

Checkley Parish Council Response to SMDC Representation at Regulation 16 Consultation

July 2023 – September 2023

Overview

The first steps towards creating a Neighbourhood Development Plan (NDP) for Checkley Parish date back to January 2016. The initial consultation launch date was Thursday 7th January 2016, so far, the process has therefore taken over 7 years.

The plan has been through Regulation 14, SEA screening, HRA both complete, Regulation 15 amendments completed, the Regulation 15 document plus our Basic Conditions Statement and our Consultation Statement subsequently submitted to Staffordshire Moorlands District Council. Checkley Parish Council (CPC) were informed definitively that the NDP met the basic conditions necessary to initiate Regulation 16 consultation. This document is CPC's response to the extensive representation received from SMDC on 23rd July 2023.

The inspection process has been frustrated and delayed due to the amount of work required by CPC and Steering Group volunteers to reply to the extensive representation in terms of content, including confusingly the significant amount of text in the representation referring to Regulation 14.

No reference in the representation is made to the SEA, HRA, Basic Conditions Statement or our Consultation Statement.

Our opinion from the initial reading of Government guidance on Neighbourhood Development Plans is that they should not repeat national policy, local plan policy and guidance. These apply anyway to Checkley Parish. There is repeated reference to NPPF policies and Local Plan Policies in the representation, seeming to suggest that the plan be re-drafted as a document that is a reiteration of the same. Our view is that our document sits alongside them both, a significant number of hours was spent producing our Basic Conditions Statement, clearly demonstrating in detail that our plan is appropriate having regard to national policy and is in general conformity with the strategic policies in the development plan for the local area.

On behalf of the community, residents, council tax payers, local businesses and not least the volunteers from our community who over the last 7+ years have given their time freely to achieve this stage in the NDP, CPC would record extreme disappointment that in the 50+ page representation from SMDC there is not one single positive comment.

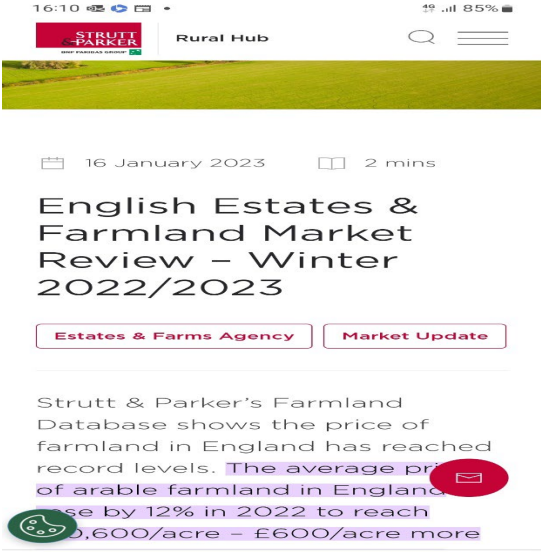
Item number	Page number, paragraph, number or policy issue regulation 16	Comments at regulation 16 plan	Checkley Parish Council (CPC) Response for Examiner
1	Page 3. Introduction 4 th and 5th paragraphs	SMDC notes monitoring has now been included. However SMDC also questions whether NP Steering Group may wish to additionally consider the case for setting formal, objective, measurable monitoring indicators within the draft NP.	<p>CPC suggest that this is more about monitoring how the Plan is applied in practice.</p> <p>CPC and the Steering Groups would be happy to take a lead from SMDC on monitoring, utilising their current Planning and Strategic measures</p>
2	Page 3 introduction	3 rd paragraph of introduction refers to abbreviation "CIC". Please explain what this means.	This is the legal status of the CPC's planning consultant Urban Vision Enterprise CIC (Community Interests Company)
3	Page 3 introduction	The last paragraph refers to <i>"The plan will be reviewed and updated if and when necessary..."</i> . This needs to explain that subsequent reviewed plans would also require examination and referendum.	CPC's view is that It is not necessary to add this. This is not always the case.
4	Aims page 5	Housing aim states that <i>"Ensure future housing responds to the local needs and supports sustainability. With sympathetic development including a mixture of affordable housing and retirement properties, with a primary focus on brown field sites, to preserve the visual attractive character of the landscape and high-quality agricultural land."</i>	

