



The Planning
Inspectorate

Report to South Staffordshire Council

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an Inspector appointed by the Secretary of State for Communities and Local Government

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

REPORT ON THE EXAMINATION INTO THE CORE STRATEGY DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 8 September 2011

Examination hearings held on 29 and 30 November 2011

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Abbreviations Used in this Report

AA	Appropriate Assessment
CS	Core Strategy
DPD	Development Plan Document
GTAA	Gypsy and Traveller Accommodation Assessment
HMA	Housing Market Assessment
IPS	West Midlands Regional Spatial Strategy Phase Three Revision Interim Policy Statement of March 2010
LDS	Local Development Scheme
MUA	Major Urban Area
NPPF	National Planning Policy Framework
PPS	Playing Pitch Strategy
RLS	Regional Logistics Site
RS	Regional Spatial Strategy for the West Midlands
RS Phase Two Revision	West Midlands Regional Spatial Strategy Phase Two Revision
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SHLAA	Strategic Housing Land Availability Assessment
SuDS	Sustainable Drainage Schemes

Non-Technical Summary

This report concludes that the Core Strategy Development Plan Document provides an appropriate basis for the planning of the district over the next 15 years providing a number of modifications are made to the plan. The Council has specifically requested that I recommend any modifications necessary to enable them to adopt the plan. All of the modifications to address this were proposed by the Council, and I have recommended their inclusion after full consideration of the representations from other parties on these issues.

The modifications can be summarised as:

- changing the plan period to end in 2028;
- introducing a policy which reflects the national presumption in favour of sustainable development;
- ensuring that the review of the Green Belt is appropriately restricted;
- ensuring that the controls over development in the Green Belt and Open Countryside are consistent with national policy;
- ensuring that Safeguarded Land is appropriately identified;
- securing appropriate mitigation measures in relation to the effects of development on the Cannock Chase Special Area of Conservation;
- aligning the approach to heritage assets with national policy;
- ensuring that the approach to low and zero carbon energy and renewable energy sources reflects the evidence and national standards;
- ensuring that any unanticipated requirement to provide additional housing is appropriately dealt with;
- meeting the identified accommodation needs of Gypsies and Travellers;
- identifying the range of uses supported on employment sites;
- ensuring that the approach to the former Royal Ordnance Factory site is appropriate;
- ensuring that the approach to a Regional Logistics Site is appropriately flexible;
- ensuring that the approach to South Staffordshire College (Rodbaston) reflects national policy and is appropriate; and
- ensuring that the monitoring framework is effective.

Introduction

1. This report assesses the Core Strategy (CS; the plan) Development Plan Document (DPD) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers whether the plan is compliant in legal terms and whether it is sound. Paragraph 182 of the National Planning Policy Framework (NPPF) makes clear that to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy. The duty to cooperate imposed by Section 33A of the 2004 Act does not apply to this plan, as it was submitted before that duty came into force.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for the examination is the submitted draft CS (February 2011) including the changes put forward by the Council at that time. These are embedded in the submission document and so no further endorsement is needed here.
3. This report deals with the main modifications that are needed to make the plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with Section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the plan unsound or not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. The main modifications that go to soundness have been subject to public consultation and, where necessary, Sustainability Appraisal (SA) and I have taken the consultation responses into account in writing this report.

Assessment of Soundness

Preamble

5. On 27 March 2012, the Government published the NPPF. This requires Local Plans such as this CS to be consistent with its principles and policies, including the presumption in favour of sustainable development. The Council proposed a modification to reflect this, which is considered under Issue 1 below. Both this modification and the question of the plan's consistency with the NPPF were subject to suitable public consultation.

Main issues

6. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified six main issues upon which the soundness of the plan depends.

Issue 1 – Whether the spatial strategy for growth is positively prepared, justified, effective, consistent with national policy and the most appropriate when considered against the reasonable alternatives

General

7. The Council has proposed to alter the timeframe for the CS (**MM1**), so that the end of the plan period will be 2028. This provides a clear 15 year time horizon in line with the preference expressed in the NPPF. With this modification, the CS is sound in this regard.
8. As referred to above, in the light of the NPPF, the Council has put forward a new policy and explanatory text setting out a presumption in favour of sustainable development (**MM2**). It directly reflects the NPPF, and is necessary for soundness. It will also support the plan's vision and objectives, which are both sound in this context.

Settlement hierarchy

9. South Staffordshire is a rural district, much of which is designated as Green Belt, with no main dominant town as such. Its settlements comprise villages of varying sizes and services. A Settlement Study was produced by the Council in 2010. This assesses the provision of local facilities and services in the settlements, and applies a scoring system to rank them. In effect, the ranking of each settlement is an indicator of its sustainability credentials. The Study says that the ranking gives an indication of each settlement's function in the locality and of its general suitability for further development. This is a reasonable conclusion to draw.
10. The Settlement Study's methodology does involve some value judgements, especially in relation to the weighting of factors in the scoring system. But attributing greater weight to the more essential facilities is a justifiable approach, and more accurately reflects the function of settlements than might otherwise be the case.
11. In line with work undertaken with the Local Strategic Partnership, the CS adopts a 'locality approach', which divides the district into five locality areas. It sets out a settlement hierarchy whereby Main Service Villages are the focus for growth, especially in terms of housing, Local Service Villages where limited housing development is supported, and Small Service Villages where housing and employment development is limited to that needed to meet local community and business needs. Development is not proposed for the other villages and hamlets, save for affordable housing on rural exception sites and some rural employment and diversification. The hierarchy directly reflects that flowing from the Settlement Study. As each locality area includes at least one Main and Local Service Village, a scattered pattern of growth is envisaged.
12. Overall, I consider that the CS hierarchy is founded on credible evidence relating to the sustainability of the district's settlements, and has support from the SA. The approach taken is satisfactorily robust and the hierarchy will be effective in helping to deliver development which, in the context of South Staffordshire's dispersed pattern of villages, is as sustainable as could reasonably be expected. I conclude that, in general terms, the hierarchy is sound.

Green Belt and Open Countryside

13. Many of South Staffordshire's villages are defined by quite tightly drawn Green Belt boundaries. Core Policy 1 of the CS as submitted says that some land may need to be released from the Green Belt to accommodate the growth envisaged, yet in other paragraphs elsewhere the CS clearly indicates that the need for a review is certain. The Council has clarified the latter to be the case and has indicated that the word 'may' in Core Policy 1 will be replaced with 'will'. This is helpful.
14. On this point, the Council's view about the need to rely on Green Belt land is largely based on the Strategic Housing Land Availability Assessment (SHLAA), which in turn is informed by 'call for sites' exercises, sites suggested in the past, the Council's consideration of sites for other uses and officer knowledge. It is not an opinion formed by a detailed survey of land in each village which is unused or underused. Nevertheless, it is reasonable to suppose that landowners wishing their land to be developed will have contacted the Council, particularly during one of the calls for sites. In combination with the other sources of information, it is probable that most genuinely deliverable housing sites and sites available for other uses are known to the Council. On this basis and from the evidence produced, I firmly concur that the delivery of the plan and its strategy for growth depends on reviewing the Green Belt. In this context, the CS would be fatally flawed if it did not plan for such a review.
15. To my mind, the necessity for a Green Belt review is a fundamental issue. That the CS effectively defers the review to the emerging Site Allocations DPD is less than ideal. While this does not in itself render the CS unsound, it is imperative that the CS sets in place a robust framework for the review. This is essential for the plan's effectiveness. In essence, the CS must set clear parameters to steer the preparation of the Site Allocations DPD. The submission version of the CS is inadequate in this regard, particularly in that it provides no meaningful policy to direct the site selection process.
16. However, to remedy this, a number of modifications (**MM3 and MM4**) have been proposed by the Council. These ensure that the Green Belt boundary around settlements is only altered for the purpose of accommodating new homes and that in selecting housing sites appropriate preference is given to land not in the Green Belt over land that is. They also make it clear that any extension into the present Green Belt of the district's four existing freestanding strategic employment sites will be 'modest' in scale. On the evidence produced for the examination, I consider that this strikes a satisfactory balance between the CS objectives of protecting the Green Belt in order to sustain the distinctive character of the district and meeting employment needs in a sustainable way. The use of the term 'modest' in relation to extending the strategic employment sites is not specific. However, it indicates a suitable approach of restraint while also providing sufficient flexibility to allow a local decision to be made through the Site Allocations DPD in the context of the detailed site circumstances and other relevant evidence.
17. Policy GB1 relates to the control of development in the Green Belt. The Council proposes some modifications (**MM5**) to it. As these are to reflect changes in national policy brought about by the NPPF, I concur that they are needed for consistency.

18. The Council has proposed a further modification (**MM6**) which commits to identifying Safeguarded Land in the Site Allocations DPD. Given the tightly drawn nature of the Green Belt in South Staffordshire, I concur that this is necessary in terms of the NPPF, and is needed for soundness. Specifying that such land will relate to housing and employment needs beyond the plan period at the Main and Local Service Villages, and at the four strategic employment sites, is in line with the plan's spatial focus and will give sufficient steer to the Site Allocations DPD.
19. Where the land around settlements is not in the Green Belt it is, in many areas, identified as Open Countryside. Policy OC1 seeks to restrict development in these areas. This policy is rather reminiscent of that concerning the Green Belt. Indeed, as submitted, the drafting includes references to openness. This is a concept and policy tool associated exclusively with the Green Belt in the NPPF. The Council has put forward a necessary modification (**MM7**) to address this. The revised policy still quite closely resembles the approach to Green Belt, especially the references to limited infilling and the prevention of extensions that are disproportionate to the original building.
20. However, I accept the Council's argument that this policy approach, which has been applied for some time through the present adopted Local Plan, has helped to create the local distinctiveness of South Staffordshire's villages. This is a characteristic which the CS aims to protect. I also agree that Policy OC1 will help to support the rural renaissance of the district and the urban renaissance of the adjacent Black Country Major Urban Area (MUA), a point expanded on in relation to housing below. Moreover, while the specific controls over development in the countryside are more detailed than the NPPF, the outcome of the policy's application will be consistent with the broad thrust and underlying principles of the NPPF. Considering this, Policy OC1 should not be regarded as unsound.

Housing

21. Core Policy 6 sets out the level of housing to be delivered by the CS. Modifications (**MM8**) are necessary to update the figures as a result of lengthening the plan period. As altered, the CS plans for 3,850 new homes between 2006 and 2028. This equates to an annual average of 175. It is clear from the Housing Market Assessment Update (HMA) and other evidence that this falls very significantly short of the need for housing in the district. Indeed, the need for affordable housing alone is substantially greater than this.
22. The Phase 1 Revision to the Regional Spatial Strategy for the West Midlands (RS) was issued by the Secretary of State in January 2008. It does not set out the housing levels to be delivered on a district basis. However, the Regional Spatial Strategy Phase Two Revision (RS Phase Two Revision) does, and the CS reflects this. On the one hand, the RS Phase Two Revision has not been formally adopted, and there is now no mechanism through which it can become part of the development plan. On the other hand, though, it is based on the most up to date, regionally assimilated evidence available. This has been taken into account through the process of examining the RS Phase Two Revision, and the Panel's report was published in September 2009. In this

context, considerable weight should be given to the evidence underpinning the RS Phase Two Revision, insofar as it has been accepted by the Panel as substantiating and justifying the detail within the document itself.

