:</u></p>



		<p>SMDC notes that Clause(2) has been removed in the latest version.</p> <p>With regards Clause(1) it is questioned whether the policy is expecting the wildlife sites and landscape features listed to be preserved or enhanced <i>in all cases</i> (including off-site); or only where they would be affected by the actual development site. In the case of off-site contribution, note that this would be covered by the scope of Policy SS12 Local Plan (and emerging developer Contributions SPD linked to this); and the imminent legislative requirements for biodiversity net gain applicable from late 2023 onwards. In any event refer to Council’s comments above concerning paras 179-182 NPPF: the terminology “..must..preserve or enhance” in this clause is therefore queried as NPPF compliant.</p> <p>Further clauses (1) and (3) refer to complementing/ reflecting <i>local rural character</i>: it is questioned what evidence this is based on. For example SM Local Plan Policy DC3 Landscape and Settlement Setting, already links to a number of relevant studies in the supporting text. This point is not covered in the interpretation section.</p> <p>The interpretation section could also reference the forthcoming national biodiversity net gain duty from late 2023, under the Environment Act 2021.</p>
48	Page 68 DES4: Conservation Area	<p>Amend clause (1) to refer to “ ..Checkley Conservation Area..” not “Areas”.</p> <p>Note that a conservation area character appraisal for the village of Upper Tean is yet to be completed by SMDC.</p> <p>The interpretation section should be expanded to elaborate on <i>why</i> both clauses of the policy are written as they are, ie are the two villages comprised of predominant existing built features which justify the approach. Inserting photographs would be beneficial here.</p> <p>The interpretation section could also reference the potential cross-over with Pol DES3 clauses (3) and (4) in relation to boundary treatments.</p> <p>The interpretation section could additionally explain that there are currently two conservation areas within the parish (Upper Tean and Checkley); and also set out the legislative basis for conservation areas, namely the Planning (Listed Buildings and Conservation Areas) Act 1990.</p>
49	Staffordshire Moorlands	Please explain this is prepared by Staffordshire County Council and the reasons why. See

	District Integrated Transport Strategy 2018, page 70	<a href="https://www.staffordshire.gov.uk/Transport/transportplanning/districtintegratedtransportstrategies.aspx#:~:text=What%20are%20district%20integrated%20transport,are%20called%20integrated%20transport%20strategies">https://www.staffordshire.gov.uk/Transport/transportplanning/districtintegratedtransportstrategies.aspx#:~:text=What%20are%20district%20integrated%20transport,are%20called%20integrated%20transport%20strategies</a>
50	Page 69 TRA1: Transport Pages	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>“There is some overlap with policies LP T1 and T2.</p> <p>Point 2 states particular regard should be made to the combined impacts of all new developments on traffic safety and congestion on a number of critical road junctions. Its not clear what is meant by particular regard. Will a traffic impact assessment be required for all developments? [Para 113 NPPF quoted].</p> <p>The response for Staffordshire Highways whilst supporting the overall policy approach of highlighting critical road junctions states that the policy should refer to significant developments should have regard to those junctions in the transport work to support applications and goes on to state small scale developments where traffic generation would be so low it would not warrant a detailed assessment. This seems to contradict the policy which refers to all developments.</p> <p>Point 3 details smaller key junctions the policy should detail the policy requirements for these junctions.</p> <p>Point 4 States <i>“Where highway improvements are required to support development, the needs of pedestrians should be prioritised. Any such improvements must have no adverse impact on the local rural and historic environment”</i></p> <p>Where highway improvements are required to support development a balanced judgement may be needed between the need for improvements and the needs of pedestrians and the impact on the local rural &amp; historic environment the wording of the policy should be changed to allow for this.</p> <p>The NPPF considers if the impact of a development would have substantial harm or less than substantial harm and considers the significance of the heritage asset and also if there are benefits that outweigh the harm see para 199-208. This approach is reflected in LP policy DC2 The Historic Environment. The Neighbourhood Plan policy needs to be in accord with national policy in the NPPF.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>“The Neighbourhood Plan policy needs to be in accord with national policy in the NPPF.”</p>

		<p><u>Comments at regulation 16:</u></p> <p>Clause (1)(a) grammatical error: “..including links to surround path networks..” should say “surrounding”.</p> <p>SMDC questions what the source of the requirement in Clause (1)(b) for cycle storage for all dwellings is – for example does this derive from county-level or national cycle guidance; or has it been suggested to the CP Steering Group by SCC, for example. (This should also be explained within the interpretation).</p> <p>Clause (2) of the policy still applies to “all new development”. Therefore <b>SMDC maintains objection</b>.</p> <p>SMDC notes that Clause (3) has now been deleted entirely from the latest version.</p> <p>Clause (4) of the policy still appears [as re-numbered Clause (3) and sub-divided into 3(a) and 3(b)] remains substantially unchanged (although “<i>must have no adverse impact</i>” has been amended to “<i>should have no significant adverse impact</i>”). This still does not deal with the substance of the Council’s regulation 14 concerns <b>therefore SMDC maintains objection</b>.</p> <p>Interpretation 1<sup>st</sup> para – amend for clarity : “...<i>The Plans / Maps <del>above below</del> outlining shows all the critical junctions in the parish...</i>”</p>
51	6.0 Infrastructure Priorities, page 73	<p>Refers to Parish Council Priorities for spending infrastructure monies on local highway improvements etc.</p> <p>Note that the scope for developer contributions associated with new developments is set out in Local Plan <b>policy SS12 Planning Obligations and Community Infrastructure Levy</b> . In May 2023 the District Council conducted a public consultation upon a <b>draft Developer Contributions SPD</b> that, when finalised will accompany this policy.</p> <p>The priorities for local highways measures to be conducted by Staffordshire County Council Highways, are set out in the Staffordshire Moorlands District Integrated Transport Strategy 2018 – 2031.</p>
52	7.0 Green Development Guidance Note, page 75	<p>Under “Green Building Design”, bullet points list carbon neutral methods of construction. It is questioned to what extent all of these would be policy compliant (including draft NP policies). For example, green roofs.</p> <p>Under “Green Landscape Design” it states “<i>Sustainable Urban Drainage Systems (SUDS) should be incorporated into the landscape design. This includes green spaces for residential developments.</i>” However under Local Plan policy SD5 SuDS are not required for all</p>

		<p><i>forms of development [refer to ITEM 45 regulation 16 comments above]. Therefore suggest amendment: “Sustainable Urban Drainage Systems (SUDS) should be incorporated into the landscape design of all applicable developments...”</i></p> <p>The section on “Green Energy” could also explain about how many forms of micro-renewables are now permitted development (for dwellings, flats etc) under the permitted development regime.</p>
53	Page 75 Green Guidance note	<p><u>SMDC raised the following issue at regulation 14 stage:</u></p> <p>“Page 52 (Green Guidance Note) section on Local Plant and Tree Species needs some more detail”.</p> <p>Details are still missing latest draft, therefore this should be provided.</p>