		This should be amended to reflect the fact that future housing may need to respond to wider housing needs, not just “local needs” because of the wider Development Plan and NPPF [see also ITEM 28 below]. The aim should make clear that housing mix would not just include affordable and retirement housing. Also the policies collectively do not prioritise brownfield housing over other forms of housing so the term “primary focus” should be amended.	Noted by CPC but this is not the aim of our Neighbourhood Development Plan (NDP). Aim could be amended to: Meet the current and future housing needs of our community.
5	Aims page 5	Transport Aim states “ <i>Promote safer streets by encouraging traffic calming, accessibility to transport links and sensitive parking solutions.</i> ” The aim could also reference active travel or sustainable travel.	Agreed amendment
6	Aims page 5	Business Aim states: “ <i>Continue to encourage a range of commercial and community activities and services by preserving local facilities and organisations and supporting appropriate farm diversification</i> ”. This could also reference the support for commercial operators beyond that of farm diversification (eg as Pol EMP2 encourages).	The aim already covers commercial and community activities and services as well as reference to the farming sector. CPC do not consider amendment necessary
7	Aims page 5	Environment Aim states “ <i>Protect our distinctive landscape and wildlife to preserve the rural feel</i> ”. This could also reference <i>enhancing biodiversity</i> (ie since biodiversity net gain is expected under Pol DES3).	Agreed amendment.
8	Page 9 Village introductions – Lower Tean.	Appears to be grammatical error in relation to Checkley village conservation <i>area</i> in 1 st paragraph. Please correct.	Drafting error to be corrected.
9	Page 10 Village introductions – Hollington.	Various punctuation errors – “ <i>Hollington’s</i> ” not “ <i>Hollingtons</i> ”.	Drafting error to be corrected.
10	(Objectives Section in Regulation 14	Objectives section removed entirely from latest draft following various SMDC comments at regulation 14 version.	CPC removed objectives from the NDP at Regulation 15 following SMDC representation comment at Regulation 14

	draft plan, page 4-7)	We recommend that plan should contain some objectives, but subject to SMDC's earlier regulation 14 comments covering the scope and wording of various objectives.	It is confusing to have aims and objectives. It is also the case that CPC and the Steering Groups did not establish a reserve list of objectives.
11	Page 11 Major Transport Routes and Links.	<p>Amend 1st para <i>"The main road passing through the parish is the A522 Cheadle to Uttoxeter <u>Road</u>,..".</i></p> <p>Amend 2nd para <i>"Access to the A50 is outside the parish at Blythe Bridge <u>to the west and at Uttoxeter to the east</u>. To the west leading on to the M6 and Uttoxeter to the east leading onto the M1 and towards East Midlands Airport."</i></p> <p>3rd paragraph. Reference is made to <i>"The A50 Growth Corridor projects"</i>. Can more detail be provided – what these projects involve, which organisations are undertaking them, stage of completion etc.</p> <p>4th paragraph refers to <i>"increased traffic throughout Checkley Parish"</i> following developments nearby. It is questioned whether this statement and the subsequent statement about Hollington and Checkley through-traffic, are based on objective evidence, or are subjective/anecdotal.</p> <p>5th paragraph. Clarity sought on villages served in Parish by Leek bus route.</p>	<p>Agreed amendment.</p> <p>Agreed amendment.</p> <p>CPC will add in further information if the Examiner deems this essential in the context at the plan. CPC suggests that referring readers to Staffordshire County Council's A50 Corridor Strategy for Development could suffice.</p> <p>Objective information if it is accepted that the evidence base for this is the day-to-day experience of the people who live and work in the villages and the parish. CPC is happy to accept local knowledge on this issue.</p> <p>The issue of traffic flows in Hollington has been acknowledged by Staffordshire County Council and new speed restrictions put in place.</p> <p>Bus companies and bus routes are changing on a regular basis in rural communities. Since starting the plan over 7 years ago First Bus no longer serve the area. D & G operate routes 32 and 32X from Uttoxeter to Hanley, passing through the parish and Amiee's Travel operate route 30 from Upper Tean to Leek twice daily</p>