23. Moreover, it is clear that the RS Phase Two Revision recognises that South Staffordshire's housing apportionment will not meet the needs of the district. The Panel report explicitly does not recommend any change to the preferred option housing figure for South Staffordshire. The reason given for this rests on the urban renaissance strategy of the adopted RS. The CS seeks to support this. Put simply, it aims to reverse the trend of out-migration from the Black Country MUA by restricting new development, particularly house building, and to foster a rural renaissance.
24. The notion of renaissance has firm roots in the RS, and it is apparent that the RS Phase Two Revision Panel considered limiting housing levels in South Staffordshire an integral part of this. Moreover, the Black Country CS, adopted in February 2011, complements this strategy. It takes a positive approach to regeneration and seeks to tackle out-migration to surrounding districts through growth in sustainable locations using mainly previously developed land. Perhaps more crucially still, the Black Country CS plans to provide the level of housing set out in the RS Phase Two Revision. All of this amounts to strong evidence supporting the constrained level of new housing proposed in the South Staffordshire CS.
25. Considering all of the above, I regard it appropriate that the annual average housing level set out in the CS reflects that in the RS Phase Two Revision. There is no reason to conclude that the CS is not in general conformity with the adopted RS in this respect.
26. In terms of delivery, the CS does not include an allowance for windfall sites in the first ten years of the plan. The SHLAA quite robustly demonstrates that there is a supply of specific deliverable sites sufficient to provide five years worth of housing against the requirements with an additional buffer of 5%. Indeed, it says that there is a 7.42 year housing supply if the completions over and above the 175 dwellings per annum target in the RS Phase Two Revision are taken into account. The CS clearly identifies broad locations for growth and the SHLAA identifies sites with sufficient potential to meet the CS housing target up to 2027. Overall, although reliant on a review of the Green Belt, I consider there to be a good prospect that the CS will deliver the housing envisaged over the plan period.
27. Core Policy 6 sets out the spatial distribution of new housing development and assigns figures to the Main and Local Service Villages identified for housing growth. Approximately 90% of new homes are planned to be located in the Main Service Villages, and roughly 10% in Local Service Villages. This amounts to a significant focus on the former. Some concerns have been raised about the effects of such a concentrated approach.
28. I note the point that a greater level of housing in the lower tier villages would improve their economic viability. That may be so. But this general argument applies equally to the most remote of rural hamlets. That building new houses in presently unsustainable places might make them more sustainable is not a compelling justification for doing so. Moreover, in this case, the degree to

which such positive effects would occur is questionable. The overall level of new housing proposed for South Staffordshire is rather low. The more evenly this is distributed between the hierarchy tiers, the greater the risk is that many villages will benefit very little.

29. In justifying the proposed apportionment, the Council points to earlier stages in the plan's formulation. Consultation on the issues and options in 2006 set out a number of broad alternative strategies. The Council says that responses to this indicated a clear preference for sharing development across the district. Further consultation, including discussions and a workshop with service delivery and infrastructure providers was undertaken in 2007. As I understand it, at that time the Council was proposing a housing ratio of 70:20:10 between the Main, Local and Small Service Villages respectively. The Council says that these key partners considered that development should be more focussed in the Main Service Villages as the scale of housing suggested for the lower tier settlements would have only marginal sustainability benefits.
30. The Preferred Spatial Strategy Consultation Document (January 2009) proposed some housing in a number of Small Service Villages. From my understanding of the evidence, it was following this consultation and with the previous comments of service delivery partners in mind that the Council concluded that housing allocations should be more decisively directed to the villages with the greatest sustainability credentials.
31. On the one hand, none of this explicitly justifies the apportionment between the Main and Local Service Villages set out in the CS. On the other hand, though, there is no robust evidential basis to support any other specific numerical split. It is clear that the proposed distribution has been influenced by engagement with stakeholders and has been altered and developed through the plan making process. That the approach stems from the positive preparation of the plan lends support to it.
32. In addition, it seems to me that, in the absence of irrefutable evidence to suggest that a greater housing allowance should be given to less sustainable villages, there should be a presumption in favour of the most sustainable places. The distribution proposed strongly reflects that principle and finds support in the SA, which all adds significantly to the justification for it. Overall, I consider that the degree to which the plan concentrates housing development in the Main Service Villages should not be regarded as unsound.
33. The Council has put forward other modifications (**MM8 and MM9**) to Core Policy 6. The first addresses the possibility of circumstances changing such that further housing is needed during the plan period. As submitted, this policy focuses additional housing on the Main Service Villages. The modification focuses it on both the Main and Local Service Villages, with the apportionment between them having regard to a number of key factors. As these factors are those which underpin the housing distribution of the CS, this will ensure that the basis for distributing such additional housing is consistent with the plan's strategy for growth. Modification MM9 covers the possibility of the Council not being able to demonstrate the existence of a five year supply of deliverable housing sites. It emphasises the underpinning role of the presumption in favour of sustainable development in such circumstances. This

is generally consistent with the NPPF.

34. Policy CF5 of the RS Phase Two Revision includes minimum targets for housing development on previously developed land. For South Staffordshire, between 2006 and 2016, this is 60%. The Panel report supports this approach and recommends removal of the 2016 time limit for the target. Core Policy 6 of the CS reflects this. On the face of it, given South Staffordshire's rural character, this appears challenging. However, it is clear that much of this has already been delivered. The Council says that only around 7% of this 'brownfield total', being approximately 257 houses, remains to be provided.
35. The Council's calculations are informed by historic brownfield delivery figures which include garden land within the definition of previously developed land. However, it is reasonable to categorise land against the national policy definition that applied at the time of planning permission being granted. The change made to the definition in national policy need not be applied retrospectively. Such an exercise would unnecessarily complicate or delay the plan making process. The alteration to the definition was not introduced for that purpose.
36. While the 7% figure is based on the total housing figures as submitted, it is apparent that the proportion of new homes that now needs to be on brownfield land in order to meet Core Policy 6 is limited. Even taking into account South Staffordshire's constraints and generally low level of previously developed sites, I consider there to be, at the very least, a reasonable prospect of this being achieved. Indeed, the Council argues that two housing proposals being considered at the time of the hearings would, if given planning permission, result in the target being met. While I do not rely on the success of these specific schemes, that just two developments could ensure that the brownfield target is met amounts to a clear indication that it is realistic and deliverable over the plan period.
37. The RS Phase Two Revision says that depending on the outcome of local studies, some of the housing requirement for Stafford Borough may need to be provided within South Staffordshire. However, the Council confirms that it has worked with Stafford Borough Council and Staffordshire County Council on this issue, and that the deliverability of housing to the south of Stafford, in South Staffordshire, is uncertain.
38. Indeed, the draft Plan for Stafford Borough, published for consultation in September 2011, says that new developments in the north, west and east of Stafford are deliverable in planning terms whilst growth to the south is restricted due to being in proximity to the Cannock Chase Area of Outstanding Natural Beauty/Special Area of Conservation, among other things. It concludes that for the relevant plan period, land south of Stafford has not been identified as a strategic development location. A letter from Stafford Borough Council was produced at the hearing session which supports the CS stance on this issue. It also confirms that Stafford Borough Council does not anticipate that land south of Stafford in South Staffordshire will be needed for housing in the period to 2031. In this context, it is not necessary for the CS to do more to facilitate the growth of Stafford town, and it has been prepared as positively and cooperatively as need be.

Affordable housing

39. As indicated above, the CS does not seek to meet the need for affordable housing in the district, which the HMA puts at 684 affordable dwellings each year. My reasons for not finding the restrained level of housing overall to be unsound apply equally in relation to affordable housing.
40. The CS does, though, take a proactive, reasonable and realistic approach to providing more affordable housing over the plan period. Policy H2 is among the key policy mechanisms for securing affordable homes on housing sites. It differentiates between the tiers of the hierarchy and the number of new dwellings proposed, and sets thresholds for the provision of affordable housing. It also distinguishes between greenfield and brownfield land, and seeks a greater level of affordable housing on the former on sites of ten or more dwellings. An affordable housing equivalent in lieu of direct provision on site is applied to schemes of between two and four dwellings in the Small Service Villages. All of this is supported by the Affordable Housing Viability Study of February 2011.
41. Recommendation 4 of the Viability Study suggests that there is scope to lower the site size threshold to two dwellings in settlements other than the Small Service Villages where this threshold is applied by Policy H2. As such, it appears that the Study's authors consider that lower thresholds than those in Policy H2 could potentially be viable.
42. However, the Council points to workshops held with developers at a time when the Council was considering proposing lower thresholds. This engagement led to concerns that viability arguments would frequently be made out, causing a delay in the planning process or, worse still, a stall in house building. I concur that schemes on the fringes of viability could be so affected. The Viability Study does not unequivocally support the wider application of the two dwelling threshold. Recommendation 4 says that "*the Council will in general need to marry these findings and recommendations with its wider evidence and delivery experiences*". It seems to me that in not proposing the two dwelling threshold more widely, bearing in mind the concerns raised at the workshops, that is what the Council has done. Moreover, I am mindful that Policy H2, along with Policy H3, also supports the delivery of affordable housing through rural exception sites, where there is a demonstrable need and other criteria are met. Taking these factors into account, I consider that the plan is as ambitious as it realistically could be in relation to providing affordable homes.
43. Policy H2 recognises that, in some areas, the local need for affordable housing may be less than the policy would deliver. In such circumstances, it seeks a financial contribution equivalent to the number of affordable homes beyond that needed locally, to contribute towards affordable housing in the district's priority areas. It is reasonable to assume that this would be secured through a planning obligation. The NPPF says that planning obligations should only be sought where they are: (i) necessary to make the development acceptable in planning terms; (ii) directly related to the development; and (iii) fairly and reasonably related in scale and kind to the development.
44. To my mind, in this regard, Policy H2 presses against the boundaries of the NPPF tests, particularly test (ii). However, the NPPF does not set any basis for

making a judgement about the directness of the relationship between a housing development and the area that would benefit from the contribution. While I agree that the distance between the two should be a factor to consider, there is no national policy limitation on this. Against this background, the possibility that development in one part of the district would, under Policy H2, contribute to the provision of affordable housing in another part is not necessarily unsound. Much will depend on matters of fact and degree in each case, and it will remain incumbent on the Council to take the NPPF tests into account as material considerations.

45. In any event, the extent of the disparity between affordable housing need and planned provision in South Staffordshire amounts to a strong justification for the approach taken by this part of Policy H2. It adds to my view that the plan does what it realistically could to provide much needed affordable housing. In this context, in general terms, it should not be viewed as exceeding the policy limits of the NPPF tests.
46. Affordable rented housing was not included in the definition of affordable housing at the time of the plan's formulation. Policies H2 and H4 both seek a mix of social rented and intermediate housing and set an initial target ratio of 50:50. In short, affordable rented accommodation is not dealt with in the plan and has not been subject to viability testing.
47. However, whilst the plan does not proactively seek affordable rented housing, neither does it prevent such accommodation being provided as part of the affordable housing mix where there is a demonstrable need for it. Both policies are framed quite flexibly and Policy H2 in particular is clear that the 50:50 target is initial, that the precise proportions will be subject to agreement with the Council and that the provision of affordable housing will be negotiated on a site by site basis to reflect local housing needs.
48. In addition, the Council says that the inclusion of affordable rent accommodation will not have an impact on the overall viability of housing schemes as the registered provider is prevented from conveying the gain from the additional revenue of the higher rents to the developer. On the face of it, this is a reasonable conclusion to reach. In any event, it is clear from Policy H2 that the impact of the affordable housing provision on the economic viability of the scheme will be taken into account in negotiations with developers. Overall, this is an effective and appropriate approach.

Homes to meet the needs of the ageing population

49. Delivering homes to meet the needs of the district's ageing population is identified as a key challenge for the CS. Policy H5 addresses this. It says that the Council will support and enable the provision of specialist housing accommodation, and will also support sheltered accommodation, nursing/residential care homes, dementia care units and retirement villages. From the evidence it is apparent that the Council is working with the County Council in relation to the provision of Extra Care facilities. In addition, my understanding is that each site in the Site Allocations DPD will be supported by a development brief identifying the mix of homes required, based on evidence from a 'refresh' of the HMA, and that the brief will include specialist housing for the ageing population where this evidence demonstrates a need for it. This

evidence will also inform the Council's consideration of the housing mix in relation to planning applications. Overall, this approach will be effective in ensuring that the development plan adequately tackles this issue.