12	Page 13, 3.3 Land Use	Reference to 'woodland' is made in both the 2nd and 4th paras. Clarification is sought about the distinction between 'farmed' woodland and other types of woodland.	CPC has taken the lead from SMDC's Green Infrastructure Plan/Strategy which uses the term woodland. To identify the type of woodland present in the parish CPC has reproduced on pages 65 and 66 of the NDP maps from SMDC's Green Infrastructure Strategy/Plan
13	Page 14 Housing Stock and Housing Needs Assessment	SMDC raised the following issue at regulation 14 stage: "The sources of the statistics should be included." Still not provided. This should be provided in latest draft.	Housing information was taken from the on-line property and estate agency platform Zoopla.com (see also later detail provided in the end column of row 17). If SMDC has more up to date information or information used to produce the Local Plan relating to our parish that could be included in the NDP
14	3.4 Housing Stock and Housing Needs Assessment page 14	4 th para contains incomplete text. Please clarify: <i>"Market to exchange sales data <u>from the ? prior to the 2019 pandemic indicated that the fastest selling sector is 1- and 2-bedroom apartments and terraced dwellings suggesting that this housing in terms of property types, value, affordability and size is in most or highest demand. The demand at the other end of the housing type range, detached properties <u>appears was reasonable</u> ? with lower demand based upon market to exchange time for semi-detached housing..."</u></i> 5 th para last sentence ". Currently there are 2 sites for new housing estates available and not acquired by developers." Please clarify if this means across the Parish as a whole, and where in the Parish. The 6 th para refers to a 'housing allocation' for affordable housing at Tean Mill – presumably this refers to the affordable housing requirement of a planning permission	The text <i>from the</i> and <i>appears</i> to be removed. If SMDC has more up to date information or information used to produce the Local Plan relating to our parish that could be included in the NDP At the time of initial drafting the plan The Fole Dairy Site and the Cheadle Road site did not have developers identified against them to take the developments forward post planning permission. Agreed re-word.

		<p>for conversion at the mill premises (not an allocation as such). Please reword.</p> <p>The last para could be clarified by explaining that the conclusions of the MAHN apply to the District as a whole, but have been extrapolated by CPC as if they apply to the Parish specifically. Also see grammatical query:</p> <p><i>“The MAHN study is broadly in accord with the above commentary relating to <u>need or need ?</u>, stating that based on the characteristics of existing and new residents in the Staffordshire Moorlands District in the period up to 2031, there would be a need for the following:”</i></p>	<p>CPC has not extrapolated merely pointed out that our findings from a review of the market in our parish were broadly in line with the conclusions of this report for the whole of the administrative district of Staffordshire Moorlands</p> <p>The text <i>or need</i> to be removed.</p>
15	3.4 Housing Stock and Housing Needs Assessment page 14	<p>Question if overview has taken into account existence, and findings within, any applicable parish needs surveys conducted by SMDC or similar. For example a Checkley Parish survey exists from 2012 – the (dated) findings of this could be discussed in the section https://www.staffs Moorlands.gov.uk/media/110/Checkley-Housing-Needs-Survey/pdf/Checkley_Housing_Needs_Survey_2012.pdf?m=1599048458403</p>	CPC could refer to any recent updates of this report in the NDP. Presumably SMDC would have used much more up to date information to inform their local plan.
16	3.6 Land Prices page 15	<p>Query if more information can be provided in the 1st para, ie to what extent are land prices higher in the Parish than the District average.</p>	At the time of drafting the plan no agricultural land in the parish was for sale, our only point of reference was a parcel of land in Alton Parish one of our neighbouring parishes (see also end column row 17).
17	Page 14 Housing Needs Assessment	<p>SMDC raised the following issue at regulation 14 stage:</p> <p>“The information on tenure and sales data should be sourced.”</p> <p>Still not provided. Repeat concern</p>	CPC is not sure why this data is so key to the NDP and an area of concern. Presumably SMDC would have used much more up to date information to inform their local plan. CPC would gratefully receive any such information for incorporation into the NDP.

			<p>Our sources of information: -</p> <ul style="list-style-type: none">• UK Land Registry Data (October 2017)• Department for Communities and Local Government Information releases• The Royal Institution of Chartered Surveyors• Agricultural Land Prices (see below) 
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			CPC does not intend to include an analysis of land prices across the whole of the Staffordshire Moorlands
18	3.8 Traffic and Infrastructure page 16	<p>The 3rd para refers to existence of a traffic count point near Fole. Please clarify which road(s) the vehicle flow counts relate to.</p> <p>The 4th para refers to Croxden quarry traffic using an “<i>approved route</i>” to the A50. Please explain what this means. For example are HGVs encouraged or (conversely) obliged to use this route.</p>	<p>Manual count point 6524 Region: West Midlands Local authority: Staffordshire Road classification: 'A' road Road: A522</p> <p>Establishment of the approved route was one of the outcomes of the planning process for Croxden Quarry involving Staffordshire County Council as the lead authority and SMDC. CPC would refer SMDC to their own planning portal for the definition of this term</p>
19	Infrastructure page 17	The last para refers to through roads serving major factories and offices. Please clarify if this refers to employers outside the parish, within the parish (or both).	Outside and within the parish
20	Infrastructure Deficiencies page 18	the 11 th para refers to a ‘ <i>key junction</i> ’ in the centre of Hollington. Please identify the junction.	Junction of Hollington Road with Fole Lane – detail to be inserted into the NDP
21	3.9 Environment Rural Look and Feel – Quality of Environment page 19	<p>The 3rd para refers to the River Tean Valley lying within three landscape areas. It is queried what source this is from (for example if it derived from the 2008 SMDC Landscape Character Assessment this should be referenced).</p> <p>The 5th para refers to how village groups have established, to define, locally important views for the villages in the Parish. It is noted that this forms part of separate evidence beyond the draft plan. It is therefore questioned whether this supplementary evidence should be referenced elsewhere in this plan (eg at interpretation sections for policies HSG1, DES1 and DES3) to provide context for the decision maker.</p>	<p>SMDC’s 2008 LCA will be referenced in the NDP.</p> <p>Agreed the supplementary evidence will be referenced elsewhere.</p>