Sites for Gypsies, Travellers and Travelling Showpeople

50. Policy H6 provides for 30 residential pitches for gypsies and travellers between 2007 and 2012, 12 pitches for the period 2012 to 2017, and 32 pitches from 2017 to 2027. This directly reflects the figures in Policies 1 and 2 of the West Midlands Regional Spatial Strategy Phase Three Revision Interim Policy Statement of March 2010 (IPS).
51. The IPS is based on figures provided by the sub-regional Gypsy and Traveller Accommodation Assessments (GTAA's). The approach it adopts is one of a limited redistribution of pitches, to reduce the number of additional pitches to be provided in some districts where the need identified in the GTAA was particularly high. The primary objective here is to reduce the task for districts which had already made significant provision.
52. The GTAA identifies a need for 79 pitches in South Staffordshire from 2007 to 2026. Notwithstanding the differing timescale, it is clear that Policy H6 falls short of this. The IPS indicates that this deficit is compensated for in the figures put against Lichfield, Sandwell and Telford and Wrekin Councils.
53. The problem here is that, as the Council acknowledges, the IPS is not part of the development plan. Indeed, in reporting on an appeal (reference APP/C3430/A/10/2127121) in the district, the Inspector noted the Secretary of State's intention to abolish the RS, and concluded that there must now be considerable doubt that the IPS will be adopted. She consequently considered that the weight to be given to the IPS itself is diminished, but that substantial weight should be given to the background information, including the GTAA. Moreover, in this context, there is no mechanism to secure the redistribution envisaged by the IPS. As the Inspector in the aforementioned appeal points out, it is unlikely that any other Local Authority would be prepared to meet need arising outside its boundary, and the need is therefore much more likely to have to be met where it arises. In his decision on the appeal, the Secretary of State did not demur from this position.
54. No compelling evidence has been produced to lead to a different conclusion in this examination. While the Council initially sought to rely on the duty to cooperate introduced through the Localism Act 2011, 'cooperation' cannot be taken to mean that South Staffordshire Council will be able to impose its will on those identified in the IPS to accommodate the shortfall of pitch provision in South Staffordshire. This outcome is not guaranteed. Indeed, it is notable that Sandwell, through the Black Country CS, has already adopted the lower provision in the GTAA for that area in preference to the higher figures in the IPS. This is a marked contrast to the position in respect of housing, and the approach of the Black Country CS of reflecting the RS Phase Two Revision.
55. In the light of concerns on this point, the Council has proposed modifications (**MM10**) to Policy H6. In particular, it now commits to meeting the needs identified in the GTAA rather than the IPS, and to maintaining a five year supply of specific deliverable sites. These modifications are needed for

soundness, and I conclude that with their inclusion Policy H6 is effective and sound.

Economic development

56. The main thrust of the CS is to focus economic development on four existing strategic sites, being the i54, Hilton Cross, and Four Ashes sites, and the former Royal Ordnance Factory (ROF) site at Featherstone/Brinsford, and within the Main Service Villages. The vast majority of this will be on the former strategic sites. These are freestanding sites and in terms of their locations they do not particularly reflect the plan's spatial strategy for growth. However, these sites are already committed in one way or another, at least insofar as they have planning permission. Given this, and bearing in mind their strategic importance, their divergence from the overall spatial growth strategy does not amount to unsoundness.
57. An indicative target of 24 hectares of land for general employment development between 2006 and 2026 is set by the RS Phase Two Revision, excluding strategic sites. South Staffordshire's portfolio of employment land, comprising sites with planning permission, under construction and already developed, amounts to an area just short of 172 hectares. The Council says that with the strategic sites discounted, 65 hectares of land remains for general employment. It is clear that this exceeds the RS Phase Two Revision expectation by some margin. The CS also provides other opportunities for employment uses to come forward, including through the modest expansion of the four existing strategic sites where this is justified, on mixed use sites and the re-use of rural buildings.
58. That being said, I do not view this as an oversupply. The target figure given in the RS Phase Two Revision should not be regarded as a ceiling. The combination of the 40 or so hectares beyond the RS Phase Two Revision target, and the other potential sources of supply, lends the plan an appropriate element of flexibility within defined parameters.
59. Some have argued for more land to be brought forward in the CS for employment uses. However, the evidence base, and the Employment Land Study 2009 in particular, could not be said to offer unequivocal, robust support for this position. Nor does the RS Phase Two Revision. Moreover, in the absence of any compelling evidence to the contrary, it seems to me that adding further land than that proposed to the employment portfolio would run the risk of undermining the rural renaissance of South Staffordshire and the urban renaissance of the Black Country MUA. The Employment Land Study reflects this general point, and indicates that a 'cautious approach', which I take to mean one which does not involve adding to the portfolio, would support the wider policy objective of regenerating the Black Country MUA. Overall, on the evidence produced, I am not persuaded that more employment land is needed to result in a sound plan.
60. Allowing the modest expansion of the existing four strategic sites will provide some flexibility in this regard. This approach, rather than one which identifies wholly new, unrelated land, has the advantage of providing opportunities for existing businesses to expand without relocating or operating from multiple locations. It is clear from Core Policy 7 that any enlargement of these

employment sites will only be supported where there is a clear justification for it based on robust evidence.

61. Turning to the range of business uses planned for by the CS, the Employment Land Study indicates that the employment land portfolio offers a choice of sites within the B1, B2 and B8 use classes. The overall recommendations of the Employment Land Study do not suggest that a broader range is needed, or that greater emphasis should be placed on any type of employment use than is the case at present. In this context, it is reasonable that the CS does not seek to influence any significant shift in the kinds of employment uses operating in the district.
62. Core Policy 7 supports the development of the ROF site for 'general employment use'. The Council has put forward a modification (**MM11**) adding a footnote clarifying that this refers to B1, B2 and B8 uses, and sui generis uses appropriate to an employment area. The footnote also explains that the range of uses supported depends on site specific factors and the effects on the locality. It is clear to me that Core Policy 7 does not bar B8 uses on the ROF site. Indeed, notwithstanding the Council's opinion on the necessity for it, it does not insist on a new access road in the event that a B8 use is pursued.
63. Policy EV1 says that the ROF site, along with the other strategic sites, shall be used for employment purposes that accord with their substantive planning permissions and their strategic planning and economic justifications. In relation to the ROF site, this muddies the clearer waters of Core Policy 7. The Council has proposed a modification (**MM12**) adding text about the ROF site to Policy EV1. This explains the history of support for B1 and B2 development at the ROF site and of resistance to B8 uses. It notably concludes that the Council expects the issues associated with the ROF site to be addressed in any future redevelopment of it. I understand this to mean that any future redevelopment of the ROF site, be it B1, B2, or B8, will need to address the access and landscape quality issues mentioned in order to be acceptable to the Council. To my mind, taken as a whole, Policy EV1 does not preclude B8 development on the ROF site. It does not expressly state that aim which, if that were the Council's intention, would be necessary to make the policy sound. Furthermore, if it were to prevent B8 uses, this would conflict with Core Policy 7, and render one or the other unsound. Consequently, I consider that the text suggested by the Council is necessary to support the effectiveness of the plan.
64. Overall, the CS is not as clear-cut as it might be in relation to the ROF site. This is not ideal, especially given the importance of the site to the portfolio. That being said, the acceptability or otherwise of B8 uses hinges on detailed issues largely related to the access. The information produced for this examination is insufficient for me to make a proper, robust judgement about this. Indeed, as I understand it, the Council intends to deal with this in the Site Allocations DPD, following a 'refresh' of the Employment Land Study. This is an appropriate approach, so long as the Site Allocations DPD provides the unambiguous certainty needed to plan for the future of the ROF site. I have no reason to suppose that the Site Allocations DPD will be other than unequivocal in this respect. Ensuring this must be seen as necessary for the soundness of that DPD, as there will otherwise be a risk that the development plan as a whole will not be adequately effective in relation to the ROF site.

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 cooperating 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.
67. This proposed modification includes a pledge that the Council will carry out a partial review of the CS if the 'refresh' of the Employment Land Study reveals a need for new employment sites in the district. In such circumstances, I concur that a partial review should be undertaken. This commitment amounts to an appropriate safeguard in the event that new information unearths shortcomings in the present employment evidence base, adds to the plan's flexibility and helps to seal the soundness of the CS in this respect.
68. The evidence underpinning the CS does not include any quantification of the need for retail, leisure, office and other main town centre uses defined in the NPPF. At face value, this is a weakness in the plan.
69. Based on the Settlement Study, Core Policy 8 introduces a hierarchy of centres comprising Village and Neighbourhood Centres. The former are those which provide shops and services serving the village and surrounding rural areas, while the latter relates to smaller groups of shops and services meeting some of the day to day needs of local residents. Specific streets within the villages concerned are listed in the policy. The types of development supported are set out, along with the priorities and limitations. By and large, a 'development management approach' is taken.
70. My view that the CS should not be regarded as unsound on this point is influenced by the combination of a number of factors. The district has no towns and consequently no town centres. The Village and Neighbourhood Centres play a distinctly local role and the CS does not aim to elevate or expand their function. This significantly tempers the degree to which growth in retailing and other services should be encouraged. Reflecting the objective of rural renaissance and the proximity of higher order centres in the Black Country MUA, the CS does not propose vigorous aspirations for such growth. In this context, the evidence collected and detail given in the CS is proportionate. There seems to me a reasonable prospect that the degree to which the CS promotes town centre uses is sufficient to support the vitality and viability of the Village and Neighbourhood Centres, and secure their intended roles in the hierarchy.

Overall

71. Taking account of the above and all the evidence produced, I conclude that, with the modifications recommended and in the light of the commitments made by the Council, the spatial strategy for growth is positively prepared, justified, effective, consistent with national policy and the most appropriate when considered against the reasonable alternatives.

Issue 2 – Whether the approach to the Cannock Chase Special Area of Conservation is justified and effective

72. Policy EQ2 relates to Cannock Chase Special Area of Conservation (SAC). It requires developments within a Zone of Influence (ZoI) around the SAC which lead to an increase in dwellings to include measures to mitigate against the effects of the development on the SAC in terms of recreation and visitor pressure. Map 11 shows the ZoI as being a buffer of 12 miles in radius. It is also shown on Map 4, the Key Diagram, and referred to on the Locality Area Maps and in the text supporting Policy EQ2.
73. The evidence underpinning the 12 mile ZoI is partly reliant on a visitor survey conducted in 2000. The Council accepts that this is rather dated. Indeed, all of the local authorities within the ZoI, and Natural England, are now collaborating to refresh the survey and update the Visitor Impact Mitigation Strategy. At the time of writing, the new impact assessment is not yet completed. Consequently, it is not possible to conclude that the strategy will continue to include a ZoI which is specifically 12 miles in radius.
74. A modification (**MM14**) has been put forward by the Council, proposing to delete Map 11. Given that the evidence underpinning the 12 mile distance is in the process of being reviewed, I agree that this is necessary for soundness. Numerous consequential changes concerning other maps and text which refer explicitly to the 12 mile distance will also be necessary, and the Council has clearly indicated the intention to ensure these changes are made. The modifications proposed by the Council will ensure that up to date evidence is used to secure mitigation measures in relation to effects on the SAC. They are sufficiently flexible to respond to the emerging research and strategy, and are appropriate overall.
75. In conclusion, as modified, the approach to the Cannock Chase SAC is justified and effective.