		<p>Under 'Lower Tean and Checkley' subheading, 1st paragraph: please clarify that Bronze Age burial mound is "3500 year old". In the 2nd sentence please elaborate on the English Heritage advice, ie in what circumstances is the monument intended to be visible.</p> <p>3rd paragraph amend grammatical errors: <i>"This view across rolling gentle valley field gives an open feel to the settlement of Lower Tean. Viewed through the trees at the top of the valley is the Grade 1 listed gothic mansion of The Heath House, which has strong historic ties to Lower Tean and Checkley. A sense of historic context sat atop of rolling fields."</i></p>	<p>Heritage Category: Scheduled Monument</p> <p>List Entry Number:1008540</p> <p>Extract of commentary from English Heritage under this scheduling: -</p> <p>Bowl barrows, the most numerous forms of round barrow, are funerary monuments dating from the Late Neolithic period to the Late Bronze Age, with most examples belonging to the period 2400-1500 BC. (age)</p> <p>Often occupying prominent locations (intuitively therefore meant to be seen in the landscape and prominent enough to be seen from all aspects), they are a major historic element in the modern landscape and their considerable variation of form and longevity as a monument type provide important information on the diversity of beliefs and social organisations amongst early prehistoric communities.</p> <p>The location of the barrow on an artificial platform is a rare and unusual feature, presumably to enhance the achievement of meant to be seen.</p> <p>Text vowed 4th paragraph page 20 to be replaced with viewed.</p>
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22	Environmental Issues, page 21	<p>Question can 4th para 2nd sentence have grammatical errors removed, and meaning clarified: “<i>The Parish Council will in 2022 take up their offer of to work up a plan deliverable by The Parish Council that would support and promote flood mitigation...</i>”.</p> <p>The last sentence of the para could perhaps also say how the Plan promotes SuDS (eg in Policy DES1) and clarify that <i>free-standing</i> drainage schemes that require consent, would be supported by the NP and the District Local Plan (under Policy SD5).</p> <p>Amend 5th para “In All 4 villages are prone to flooding, we have several areas affected by floodzones 2 and 3 flooding areas as well as zone 1 and 2 areas, these can be found on http://flood-map-for-planning.service.gov.uk”.</p>	<p>The County Council has been approached, however, to allow the current CPC to time to review their decision and re-approach SCC’s Flood Team 2022 will be amended to 2023.</p> <p><i>Of</i> in the 2nd line of paragraph 4 under the heading Environmental Issues will be deleted</p> <p>Paragraph to be amended to read - <i>All 4 villages are prone to flooding, we have several areas affected by floodzones 1, 2 and 3 these can be found on http://flood-map-for-planning.service.gov.uk</i>”.</p>
23	History, Heritage and Special Designations, Pages 21-22	<p>The last sentence of 2nd para refers to how a number of listed structures, and some unlisted structures “<i>All merit preservation and conservation</i>”. In the case of listed structures the statutory duty relates to “preservation”. In the case of non-designated heritage assets, SMDC would determine applications in accord with para 203 NPPF and</p>	<p>In view of the representation from Historic England the CPC does not intend to make any substantive changes to the NDP under this heading.</p> <p>Where SMDC has clarified their position, this is a matter of record and stands as such without question and does not</p>

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

		<p>to, rather than generic “green space” which has a wider meaning.</p> <p>Further the last para reads: “<i>Our objective is to preserve all green spaces and where possible look to expand and improve.</i>” The meaning of this sentence is not clear. If it is referring to preserving all <i>existing LGS</i>, the District Council would seek the same under wider Development Plan and NPPF policies. If it is referring to <i>all generic</i> greenspaces, this would firstly not be in accord with wider Development Plan/ NPPF policies, and secondly the draft NP in its current form does not extend this much protection [eg Pols HSG1, EMP3 allow for greenfield development). In any event, the draft LGS1 policy in its current form has proposed a reduction in the number of sites the PC Steering Group considers as qualifying as (mostly new) LGS, under the NPPF. Therefore the sentence should be amended accordingly.</p>	
25	Community Space, page 24	Some of the bullets do not identify the villages/locations of the existing facilities, eg 1 st bullet (churches), 7 th bullet (community spaces). Please can this be clarified.	Lists against bullet point 1 and 7 will be included in the NDP.
26	4.0 Community and Stakeholder Engagement - 4.3 Key Outcomes and Issues, pages 29 -31.	Both sections could provide more clarity by providing a timetable of dates of when the events described, occurred.	<p>Our document which was sent to SMDC in support of our request for approval to move to Regulation 16 includes intimate detail of all events and consultation. Please refer to Checkley Parish Neighbourhood Development Plan Consultation Statement 26th September 2022.</p> <p>CPC will refer to this document in these sections.</p>
27	5.0 Policies for Checkley Parish Neighbourhood Area, page 33	Refers to Schedule of Evidence at the end of the document, but this schedule appears to be missing. SMDC question whether a Schedule of Evidence should be attached to the latest draft of the Plan.	CPC suggest removing sentence as the evidence base to support the Neighbourhood Plan is held online on the Parish Council website.

28	<p>5.1 Housing Purpose, page 34.</p> <p>‘Staffordshire Moorlands Local Plan’ preamble to Policy HSG1, page 35</p>	<p>The purpose states “<i>To support residential development to meet <u>local needs</u> in sustainable locations.</i>” This should be amended to reflect the fact that future housing may need to respond to wider housing needs, not just “local needs” because of the wider Development Plan and NPPF. See also ITEM 4 above.</p> <p>The 7th para explains how the Parish’s housing allocation under Local Plan Policy SS4 is 50 no. dwellings (2019 -2033). As the Local Plan already makes an allocation of 15 no. dwellings in Upper Tean, this leaves a residual requirement of 35 dwellings for Checkley Parish. It is explained that this is to be achieved through the two housing allocations in the draft NP. However the HSG1 policy does not set out the yield of both intended allocations, neither is this information set out anywhere in the draft NP. This Information should therefore be provided (refer also to SMDC’s regulation 16 comments about Policy HSG1 [ITEM 29] regarding this). I.e, the HSG Policy itself, and the interpretation text beneath, should provide this information.</p>	<p>Neighbourhood Plans are about local planning policy specific to the Neighbourhood Area not the district.</p> <p>The paragraph at the bottom of page 35 of the Neighbourhood Plan deals with housing numbers. This makes clear that 15 are provided by the strategic site allocation UT019.</p> <p>For clarity CPC will add a sentence confirming that the two sites allocated in the Neighbourhood Plan would provide 57 additional houses. Also, a note highlighting the several additional planning application approvals for new housing have been passed during the 7+ years it has taken to get to this stage in the plan. Of significant note, the site at Daisy Bank Farm, Lower Tean, a development of 55 houses.</p> <p>This means that the housing need figure has been exceeded by a considerable margin.</p> <p>These numbers do not include of course the development of 40 houses in Tenford Lane. If the significant over supply of housing in the Blythe Bridge area is being counted against the overall housing needs of the administrative area of SMDC, it is incongruous that a development that will form part of our village (there doesn’t appear to be any argument against that conclusion) would not count against our number due to the site being just across a neighbouring</p>
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		<p>SMDC also notes that, in any event, the period of coverage of this draft plan, remains at 2021 – 2035. SMDC therefore queries if the CP Steering Group have considered how the additional 2-year period (up to 2035) has been factored into local Parish housing requirements under Local Plan Policy SS4. This needs to be explained within the draft NP.</p> <p>This information needs to be clear so that the status of NP Policies can be determined to establish whether the ‘tilted balance’ applies, under paragraph 14(b) NPPF 2021 in response to planning applications.</p>	<p>border (Cheadle Town). CPC cannot identify any legal reason why a development/settlement area cannot marginally straddle two areas within the same overall administrative area. (See also later comments end column row 30).</p> <p>Current housing need is exceeded in our parish by a considerable margin. CPC does not consider therefore that factoring in is required. Additionally, we will be taking a lead from SMDC on monitoring and review, CPC has confidence that SMDC’s robust monitoring and review systems would factor in by due process any change to housing needs that requires accommodating up to 2035.</p> <p>See above + CPC consider the information to be clear and tilted balance decisions a matter for the strategic planning authority throughout the Staffordshire Moorlands administrative district area.</p>
29	<p>Page 34</p> <p>HSG1: Housing and Site Allocations Page 29</p>	<p><u>SMDC raised the following objections at regulation 14 stage [summarised]:</u></p> <p>“Point 3 refers to residential development and settlement boundaries and point 4 refers to housing development and development boundaries the wording should be amended to be consistent across both points.</p> <p>Point 3 supports development in addition to the housing allocations in 3 locations;</p> <ul style="list-style-type: none"> • within the settlement boundaries • on infill sites • on brownfield sites 	<p>See comments below.</p>