Issue 3 – Whether Policy EQ3, relating to heritage assets, is consistent with national policy

76. Following the publication of the NPPF, and in the light of comments from English Heritage, the Council proposes to modify Policy EQ3 (**MM15**). Along with English Heritage, I agree that this revision will ensure that Policy EQ3 is consistent with the NPPF. I therefore conclude that with its inclusion, the policy is sound.

Issue 4 – Whether the policies about sustainable development and climate change, water quality, sustainable transport and open space, sport and recreation are justified, effective, consistent with national policy and the most appropriate when considered against the reasonable alternatives

Sustainable development and climate change

77. Policy EQ5 requires all new residential development to meet specified carbon standards. The standards set out are based on the Staffordshire Countywide Renewable/Low Carbon Energy Study 2010 (the Renewable Energy Study).
78. The Council has proposed a modification (**MM16**) to Policy EQ5. This is to reflect amendments to the national definitions and requirements for low and zero carbon energy generation, and to Part L of the Building Regulations among other things. To ensure consistency between national standards and those proposed here, I agree that this modification is needed.
79. In simple terms, the effect of Policy EQ5 is to demand that in meeting Part L requirements, residential developments include low and zero carbon technologies. Notwithstanding this, the Council has clarified that the policy requirement does not demand higher overall sustainability standards to be met than those applied nationally through Part L, the Code for Sustainable Homes or the Building Research Establishment Environmental Assessment Method. It is just that the policy places greater emphasis on those elements of meeting the national standards which relate to low and zero carbon technology. This links closely with, and compliments, the proactive policy stance to renewable energy taken by the CS, considered below. In this context, on the evidence produced, this approach is sufficiently justified, effective, and supports the national principle that planning should support the transition to a low carbon future.
80. Policy EQ6 also has its roots in the Renewable Energy Study. In short, the study analyses the district's future energy demand and the potential supply from renewable sources. In terms of the latter, it concludes that biomass has the most significant potential to contribute, followed by wind energy, and that overall between 9.6% and 12% of South Staffordshire's energy demand (up to 2020) could be met by renewable sources within the district's boundary.
81. This is reflected in Policy EQ6. It aims to deliver at least the lower, 'base case' level of renewable energy, and the Council has proposed a modification (**MM17**) to reflect the 9.6% figure. This approach is clearly based on the evidence, and using the more conservative estimate of potential adds to the deliverability of the plan. The year 2020 is used to tie-in with national targets, and the explanatory text commits to reviewing the policy at that time. I consider this to be an appropriate response.
82. In line with the findings of the Renewable Energy Study, Policy EQ6 focuses on biomass and wind energy. It lends support and encouragement to both, and a modification proposed by the Council (**MM18**) clarifies that developers will be required to consider biomass as the preferred solution. This is necessary to ensure that the potential of this renewable source is fully exploited, in order to meet the policy target. Other modifications (**also under MM17**) have been put forward by the Council to replace some references to biomass with the

wider ranging term 'bio-energy sources', where appropriate, and to place greater emphasis on those using locally derived resources. These add to the plan's flexibility.

83. In relation to wind energy, Policy EQ6 says that a maximum of four large scale wind turbines will be considered in the district to 2020. The justification for this also relates to the Renewable Energy Study. This calculates the technical potential for wind energy development taking account of wind energy resources and constraints, including viability issues. It concludes that four turbines could be installed on viable sites by 2020. So whilst including four as a specific policy limitation at first appears restrictive, it actually reflects the highest number of large turbines considered by the study to be viable in the given time frame. Moreover, this policy restraint strikes a balance between the CS objectives for renewable energy and those for the Green Belt, countryside and landscape quality. In this context, I consider this limitation to be soundly based on the evidence and an appropriate approach.
84. Map 4 supports Policy EQ6 and delineates four areas where the Renewable Energy Study concludes there is the opportunity for three or more wind turbines. Policy EQ6 says that opportunities for wind energy developments will be assessed on the basis of a number of factors. As submitted, the first factor listed in the policy refers to the location in areas compatible with the four individual sites of greatest opportunity identified on Map 4. Following concerns being raised that this implies the preclusion of wind energy development elsewhere, the Council has proposed a modification (**again under MM17**) to delete this part of Policy EQ6. For my part, I agree that this element of the policy is misleading and misrepresents the CS intentions. Consequently, I concur that deleting it is necessary to reflect the evidence and to ensure the plan's effectiveness.
85. It seems to me that there is some risk to the delivery of the CS aim for delivering renewable energy, given the likelihood that many areas with the greatest viability for wind turbines will be in the Green Belt. Structures of this sort are inappropriate development in the Green Belt, and very special circumstances will need to exist before projects can proceed. However, as the NPPF points out, the wider environmental benefits associated with increased production of energy from renewable sources can weigh in the balance leading to the very special circumstances required. Given this, and as the number of large wind turbines needed is not excessive, there is a reasonable prospect that wind energy will make the anticipated contribution to meeting the minimum policy target for renewable energy. Overall, the CS support for wind energy development follows the evidence and responds as positively as could realistically be expected.

Water quality

86. Among other things, Policy EQ7 requires all planning applications to include Sustainable Drainage Schemes (SuDS). Both the Council and the Environment Agency have confirmed that its application would not go beyond the requirements of the Flood and Water Management Act 2010. This prevents construction work which has drainage implications from commencing unless a drainage system for the work has been approved by the approving body. To be approved, the drainage system must meet the national standards for

sustainable drainage. On this basis, and in the absence of any compelling contrary evidence, the proposed prerequisite for SuDS is justified.

Sustainable transport

87. The RS is clear that high technology corridors would benefit from, and should provide a focus for transport improvements. It cites the provision of a new link between the M54 and the M6/M6 Toll as an example which would benefit the Wolverhampton - Telford corridor and the North Black Country and South Staffordshire Regeneration Zone. In the RS Phase Two Revision, this link is listed among the national and regional priorities for investment under Policy T12. However, it is not shown on the CS Key Diagram, and its route is not protected.
88. The difficulty here is that the Highways Agency (HA) has the key delivery role, as noted in the RS, and while the HA is fully committed to the principle of such a link being delivered within the CS period, a review process is underway. The Council says that this includes checking traffic projections and that the HA has not yet identified a preferred route. Given this, although delineating the route on the Key Diagram and protecting it through a policy may be the ideal situation, it is not presently possible for the CS to do this. Consequently, notwithstanding the inclusion of a broad, diagrammatic representation of the link in the Black Country CS, the absence of such an indication in this CS does not render it unsound. The link is referred to in Core Policy 11, and its necessity to deliver the strategy is acknowledged, albeit obliquely, by reference in the supporting text to the Infrastructure Delivery Plan. In the circumstances, this lends sufficient support so as to be effective, and generally conforms to the RS. The Council's proposal to include a symbol on the Key Diagram and relevant Locality Map, though not essential for soundness, is nonetheless endorsed as a helpful addition.

Open space, sport and recreation

89. Core Policy 14 seeks to safeguard all existing open space, sport and recreation facilities where there is a need for them, supports additional provision and the enhancement of the existing facilities in terms of quantity, quality and accessibility. It also gives a commitment to allocating new sites to meet local needs. For the most part, it broadly aims to meet the demand for open space, sport and recreation facilities. This, though, is significantly influenced by the proximity of the Black Country MUA.
90. It is clear from the evidence that much has been done to take into account demand arising from residents of adjacent local authority areas. In particular, the Council has used Sport England's national facility audit data and modelling software to examine the provision of sports halls, swimming pools and artificial grass pitches. I understand that this effectively ignores administrative boundaries when calculating demand. The Council accepts that cross-boundary demand is not considered to the same extent in relation to other types of provision. In particular, the Playing Pitch Strategy (PPS) does not. However, the Council says that grass pitches are considered to be a more local facility and people do not tend to travel so far to use them. This seems a reasonable stance. I agree that facilities which are essentially local in nature need not be supported by evidence to show that they will meet a wider

demand.

91. The issue of cross-boundary demand is a sensitivity of Core Policy 14, in that its deliverability in terms of meeting needs is subject to unpredictable influences outside the Council's control. In particular, it is possible that the closure of facilities by neighbouring Councils could increase the demand for facilities in South Staffordshire. I have been told that some adjacent authorities are reviewing their facility provision in the light of current economic circumstances. However, it is apparent that the Council maintains dialogue with its neighbours. The Site Allocations DPD, which will be quite critical in securing the adequate provision of land in South Staffordshire for open space, sport and recreation facilities, will be prepared in the context of the duty to cooperate. These factors will ensure that all of the Councils concerned will continue to be fully engaged in ensuring that the wider development plan satisfactorily addresses the cross-boundary issues. Given this, the degree to which the CS deals with this factor is adequate, such that the plan should not be regarded as unsound on this basis.
92. Sport England has been working with the Council, and has reviewed the evidence base. This has led the Council to review the action plan in the PPS and to commit to fully reviewing the PPS itself. Sport England has prepared a Sports Facility Statement, and the Council has agreed to incorporate its findings and local standards, along with those arising from the PPS review, into a new Supplementary Planning Document (SPD). The SPD will cover all of the open space typologies, and will be based on an up to date audit. Subject to these actions, Sport England supports the Council's approach. I consider it appropriate, and the CS provides adequate steer for the preparation of the SPD and the Site Allocations DPD.
93. Shortfalls have been identified in the provision of some types of facilities, notably swimming pools, sports halls and some types of playing pitches. The Council indicates that the latter will ultimately be addressed through the Site Allocations DPD. I understand this to mean that land will be allocated to overcome the shortfall in playing pitches. This is an appropriate approach which will effectively ensure that the wider development plan tackles the deficit.
94. In relation to swimming pools and sports halls, the Council says that the deficit is slight, such that the need not catered for is insufficient to warrant additional provision. In addition, the Council indicates that the actual shortfall is less than that identified in the evidence as some existing facilities have effectively been discounted because of their size or functional limitations. Given this, that the demand for swimming pools and sports halls may not be fully met should not render the plan unsound.
95. I note the points made about Patshull Park Hotel, Golf and Country Club. I do not doubt that this facility and others like it make an important contribution to tourism and the provision of leisure and sporting facilities. Policy HWB1 recognises this, and supports facilities of this sort by protecting them from redevelopment. Policy EV2 also relates to this type of leisure destination. It demands the provision of a business case to justify the expansion of such facilities where they are outside of settlements. To my mind, this is a reasonable requirement. It strikes an appropriate balance between the plan's

encouragement to tourist, sporting and leisure facilities and the aim of restricting development in the Green Belt and Open Countryside. The Council says that site specific matters such as those raised will be addressed in the forthcoming SPD. I agree that this is appropriate.

Overall

96. In overall conclusion on this issue, I consider that with the modifications referred to, the policies about sustainable development and climate change, water quality, sustainable transport and open space, sport and recreation are justified, effective, consistent with national policy and the most appropriate when considered against the reasonable alternatives.

Issue 5 – Whether Policy EV4, relating to South Staffordshire College (Rodbaston) is consistent with national policy and the most appropriate option when considered against the reasonable alternatives

97. South Staffordshire College (Rodbaston) is in the Green Belt. Policy EV4 identifies the site as a Special Policy Area. It supports proposals for new development associated with the present education and training use provided that, among other things, it is of a scale and massing appropriate to its location. On the face of it, this is more generous than the NPPF which effectively restricts new development on previously developed sites to limited infilling or the partial or complete redevelopment of brownfield land which would not have a greater impact on the openness of the Green Belt than the existing development. Notwithstanding the justification given for this, including the need for the college to modernise in order to secure its future viability, this gives rise to concerns about the soundness of the policy.
98. However, the Council has proposed modifications (**MM19**) to Policy EV4. Criterion b) now specifically links the scale and massing of new buildings allowed on the site to a Master Plan, and specifies the inclusion in the Master Plan of guidelines in respect of building footprints and heights. This would be subject to the Council's approval following consultation in line with the Statement of Community Involvement. The detail within the policy now proposed remains less explicit than the NPPF, particularly in relation to the question of the effect of development on openness. But there is no reason to suppose that the Council, as a responsible public body, would fail to give appropriate consideration to this factor in the Master Plan approval process. The construct of the policy, resting on the detail in the Master Plan, would enable a local decision to be made about setting the parameters for development on the site, taking into account both national policy and the needs of the college.
99. Overall, the outcome of Policy EV4 need not be other than consistent with national policy. In conclusion, given the proposed modifications, Policy EV4 is appropriate and should not be regarded as unsound.