		<p>Presumably the infill sites and brownfield sites are outside the settlement boundaries or they would not be specifically referred to. However point 4 restricts development outside the settlement boundaries. The interpretation section 3rd paragraph states <i>“It is recognised that there could be exception sites in the rural area in brownfield locations, and these would be considered policy H3 of the Staffordshire Moorlands Local Plan September 2020”</i> It does not refer to infill sites. The policy wording needs some more clarification as it is ambiguous as written.</p> <p>Further the policy needs to be in line with the LP spatial strategy. The spatial strategy of the LP allows for residential in the countryside in certain circumstances.</p> <p>Policy H1 supports for limited residential development of an appropriate scale and character for the Spatial Strategy outside the development boundaries provided the specified criteria detailed in the policy are met.</p> <p>The interpretation section last paragraph refers to development on a large scale being unsustainable in these villages. The Local Plan differentiates between the smaller villages of Checkley & Lower Tean and the large village of Upper Tean and applies a different policy approach through the spatial strategy policies SS8 and SS9.</p> <p>Local Plan policy SS8 Larger Villages supports housing development on windfall sites within the village boundaries and on the edge of boundaries in accordance with policy H1. It states development should be of a scale and type appropriate for the settlement considering infrastructure and character. Policy SS9 applies a more restrictive</p>	
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		<p>approach to development in the smaller villages stating development of a large scale will be unsustainable.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>“The NP policy needs to be in accord with the spatial strategy of the LP. Additionally the NP needs to ensure it can deliver the minimum net housing requirement of 50 dwellings detailed in policy SS4 of the Local Plan. The policy as it stands is contrary to the LP spatial strategy.</p> <p><u>Comments at Regulation 16:</u></p> <p>Noted that the term ‘housing’ amended to ‘residential’ as suggested, for consistency.</p> <p>No amendment to policy wording made in relation to Clauses (3) and (4) of the policy to regulation 14 version. SMDC maintains objection.</p> <p>It is noted that an additional paragraph has been added into the Interpretation to deal with this issue which simply reads <i>“Paragraph 4 of the policy augments Policies H1, SS8, SS9 and SS10 of the adopted Staffordshire Moorlands Local Plan, September 2020.”</i></p> <p>However the policy itself has not been amended to deal with the issue of non-conformity with strategic policies described above. The policy as read is internally</p>	<p>The comments do not make sense to CPC. It is not clear whether the comment is suggesting retrospectively changing the Regulation 14 version of the Plan, which would clearly be inappropriate.</p> <p>The changes to wording were made in the Regulation 15 version, as would be expected. The consultation statement gives justification for the changes.</p> <p>CPC’s view remains that the policy and interpretation are in general conformity with strategic local policy.</p>
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	<p>inconsistent as (presumably) Clauses 3(b) and (c) conflict with Clause (4).</p> <p>The interpretation last paragraph seems to limit rural exceptions sites to those that are brownfield only – this is misleading as existing Local Plan strategic policies allow for exceptions housing in non-brownfield locations; further it does not set out that other forms of housing may be also acceptable beyond development boundaries, as the we describes above. (Also note that agricultural buildings are notionally greenfield).</p> <p>Further Clause 3(c) now includes reference to (brownfield) <u>homesteads</u>. This added text is not essential to the policy although could be referenced in the interpretation.</p> <p>It is noted that Clause (2) of the policy formally allocates two sites for housing; yet the policy (or the wider plan) does not contain any policy criteria (for example relating to design, amenity, yield and density, landscaping, access expectations etc) of development on these sites. Wider Neighbourhood Plan and Local Plan policies would of course apply but it is questioned whether this draft plan should contain detailed policies for the development of both sites. Further, the interpretation section does not identify relevant NP policies (eg DES1).</p> <p>Further the plans provided of both allocations (page 42) raises the following queries:</p> <ul style="list-style-type: none"> • Discrepancies between the two plans for Fole Dairy (ie question whether the triangle of land at SE corner grid ref 404450 / 337260 is part of the allocation. Question whether the allocation 	<p>The reference to brownfield could be deleted from the interpretation in the NDP.</p> <p>The Neighbourhood Plan deliberately avoids duplication of policies dealing with the same issue. Detailed requirements for design, landscape and other matters are set out in other policies. For clarity the interpretation could be amended to cross reference to these policies.</p> <p>Consistent plans required. SMDC have been helpful in providing the plans for other sections. CPC suggest the best way forward would be for SMDC to support CPC by kindly providing clear scaled amended plans for clarity. Existing plans and ariel pictures to be removed.</p>