Issue 6 – Whether the monitoring framework is effective

100. The plan's monitoring framework, as submitted, lacks numerical targets. It also does not include 'trigger points' to signal the necessity of implementing contingency plans. In short, the monitoring proposed would not be effective in measuring the plan's success or otherwise in delivering its policy aims and

objectives, and is not sound in this regard.

101. Following the hearing sessions, the Council put forward a modification (**MM20**) which wholly replaces the monitoring framework with a new one. This sets out measurable targets for many indicators, includes thresholds for considering contingency action and specifies what action should be taken. On the whole, it provides a suitable basis for judging the plan's delivery and managing shortcomings in this respect. I conclude that with the modification proposed by the Council the monitoring framework is adequately effective, and is sound.

Assessment of Legal Compliance

102. My examination of the compliance of the plan with the legal requirements is summarised in the table below. I conclude that the plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Core Strategy is identified within the approved LDS of 2011 which sets out an expected adoption date of March 2012. Although the content of the Core Strategy is compliant with the LDS, some delays in its progress have occurred. I am satisfied that there is no fundamental conflict with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in 2006 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed changes (PC) and further proposed changes (FPC).
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Habitats Regulations Assessment (HRA)	HRA has been carried out and is adequate.
National policy	The Core Strategy complies with national policy except where indicated and changes are recommended.
Regional Strategy (RS)	The Core Strategy is in general conformity with the RS.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act (as amended) 2012 Regulations	The Core Strategy complies with the Act and the Regulations.

Overall Conclusion and Recommendation

103. The Plan has a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.

104. The Council has requested that I recommend main modifications to make the

Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Core Strategy satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Simon Berkeley

Inspector

This report is accompanied by the Appendix containing the Main Modifications, along with an Addendum to the Appendix.

Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and **bold** for additions of text, or by specifying the modification in *italics*. Text shown in ~~**bold and strikethrough**~~ is to be deleted.

The page numbers and paragraph numbering below refer to the submission CS, and do not take account of the deletion or addition of text.

Ref	Page	Policy / Paragraph	Main Modification
MM1			<i>Amend all references to the end of the plan period from 2027 to 2028.</i>
MM2	Page 36	New policy	<p><i>Add new National Policy 1 as follows:</i></p> <p>National Policy 1: The Presumption in Favour of Sustainable Development</p> <p>When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the District.</p> <p>Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application, or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <ol style="list-style-type: none"> 1. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or 2. Specific policies in the NPPF indicate that development should be restricted.

MM3	Page 47	Paragraph 6.14	<p><i>Amend paragraph 6.14 as follows:</i></p> <p>There is no justification for fundamental changes to the general extent of the Green Belt but some land will need to be released from the Green Belt and Open Countryside in some locations at the Main and Local Service villages, and modest extensions to the four existing freestanding strategic employment sites (i54, Hilton Cross,) and sites under saved 1996 Local Plan policies E3/E4 (ROF Featherstone/Brinsford and Four Ashes), will be considered to accommodate justified development needs. These saved 1996 Local Plan policies will be superseded by policies to be included in the Site Allocations DPD when adopted. The housing allocation proposed, including a 10 year supply of safeguarded land (White Land), would equate to less than 1% loss of Green Belt at an average density of 30 dwellings per hectare, even if all sites were to be located in the Green Belt. The existing Green Belt boundaries and village boundaries are shown on the Proposals Policies Map and Inset Plans and the detailed boundaries will be reviewed as necessary in the Site Allocations DPD.</p>
MM4	Page 51	New paragraph 6.20	<p><i>Add new paragraph 6.20 as follows:</i></p> <p>The Core Strategy needs to provide a strong direction to the Site Allocations DPD to assist in the forthcoming engagement and consultation with local communities to select the most appropriate sites for the growth of their villages. We recognise that in some cases there will be no alternative but to alter the boundaries of the Main and Local Service Villages in order to accommodate housing growth. These alterations will be led by the need to accommodate housing growth only. It is not intended to alter the current boundaries of Main and Local Service Villages in order to accommodate solely other forms of development. If however, it is demonstrated that a mixed use development can deliver the required housing growth in a more effective, efficient and sustainable way, then allocations for mixed use sites will be taken forward through the Site Allocations DPD. In some cases it may help to limit the impact on local character by identifying a number of smaller sites rather than one large site. In order to protect the Green Belt the Site Allocations DPD will use a sequential approach to guide housing site selection when consulting with local communities as follows:</p> <ul style="list-style-type: none"> • Firstly – Sites within the current development boundaries of our Main and Local Service Villages; • Secondly – Land not within the Green Belt i.e. Existing safeguarded land identified under saved Local Plan policy GB4 GB2 or land located in the Open

			<p>Countryside that is adjacent to the current development boundaries of our Main and Local Service Villages and situated in sustainable locations;</p> <ul style="list-style-type: none"> • Thirdly - Previously developed land (and) (brownfield land), provided it is not of high environmental value – that is located outside but adjacent to the current development boundaries of our Main and Local Service Villages and situated in sustainable locations; • Lastly – Sites that are currently within the Green Belt and are located adjacent to the current development boundaries of our Main and Local Service Villages and situated in sustainable locations.
MM5	Page 49	Policy GB1	<p><i>Amend Policy GB1 as follows:</i></p> <p>Policy GB1: Development in the Green Belt</p> <p>Within the South Staffordshire portion of the West Midlands Green Belt as defined on the Proposals Policies Map, development acceptable within the terms of national planning policy set out in PPG2 Green Belts the NPPF will normally be permitted where the proposed development is for either:</p> <p>A. A new or extended building, provided it is for:</p> <p>a) purposes directly related to agriculture or forestry; or b) essential appropriate small-scale facilities for outdoor sport or recreation, nature conservation, cemeteries and for other uses of land which preserve the openness of the Green Belt and which do not conflict with its purposes; or c) affordable housing where there is a proven local need in accordance with Policy H2; or d) limited infilling* and limited extension(s), alteration or replacement of an existing building dwelling where the extension(s) or alterations are not disproportionate to the size of the original building, and in the case of a replacement building dwelling the new building dwelling is not materially larger than the building dwelling it replaces. Guidance in these matters will be contained in the Green Belt and Open Countryside (Dwellings) Supplementary Planning Document (SPD).</p> <p>B. The re-use of a building provided that:</p> <p>e) the proposed use or of any building (taking into account the size of any extensions, rebuilding or required alterations), would not harm the openness of the Green Belt or the fulfilment of its</p>

			<p>purposes.</p> <p>C. Changes of Use of Land:</p> <p>f) the carrying out of engineering or other operations, or the making of a material change of use of land, where the works or use proposed would have no material effect on the openness of the Green Belt, or the fulfilment of its purposes.</p> <p>D. Development brought forward under a Community Right to Build Order. Development proposals should be consistent with other local planning policies.</p> <p>*Footnote: Limited infilling is defined as the filling of small gaps (1 or 2 buildings) within a built up frontage of development which would not exceed the height of the existing buildings, not lead to a major increase in the developed proportion of the site, or have a greater impact on the openness of the Green Belt and the purpose of including land within it.</p>
MM6	Page 49	New policy GB2	<p><i>Add new Policy GB2 as follows:</i></p> <p>Policy GB2 Land Safeguarded for Longer Term Needs (White Land)</p> <p>a) Land Existing safeguarded land, formerly identified under saved 1996 Local Plan policy GB4 of the 1996 Local Plan will be considered for future development in the Site Allocations DPD in accordance with the sequential approach as outlined in paragraph 6.20.</p> <p>b) Additional safeguarded land will be identified in the Site Allocations DPD for housing and employment development for the period 2028 – 2038. This will be at Main and Local Service villages and at the four existing free standing strategic employment sites at i54, Hilton Cross, ROF Featherstone/Brinsford and Four Ashes.</p> <p>c) All safeguarded land identified for longer term development needs and removed from the Green Belt (including existing saved safeguarded land 1996 Local Plan policy GB4) will retain its White Land safeguarded land designation until a review of the Local Plan proposes development of those areas in whole or part. Planning</p>

			applications for permanent development prior to allocation in the Local Plan will be regarded as departures from the Plan.						
MM7	Page 50	Policy OC1	<p><i>Amend Policy OC1 as follows:</i></p> <p>b) ... cemeteries and for other uses of land which preserve the openness appearance or character of the Open Countryside ...</p> <p>f) ... where the works or use proposed would have no material effect on the openness appearance and character of the Open Countryside ...</p>						
MM8	Page 91	Core Policy 6	<p><i>Amend Core Policy 6 as follows:</i></p> <p><u>Housing Land Supply and Distribution</u></p> <p>The Council will plan, monitor and manage the delivery of at least 3,675 3850 homes in South Staffordshire between 2006 and 2027 2028 and ensure that a sufficient supply of deliverable/developable land is available to deliver 175 new homes each year informed by the District housing trajectory. The Council will seek to maintain a 5 year housing supply of deliverable sites plus an additional buffer of 5% moved forward from later in the plan period (or 20% where there has been a persistent under delivery of housing) and to provide 60% of housing on previously developed land (brownfield land) during the plan period.</p> <p>As of 1st April 2010, 2,244 new homes have been completed or are committed and the balance of new housing development (1,431 1606 homes rounded to 1,440 1610) will be distributed between the existing villages of South Staffordshire, in accordance with the principles of the settlement hierarchy defined in Core Policy 1 and shown on the Key Diagram as follows:</p> <table border="1"> <thead> <tr> <th>Locality/Village</th> <th>Housing Allocation</th> <th>Minimum Housing Numbers</th> </tr> </thead> <tbody> <tr> <td><u>Locality Area 1 - Northern Area</u></td> <td></td> <td></td> </tr> </tbody> </table>	Locality/Village	Housing Allocation	Minimum Housing Numbers	<u>Locality Area 1 - Northern Area</u>		
Locality/Village	Housing Allocation	Minimum Housing Numbers							
<u>Locality Area 1 - Northern Area</u>									

			Penkridge	330	370
			<u>Total Northern Area</u>	<u>330 dwellings (23%)</u>	<u>370 dwellings (23%)</u>
			<u>Locality Area 2 – North Western Area</u>		
			Brewood	60	65
			Coven	30	32
			Wheaton Aston	30	32
			<u>Total North Western Area</u>	<u>120 dwellings (8%)</u>	<u>129 dwellings (8%)</u>
			<u>Locality Area 3 – North Eastern Area</u>		
			Cheslyn Hay	95	107
			Great Wyrley	50	56
			Essington	20	23
			Featherstone	35	40
			<u>Total North Eastern Area</u>	<u>200 dwellings (14%)</u>	<u>226 dwellings (14%)</u>
			<u>Locality Area 4 – Central Area</u>		

			Bilbrook	95	105
			Codsall	200	222
			Perton	150	166
			Pattingham	20	22
			<u>Total Central Area</u>	<u>465 dwellings (32%)</u>	<u>515 dwellings (32%)</u>
			<u>Locality Area 5 – Southern Area</u>		
			Kinver	80	91
			Wombourne	225	256
			Swindon	20	23
			<u>Total Southern Area</u>	<u>325 dwellings (23%)</u>	<u>370 dwellings (23%)</u>
			<u>District Total</u>	<u>1,440 dwellings*</u>	<u>1610 dwellings *</u>
		*In addition to the proposed housing development in the above table, for both development			

			<p>management purposes and the Site Allocations DPD, the following development will also add to the overall housing supply and the level of growth proposed in South Staffordshire in the plan period:</p> <ul style="list-style-type: none"> a. Affordable housing delivered on rural exception sites in accordance with Policy H2; b. Exceptionally, housing development that contributes to the delivery of local community infrastructure, where there is a proven need for community facilities and where such housing proposals are supported by local communities. <p>Should further housing development be required in the plan period to respond to changing circumstances this will be focused on the Main Service Villages.</p> <p>Should further housing development be required in the plan period to respond to changing circumstances this will be focused on the Main Service Villages and Local Service Villages that are identified in the table above and apportionment between these settlements shall have regard to the factors set out in para 8.8 of this Core Strategy DPD.</p> <p><u>Housing for an Ageing Population</u></p> <p>In delivering the level of housing proposed, the Council will encourage the provision of accommodation for the elderly including extra care and residential care homes, dementia care units and retirement villages of an appropriate scale.</p> <p><u>Phasing and Site Allocations</u></p> <p>Development will be phased to ensure that it does not occur until appropriate infrastructure is available and sites will be released to ensure a consistent delivery of housing. Allocations for new housing development will be identified in the Site Allocations DPD. Housing development at Wheaton Aston should be located away from the Motte Meadows SAC to ensure that there are no significant effects on this international site.</p> <p><u>Housing Expectations</u></p>
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			<p>Housing development will be expected to:</p> <ul style="list-style-type: none"> a) Contribute to the achievement of sustainable development giving priority to the re-use of previously developed land (brownfield land) in sustainable locations, provided it is not of high environmental value b) Be of a character and density appropriate to the surrounding area c) Assist in meeting the identified housing needs, including affordable housing and elderly persons accommodation within the locality/ housing market areas d) Be adaptable to changing life circumstances e) Deliver the required social, physical and green infrastructure requirements necessary to support sustainable communities. <p>Housing development which has a detrimental impact upon the character and environmental quality of residential areas and the character and local distinctiveness of villages will not be supported.</p> <p>In the absence of a 5 year housing land supply, the Council shall give favourable consideration to planning applications that are received according to the suitability of the site in terms of its location, characteristics and the proposed quantum of development when compared with the apportionment set out in the table above and the specific villages where new housing growth has been identified. The sequential approach will be that outlined in paragraph 6.20.</p> <p>Development proposals should be consistent with the adopted Village Design Guide Supplementary Planning Document and other local planning policies.</p>
MM9	Page 95	New paragraphs 8.14 and 8.15	<p><i>Add new paragraphs 8.14 and 8.15 as follows:</i></p> <p>8.14 It is recognised that the Site Allocations DPD is likely to take up to 2 years to achieve adoption status. In the interim, if the Council is unable to demonstrate the existence of a 5 year supply of deliverable housing land, applications for housing will be considered in the context of the presumption in favour of sustainable development, subject to the restrictions of policies which indicate that development should be restricted (para 14, footnote 9 NPPF). then it will give favourable consideration to planning applications for development on land within or adjacent to the existing boundaries of the Main Service Villages and Local Service Villages that are within the table contained in Core Policy 6,</p>

			<p>providing that the quantum of new housing development proposed reflects the apportionment that is set out in the table. To provide stronger direction to potential suitable sites we shall utilise a sequential approach to guide the consideration of planning applications as outlined in paragraph 6.20.</p> <p>8.15 The 90/10 ratio that has been used to apportion between Main Service Villages and Local Service Villages will continue to be applied during the plan period and for the identification of safeguarded land in the Site Allocations DPD.</p>												
MM10	Page 105	Policy H6	<p><i>Amend Policy H6 as follows:</i></p> <p>Policy H6: Gypsies, Travellers and Travelling Showpeople</p> <p>The Council will meet the accommodation needs of Gypsies, Travellers & Travelling Showpeople as set out in the Interim Policy Statement of the West Midlands RSS (March 2010) in accordance with the following phased provision: - Gypsy and Traveller Accommodation Assessment 2008 (GTAA) and seek to maintain a 5 year supply of specific deliverable sites identified on an annual basis:</p> <p>1. Gypsy & Traveller Residential Pitches</p> <p>a) 2007-2012 = 30 pitches</p> <p>b) 2012-2017 = 12 pitches</p> <p>c) 2017-2022 = 15 pitches</p> <p>d) 2022-2028 = 20 pitches</p> <p>2. Gypsy & Traveller Transit Pitches</p> <p>a) 2007-2017 = 5 pitches</p> <p>3. Plots for Travelling Showpeople</p> <p>a) 2007-2012 = appropriate contribution towards 23 plots for Staffordshire & Stoke on Trent</p> <table border="1"> <thead> <tr> <th>Accommodation</th> <th>2007-2012</th> <th>2012-2016</th> <th>2016-2021</th> <th>2021-2026</th> <th>2026-2028</th> </tr> </thead> <tbody> <tr> <td>Residential Pitches</td> <td>32</td> <td>15</td> <td>17</td> <td>15</td> <td>6</td> </tr> </tbody> </table>	Accommodation	2007-2012	2012-2016	2016-2021	2021-2026	2026-2028	Residential Pitches	32	15	17	15	6
Accommodation	2007-2012	2012-2016	2016-2021	2021-2026	2026-2028										
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			<table border="1"> <tr> <td>Transit Pitches</td> <td>5</td> <td>NA</td> <td>NA</td> <td>NA</td> <td>NA</td> </tr> <tr> <td>Travelling Showpeople plots</td> <td>13</td> <td>1</td> <td>2</td> <td>2</td> <td>1</td> </tr> <tr> <td>Total</td> <td>50</td> <td>16</td> <td>19</td> <td>17</td> <td>7</td> </tr> </table>	Transit Pitches	5	NA	NA	NA	NA	Travelling Showpeople plots	13	1	2	2	1	Total	50	16	19	17	7					
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Travelling Showpeople plots	13	1	2	2	1																					
Total	50	16	19	17	7																					
			<p>The Council will grant planning permission in suitable locations for additional pitches and allocate suitable sites in the Site Allocations DPD where there is evidence of need compared with current planned provision of pitches within South Staffordshire. Proposals will be expected to meet all of in accordance with the National Planning Policy for Traveller Sites, the NPPF and the following criteria:</p> <p>1. The intended occupants must meet the definition of Gypsies & Travellers or Travelling Showpeople as set out in Annex 1 of Planning Policy for Traveller Sites Circular 01/2006 (or any subsequent replacement of the Circular), or the description of Travelling Showpeople as set out in Circular 04/2007 (or any subsequent replacement of the Circular); and</p> <p>2. The Site is on the outskirts of, or within reasonable travelling distance of, a settlement which offers local services including shops, community facilities and access to schools, medical facilities and the public transport network; and</p> <p>3.2. Essential services such as power, water sewerage, drainage and waste disposal are either available or can be provided to service the site; and</p> <p>4.3. The site will be well designed and landscaped to give privacy between pitches; for the occupiers of the site and between the site and adjacent users to protect the amenities of the occupiers of the site and the amenities of neighbouring residential properties, including 'boaters'; and</p> <p>5.4. Transit sites should have good access to the strategic highway network; and</p> <p>6.5. Sites for Travelling Showpeople will be large enough to accommodate ancillary yards for business uses and be located in areas where there is no unacceptable impact on neighbouring residential properties, including 'boaters', by reason of air pollution, noise or risk to the health and safety of local residents arising from the storage of large items of mobile equipment; and</p> <p>7.6. The site can adequately and safely be accessed by vehicles towing caravans, is well related to the established local highway network and there is safe pedestrian and cycle access to the site</p>																							

			<p>and adequate space within the site to accommodate vehicle parking, turning space and to accommodate the occupants of the site having regard to the provision of adequate amenity space and play space for children; and</p> <p>8. Proposals for an extension to an existing site will be considered where there is evidence of local housing need arising from those living on the site or their immediate families — proposals that lack evidence of a local need will normally be resisted to avoid problems of community safety arising from poor social cohesion with existing families; and</p> <p>97. The proposal, either in itself or cumulatively having regard to existing neighbouring sites, must be of an appropriate size so as to not put unacceptable strain on infrastructure or dominate the nearest settled communities — sites shall not exceed 15 pitches in size for occupation by a single extended family, although local circumstances may exceptionally, justify greater provision having regard to the assessment of the individual merits of the proposal; and to avoid problems of community safety arising from poor social cohesion with existing families; and</p> <p>108. Proposals shall be sited and landscaped to ensure that any impact on the character and landscape of the locality is minimised, including impacts on biodiversity and nature conservation. In areas of nationally, sub-nationally or locally recognised designations planning permission will only be granted where the objectives of designation would not be compromised by the development – examples will include: -</p> <p>a) The Green Belt - where demonstrably harmful impact on the 'openness' of the Green Belt will be resisted;</p> <p>b) Cannock Chase Area of Outstanding Natural Beauty (AONB) – where proposals that will harm the setting, function and integrity of Cannock Chase will be resisted;</p> <p>c) Sites of Special Scientific Interest (SSSI), including Kinver Edge, Conservation Areas, Special Areas of Conservation (SAC), including Motte Meadows near Wheaton Aston, Local Nature Reserves (LNR), including Shoal Hill Common, or any other protected sites - where proposals that will harm the setting, function and integrity of these areas will be resisted;</p> <p>d) Recognised tourism and heritage assets of South Staffordshire, including historic parks and gardens and the environs of the canal network within the District – where proposals that could undermine the economic vibrancy of South Staffordshire, by harming the aims, objectives and planned actions within the Council's Tourism Strategy, will be resisted; and</p> <p>11. Proposals must be capable of being assimilated into the existing landscape, taking advantage</p>
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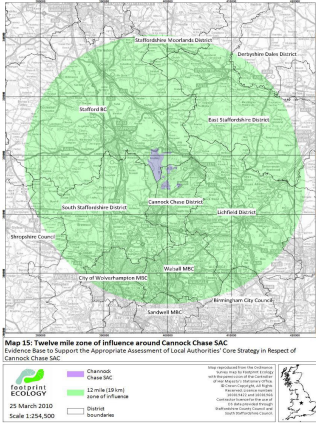
			<p>of natural boundaries such as trees and hedges, providing mitigating measures such as suitable landscaping and planting where necessary;</p> <p>±29. Proposals must not be located in areas at high risk of flooding including functional floodplains (flood zones 3a and 3b).</p> <p>The Council will monitor and manage the provision of additional pitches within South Staffordshire against the phased provision set out above. Where there is no shortfall against the phased provision within each phased time-frame, in determining planning applications for additional pitches the Council will firmly resist any proposals within the Green Belt or the open countryside within South Staffordshire or proposals in locations that could introduce problems of social cohesion with the settled community or with the occupants of authorised sites for Gypsies, Travellers and Travelling Showpeople.</p> <p>The Council will not tolerate the occupation by Gypsies and Travellers of unlawful sites and will seek the assistance of the Courts to remove them from such sites and recover the costs of such removal and the cost of restoring the site to its original state.</p> <p>The Council anticipates that the requirements to meet the needs of Gypsies, Travellers & Travelling Showpeople in South Staffordshire will be met through the provision of private sites. However, the Council will monitor the situation locally and liaise with the local Gypsy & Traveller Communities (including Travelling Showpeople), and seek to secure the provision of a suitably located public site(s) if there is a proven need for such provision having regard to the health, welfare and educational needs of the local travelling communities.</p> <p>The Council will engage with the occupiers and owners of existing Gypsy & Traveller sites and sites of Travelling Showpeople in order to establish the local housing needs arising consider the capacity within existing sites and, where justified and subject to the criteria set out above, will consider the appropriate extension of existing sites.</p> <p>The Council will collaborate with local planning authorities within Staffordshire & Stoke on Trent in order to facilitate the provision of 23 plots for Travelling Showpeople 2007-2012 and give consideration to an appropriate contribution towards future provision (2012-2028).</p> <p>The Council will seek to collaborate with neighbouring authorities regarding the longer term provision for Gypsy and Traveller Transit pitches (2017-2028).</p>
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			<p>Applications for new sites and the refurbishment of existing sites will normally be expected to meet the design guidelines detailed in National Guidance (Designing Gypsy and Traveller Sites, Good Practice Guide).</p>
MM11	Page 110	Core Policy 7	<p><i>Amend Core Policy 7 as follows:</i></p> <p>... The Council will support the delivery of the strategic employment sites at i54 Wobaston Road and Hilton Cross. Support will also be given for the development of ROF Featherstone/Brinsford for general employment use*. The portfolio of employment sites in the District provides a range of sites including the proposed energy from waste facility at Four Ashes. This strategic waste site will provide employment and contribute to the delivery of sustainable waste management in the County and generate energy.</p> <p>Proposals for modest extensions to the four freestanding strategic employment sites in South Staffordshire (i54, Hilton Cross, ROF Featherstone/Brinsford and Four Ashes) to accommodate justified development needs will be supported where robust evidence and a reasoned justification is provided to support their expansion.</p> <p>... In addition to the four freestanding strategic employment sites identified above, the focus for economic growth, development and investment will be on the Main Service Villages identified in the settlement hierarchy in Core Policy 1. Modest Extensions to existing free standing employment sites will also be considered against other local planning policies to deliver sustainable development.</p> <p>The Council will support measures to sustain and enhance the vitality and viability of village and neighbourhood centres. Small scale office development should be located within these centres in accordance with the retail hierarchy defined in Core Policy 8.</p> <p>Opportunities for small-scale employment development to meet local needs will be supported in appropriate locations within the development boundaries of Local and Small Service Villages.</p> <p>Outside the Main Service Villages, Local Service Villages, and Small Service Villages, proposals for small-scale employment development and the sustainable diversification of the rural economy, including the conversion and re-use of suitable redundant rural buildings for employment use and live/work units, will be supported where they are consistent with Core Policy 9 and do not conflict with other local planning policies.</p>

			<p>Employment development will be expected to contribute to the achievement of sustainable development. The priority will be for the re-use of previously developed land (brownfield land) in sustainable locations, provided it is not of high environmental value; that are accessible by public transport, walking and cycling and development should be appropriate in scale and design to the location for which it is proposed. Mixed use sites incorporating high quality layouts, landscaping and design will be supported in appropriate locations.</p> <p>The Council will support measures which provide the infrastructure necessary to support economic development, supporting transport investment which will help sustain the local economy giving priority to schemes which improve links and improve local accessibility between homes and jobs across the District and in particular improve accessibility to and from the main service villages by sustainable forms of transport e.g. public transport, walking and cycling.</p> <p>The Council will seek to ensure that a supply of employment land is readily available in South Staffordshire to meet justified development needs for general employment development throughout the plan period. Existing employment land allocations are sufficient to meet needs during the plan period, whilst recognising the constraints that impact upon the District.</p> <p>Existing employment land allocations are sufficient to meet needs during the plan period. Existing employment areas Unless it can be demonstrated that there is no reasonable prospect of a site being delivered, existing employment areas will be protected and retained for employment uses in accordance with Policy EV1 and the redevelopment and modernisation of existing sites for employment will be supported.</p> <p>Development proposals should be with consistent with other local planning policies.</p> <p><i>Footnote: General Employment Use refers to use classes B1, B2 and B8 and sui generis uses of an industrial nature or appropriate to an employment area with those use classes. Suitability of a site to accommodate the entire range of 'general employment' uses will depend upon site specific factors which affect their suitability for uses with potential adverse impacts on local amenities.</i></p>
MM12	Page 114	Policy EV1	<p><i>Amend Policy EV1 as follows:</i></p> <p>... The strategic employment sites at i54, Hilton Cross, ROF Featherstone/Brinsford and Four</p>

			<p>Ashes shall be used for employment purposes that accord with their substantive planning permissions and their strategic planning and economic justifications.</p> <p>... At Hilton Cross, where the strategic site is smaller, there may be some scope for allowing variations from the permitted uses through the presentation of a robust business case and strategic planning justification.</p> <p>ROF Featherstone/Brinsford has a history of support for B1 & B2 development through previous local plans for South Staffordshire. B8 has not been supported because of the implications arising from the movement of heavy goods vehicles along minor rural roads which link the site to the A449, A460 and the Bushbury areas of Wolverhampton. In addition, the ROF site is situated within the Forest of Mercia where there has been an ambition to restore and improve landscape quality. For that reason new forest planting (10 hectares) was a requirement of the previous Local Plan for South Staffordshire. The Council shall expect these issues to be addressed in any future redevelopment of the ROF site...</p>
MM13	Page 113	Paragraph 9.11	<p><i>Delete paragraph 9.11 and replace it with new paragraphs 9.11 and 9.12 as follows:</i></p> <p>9.11 The Council is therefore concerned about the lack of evidence to support a large logistics site in South Staffordshire and considers that a study of potentially suitable alternative sites should be carried out within the whole area of search before identifying any site in South Staffordshire. A comprehensive study is needed to explore all the alternatives as there may be possibilities in districts other than South Staffordshire where there are large areas of Green Belt and Open Countryside and where the impact of such development is likely to be significant. The Council considers that it is not appropriate at this time to include specific reference to RLS in the Core Strategy, but will continue to work with key partners as and when necessary on this issue.</p> <p>9.11 The Council accepts that the RLS issue remains outstanding and that a comprehensive study should now be set in train. The need that was expressed through the RSS Phase Two Revision, and supported in the EiP Phase Two Revision Panel Report in September 2009, was also supported in the Inspector's Report into the Examination of the Black Country Core Strategy, subsequently adopted in February 2011. In this regard, Wolverhampton City Council has agreed to lead on joint working with the Black Country and southern Staffordshire Districts to update the evidence base prepared in support of the RSS Phase Two Revision with respect to the understanding as to how the</p>

			<p>identified need for large scale logistics activity to serve the needs of the area can best be met.</p> <p>9.12 The Council considers that the comprehensive study should explore alternative approaches, such as 'hub and spoke', that could limit environmental impact, including loss of Green Belt; and also should include technical work to consider the feasibility of making connections to the Rail Network and assessing issues of capacity. The Council considers that the Stoke-on-Trent and Staffordshire Local Enterprise Partnership (LEP), the Black Country LEP and the Black Country Consortium, should be engaged in the Study. The Council acknowledges that 2 sites within South Staffordshire District have been identified as 'possibilities to be explored' (RSS Phase Two Revision Panel Report) – Four Ashes and Brinsford. Others mentioned are Cannock, Fradley and Meaford. If the findings of the comprehensive study concludes that either of these 2 sites in South Staffordshire District – Four Ashes or Brinsford – has a role to play in delivering an RLS for the benefit of the Black Country and southern Staffordshire, then delivery could be addressed through the Council's Site Allocations DPD. Both sites are adjacent to large freestanding strategic employment sites and Core Policy 7 states that modest extensions to the four existing freestanding strategic employment sites will be considered against other local planning policies to deliver sustainable development. However, the Council recognises that; exceptionally, an RLS would require a scale of development beyond a modest extension of either ROF Featherstone/Brinsford or Four Ashes. It is also recognised that the refresh of the Employment Land Study (ELS) might demonstrate a pressing need for new employment sites in the District which would be contrary to the agreed Spatial Strategy. In order to provide flexibility if either of these events were to occur, the Council will carry out a partial review of the Core Strategy to take account of such changes. The provision of an RLS in South Staffordshire would need to be justified by robust and comprehensive evidence. The Council will co-operate with partners and relevant parties and will use its best endeavours to ensure that the Comprehensive Study is completed by 31 December 2012.</p>
MM14	Page 59	Map 11	<i>Delete Map 11</i>

			 <p>Map 15: Twelve mile zone of influence around Cannock Chase SAC Evidence Base to Support the Appropriate Assessment of Local Authorities' Core Strategy in Respect of Cannock Chase SAC</p> <p>25 March 2010 Scale 1:254,500</p>
MM15	Page 61	Policy EQ3	<p><i>Amend Policy EQ3 as follows:</i></p> <p>Policy EQ3: Conservation, Preservation and Protection of Heritage Assets</p> <p>The conservation and enhancement of South Staffordshire's historic environment will be achieved by a number of means:</p> <p>a) The Council will establish, review and maintain a schedule records of known heritage assets including:</p> <ul style="list-style-type: none"> • Listed buildings • Scheduled Ancient Monuments • Conservation Areas • Registered Parks and Gardens • Buildings of Special Local Interest (a 'local list') • Undesignated heritage assets • Other historic landscapes <p>and will support and encourage ever greater appreciation, knowledge and enjoyment of the District's historic environment and heritage assets through:</p> <ul style="list-style-type: none"> • joint working with local communities and interest groups such as civic and

			<p>historical societies;</p> <ul style="list-style-type: none"> • the continual development and refinement of the Local List; and • interaction with the County Council's Historic Environment Record (HER). <p>b) In addition to policies in Planning Policy Statement 5 "Planning for the Historic Environment" National Guidance †The Council will support proposals for development where it can be demonstrated that this will provide funding for the conservation and encourage measures which secure the improved maintenance, management and sustainable reuse of heritage assets, particularly those which are identified nationally or locally as being at risk. Where necessary an assessment will be made of whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.</p> <p>e) Development which affects a heritage asset or its setting should ensure that the special archaeological, architectural, historic or artistic interest of the asset is not adversely affected.</p> <p>c) Further to National Guidance The Council will ensure that development which affects a heritage asset or its setting will be informed by a proportionate assessment of the significance of those parts of the asset and including its setting which is are likely to be affected by the proposals. These will be judged by considering the extent to which an asset's their special archaeological, architectural, historic or artistic interest will be adversely affected harmed, including its conservation in the interest of present and future generations, through the widest spectrum of community engagement.</p> <p>d) In the case of development in a conservation area, proposals will be considered against any management plan and appraisal adopted for that area.</p> <p>e) Development should be informed by an assessment of the significance of those parts of an asset which will be affected by the proposals, and will be judged by considering the extent to which that significance will be affected.</p> <p>f) Proposals which involve the alteration, conversion, rebuilding, repair or re-use of heritage assets will be considered by an assessment of the:</p>
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			<ul style="list-style-type: none"> • ways in which the proposals affect the archaeology of the asset; • effect of the proposal upon its design and fabric; • extent of intervention involved; • desirability of preserving the asset and whether it requires protection and; • extent to which the proposals are reversible without causing significant damage to the asset. <p>g) Proposals for the rebuilding, reconstruction, repair or re-use of an asset will be considered by assessment of the:</p> <ul style="list-style-type: none"> • extent to which the asset has been recorded; • documentary or physical evidence of what existed previously. <p>h) Proposals for repair, i.e. to return a building to good order without alteration, will be considered by an:</p> <ul style="list-style-type: none"> • assessment of the materials and techniques to be employed in the repairs. <p>i) Proposals for restoration will be considered by an:</p> <ul style="list-style-type: none"> • assessment of the accuracy of the proposed design and the extent to which the original design is either known or can be established via research. <p>e) The Council will apply the principles relating to significance and setting contained within National Guidance to all works proposed to heritage assets consider the significance and setting of all proposed works to heritage assets, informed by relevant guidance that is supported by English Heritage. In addition the following principles of will be adhered to:</p> <ul style="list-style-type: none"> • minimising the loss and disturbance of historic materials • using appropriate materials, and • ensuring reversibility of change alterations are reversible <p>will be adhered to.</p> <p>f) The Council will require all works proposed to heritage assets, or sites with the potential to include assets, to be informed by a level of historical, architectural</p>
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			<p>and archaeological evidence proportionate to their significance. Where appropriate, the Council may also require historical research and archaeological recording to be undertaken before works to a heritage asset commence.</p> <p>Heritage assets including Listed Buildings (and those on a local list) Registered Parks and Gardens (and other historic landscapes) Conservation Areas and Scheduled Ancient Monuments are identified on the Proposals Policies Map and Inset Plans.</p> <p>Development proposals should be consistent with the NPPF, the adopted Village Design Guide Supplementary Planning Document and other local planning policies.</p>																					
MM16	Page 69	Policy EQ5	<p><i>Amend Policy EQ5 as follows:</i></p> <p>Policy EQ5: Sustainable Resources and Energy Efficiency</p> <p>To ensure that development minimises environmental impacts, including lowering the demand for energy and water, securing the highest viable standards of resource and energy efficiency and achieving greater resilience to changes in climate, minimum sustainability standards are required for all new build and retrofitted developments.</p> <p>The Council will require developments to utilise accredited environmental rating mechanisms, such as the Code for Sustainable Homes (CSH) and the Building Research Establishment Environmental Assessment Method (BREEAM).</p> <p>With regard to reducing carbon emissions, all new residential development will be required to achieve the minimum carbon standards as set out in the following carbon targets framework:</p> <table border="1"> <thead> <tr> <th rowspan="2">Period</th> <th colspan="3">Carbon Emission Reductions</th> <th rowspan="2">Resulting range in carbon reduction (regulation emission equivalent)</th> <th rowspan="2">Code for Sustainable Homes (CSH) Level</th> </tr> <tr> <th>Regulated (versus Part L 2006)</th> <th>Minimum Proportion of Low and Zero Carbon energy generation (against total carbon*)</th> <th>Un-regulated</th> </tr> </thead> <tbody> <tr> <td>2010-2013</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Minimum (all housing development)</td> <td>25%</td> <td>10%</td> <td>0%</td> <td>25-42%</td> <td>3</td> </tr> </tbody> </table>	Period	Carbon Emission Reductions			Resulting range in carbon reduction (regulation emission equivalent)	Code for Sustainable Homes (CSH) Level	Regulated (versus Part L 2006)	Minimum Proportion of Low and Zero Carbon energy generation (against total carbon*)	Un-regulated	2010-2013						Minimum (all housing development)	25%	10%	0%	25-42%	3
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			Maximum (where lower cost solutions are available because of opportunities) 2016-2019	100%	(minimum 70% Carbon Compliance/30% Allowable Solutions)	Obsolete at this carbon standard	100%	100-150%														
			Minimum (all housing development including those of less than 10 dwellings)			ZERO CARBON	(Additional Carbon Compliance of Allowable Solutions)	5														
			Maximum (where lower cost solutions are available because of opportunities) POST 2019					6														
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			<p>South Staffordshire's carbon standard requirements are based upon Building Regulations Part L and achieving high standards will improve the performance of developments against the CSH and BREEAM assessment frameworks.</p> <p>All new residential development is required to examine how it could attain the maximum carbon targets. The Council has the expectation that where conditions or opportunities are favourable, for example through district heating or low carbon energy generation the maximum standards will be exceed the minimum targets and achieved the maximum targets. The minimum standards are required to be met on all schemes. Development which is proposed in excess of the maximum recommended standards would not be precluded. Development should follow the 'energy hierarchy' of maximising the energy efficiency, then low carbon energy and then finally off-site offsetting options.</p> <p>The Council wishes to encourage the inclusion of low carbon energy technologies. It is recognised that technologies must be 'fit for purpose' for specific developments, however, the Council wishes to encourage the inclusion of biomass boilers and district (or community) heating to make the best use of the available renewable resources, and requires development proposals to demonstrate that these technologies have been duly considered.</p> <p>Conversion and refurbishment of existing residential buildings will be expected to meet high standards of the forthcoming 'BREEAM Domestic Refurbishment standard'.</p> <p>Extensions to existing residential buildings will be expected to improve the overall energy and water efficiency of the building.</p> <p>Achieving improved resource and energy efficiency in the existing built environment will be considered in a Sustainable Development SPD.</p>																											

			<p>Non-residential development over 1000m² should be built to BREEAM 'Excellent' standard. In relation to reducing carbon emissions all non-domestic development is required incorporate low or zero carbon (LZC) energy generation systems. The degree of carbon reduction required is as follows:</p> <ul style="list-style-type: none"> • 10% for developments completed between 2010 and 2013 • 20% for developments completed from 2013 onwards, • or a scoring of two credits within the Building Research Establishment's Environmental Assessment Method (BREEAM) Energy section, if this method of assessment is used. <p>Major refurbishment of existing non-residential buildings or conversions greater than 1000m² floor space should achieve BREEAM 'Very Good' Standard.</p> <p>Economic viability should also be considered in an assessment of achieving the above targets.</p> <p>Where residential or non-residential developments are not able to achieve minimum targets then a financial contribution towards the Carbon Investment Fund will be required to cover the remaining carbon emissions. The Council is developing a carbon investment fund which will support the achievement of carbon targets through financial contribution. The CIF will support the implementation of off-site carbon reduction measures, which will meet appropriate carbon and additionality criteria.</p> <p>With regard to the management of water resources in new development, new residential development should seek to achieve Level 4 of the Water section of the CSH. For all non-residential development over 1000m² at least a scoring of two credits within the water section of BREEAM should be sought, if this method of assessment is used.</p>
MM17	Page 73	Policy EQ6	<p><i>Amend Policy EQ6 as follows:</i></p> <p>Policy EQ6: Renewable Energy</p> <p>Provision should be made for renewable energy generation within South Staffordshire to maximise environmental and economic benefits whilst minimising any adverse local impacts. South Staffordshire should strive to meet around 10% a minimum of 9.6% of its energy demand through renewable energy sources by 2020 through a variety of technologies. In particular, opportunities for biomass and wind energy developments will be assessed on the following basis:</p>

			<p>Biomass Energy Development</p> <p>Projects and developments which utilise bio-energy will be supported by the Council.</p> <p>Use of biomass for domestic or small business heating will be encouraged, including the development of small scale district heating schemes in the Main Service Villages of Cheslyn Hay, Codsall, Great Wyrley, Penkridge, Perton and Wombourne, and other areas with high heat density including employment sites.</p> <p>Projects and developments which utilise bio-energy, and particularly those using locally derived resources, are supported by the Council. The Council would support the use of bio-energy for power generation and the provision of heat/thermal energy in planning applications. Development of Community/District heating schemes are encouraged, particularly those:</p> <ul style="list-style-type: none"> • using bio-energy as a significant proportion of the required input fuel • providing services to the Main Service Villages of Cheslyn Hay, Codsall, Great Wyrley, Penkridge, Perton and Wombourne • providing services to areas with high heat density including employment sites, especially where they offer opportunities for extension to other neighbouring buildings or communities either at the time of development or in the future. <p>For bio-energy heat and power proposals, the following criteria will be considered:</p> <ul style="list-style-type: none"> • the impact of the proposal on designated biodiversity sites and species and ancient woodland and heritage assets and their settings; • brownfield sites or co-located with other wood processing industries; • located and scaled to avoid adverse off-site impacts; • located close to the point of demand or adjacent to existing transport corridors; • minimise pollution from noise, emissions and odours; • minimise any adverse impacts on amenity and on existing residential development. <p>All major refurbishments must be Combined Heat & Power (CHP) ready and able to connect to a network at the earliest opportunity.</p> <p>Wind Energy Development</p>
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			<p>A maximum of four large scale* wind turbines will be considered within the District to 2020. Opportunities for wind energy developments will be assessed on the following basis:</p> <ul style="list-style-type: none"> • located in areas compatible with the four individual sites of greatest opportunity for wind energy generation as identified on the Locations with Renewable Energy Potential Map; • the degree to which the scale and nature of the proposal reflects the capacity and sensitivity of the landscape to accommodate the development; • the impact on local amenity and on existing residential development; • the impact of the proposal on designated biodiversity sites and species and ancient woodland; • the impact on the historic environment, including important views and landscapes and archaeological interests; • the cumulative impact of the proposal on the wider landscape of South Staffordshire and adjoining areas; and • the proximity to, and impact on, transport infrastructure and impact on the local highway network. <p>The Council will support the development of community led residential and business scale turbines where they which present a lower level of impact on the landscape character of the District.</p> <p>The environmental and local amenity impact of all renewable energy schemes (both small and large scale) including any infrastructure or buildings must be fully assessed and development proposals will be considered in accordance with Core Policy 2 and policies EQ1, EQ2, EQ3 and EQ4.</p> <p>Applicants will be required to provide evidence to demonstrate that the renewable energy benefits arising from the proposed development outweighs the impacts on local amenities, including environmental and landscape impacts, impact on the historic environment and impact on the amenities of local residents.</p> <p>Development proposals should be consistent with other local planning policies.</p> <p><i>*Footnote: the definition of a large scale wind turbine (taken from the Staffordshire Renewable Energy Study) is approximately 120m to the tip of the blade at the top of its swept area.</i></p>
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MM18	Page 75	Paragraph 7.38	<p>Amend paragraph 7.38 as follows:</p> <p>The Staffordshire County-wide Renewable/ Low Carbon Energy Study has estimated that the authority is capable of meeting between 9.6% and 12% of its energy demand through renewable energy sources by 2020 (Although the Core Strategy runs to 2027 2028 the evidence base has utilised a timescale of 2020 to tie in with Government targets. Policies containing targets to 2020 will therefore be reviewed at this date.) The study has identified that South Staffordshire's greatest opportunity lies in the diversion of biomass sources as alternative fuel sources, with the most significant sources being agricultural and wood waste streams, which is estimated could contribute almost 65% of renewable resources in 2020. As such the Council will require developers to consider biomass as the preferred solution to meeting the requirements of Policy EQ5. It is therefore recognised that demand may arise for large scale bio-energy heat and power facilities to utilise this resource and that a criteria-based planning policy is required to manage such development.</p>
MM19	Page 119	Policy EV4	<p><i>Amend Policy EV4 as follows:</i></p> <p>Within the Policy Special Special Policy Area defined on the Proposals Policies Map, proposals for new development associated with the use of South Staffordshire College (Rodbaston) as an education and training establishment will be supported. Proposals for the site should be in accordance with a Master Plan to be submitted to and approved by the Council. Proposals for the site should be in accordance with a Master Plan to be submitted to the Council for approval following consultation in accordance with the Council's Statement of Community Involvement (SCI).</p> <p>Proposals should show:</p> <p>a) that the development proposed is for education and training uses directly related to the activities of the College and can include business start up activities to support people into work in areas of employment related to College Curriculum subjects;</p> <p>b) that the development is of a scale and massing appropriate to its location;</p> <p>b) that the development is of a scale and massing appropriate to its location having regard to the guidelines in respect of building footprints, heights and design that are</p>

			set out in the approved Master Plan ...
MM20	Page 162		<i>Replace the monitoring framework table with the new monitoring framework table in the Addendum to this Appendix.</i>

Addendum to Appendix

Main Modification reference MM20

Replace the monitoring framework table with the new monitoring framework table in this Addendum