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		<p>includes or excludes the Fole Reformed Evangelical Chapel at NE corner.</p> <ul style="list-style-type: none"> • Question if the Tearne House Quarry allocation is intended to include the <i>Hollington Village Hall</i> building at the northern side. if so question how this building to be treated as a community facility under wider Checkley Neighbourhood Plan policies, and wider Development Plan policies. <p>The policy provides new development boundaries for Checkley and Lower Tean, but not Hollington. The interpretation section should explain that, despite this difference, all three villages remain identified as ‘smaller villages’ under Policy SS9 of the SM Local Plan, and therefore serve the same strategic function.</p> <p><u>Gypsy and Traveller Policy:</u></p> <p><u>SMDC raised the following issue at regulation 14 stage:</u></p> <p><i>“[Draft Plan in 3.3 Land Use page 12] States” It should be noted that following a recent review by Staffordshire Moorlands District Council and in terms of land use there is no requirement for provision of temporary or permanent sites for travellers and their families within the parish.”</i></p> <p>The position regarding gypsy and traveller sites and sites for travelling showpeople is detailed in policy H4 of the LP which says: <i>“The Council’s joint GTAA identified a requirement for 6x residential and zero transit pitches for the District over the period 2014–2019. Given subsequent</i></p>	<p>For clarity both sites have been subject to successful planning approvals. Our two allocated site do not stray outside of the planning approved development boundaries. The Tearne Quarry allocation does not include the Hollington Village Hall</p> <p>Clarity to be inserted.</p> <p>See comments below.</p>
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		<p><i>commitments the residual requirement for 2014-2019 is now 3x residential pitches. A requirement for a further 2x residential pitches was also identified for the period 2019 - 2034 taking account of household formation.”</i> The policy further states the Council will seek to meet these residual requirements through the application of a number of criteria (detailed in the policy) in the determination of applications for gypsy and traveller sites or sites for travelling showpeople. The text should be changed to reflect this.”</p> <p><u>Comments at regulation 16:</u></p> <p>Original reference has been removed to regulation 14 version, but replacement text <i>has not been inserted</i>.</p> <p>The suggested amendment text is important in providing context for local gypsy and traveller needs, and regarding how planning applications for this use are to be assessed. As the latest draft plan makes <i>no reference at all to travellers</i>, SMDC question whether the scope of the housing policies in this draft plan (HSG1, HSG2) are intended to cover <i>all residential accommodation needs</i>, not just those of the settled community (as per para 62 NPPF 2021). It is noted that as there is no reference to traveller accommodation needs in either the Housing Stock and Housing Needs Assessment section, nor the pre-amble, nor interpretation sections of the housing policies, so it can be reasonably inferred that the housing policies are only intended to cover bricks and mortar housing. Therefore SMDC maintains its regulation 14 objection because either:</p>	<p>CPC do not understand the comment.</p> <p>It is not the intention to address gypsy and traveller issues in the Neighbourhood Plan. This is better dealt with by the Local Plan.</p>
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		<ul style="list-style-type: none"> • The draft plan needs to clarify that the scope of housing policies is intended to cover different groups in the community as per para 62 NPPF; or • If this is not the case the draft plan would need to explain this and a cross-reference to Local Plan Policy H4 Gypsy and Traveller Sites and Sites for Travelling Showpeople would be recommended, as per SMDC's original regulation 14 suggested text. <p>In the case of the former, the interpretation section to policy HSG1 would need to clarify that Local Plan Policy H4 and the Government's Planning Policy for Traveller Sites https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf also applied. SMDC would also remind the CP Steering Group the locational expectations for traveller sites in Policy H4 may differ from those set out (for "housing") in policies in the draft NP.</p>	
30	Page 36 Map of Upper Tean	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>"The proposed settlement boundary for Upper Tean includes an area of land to the north of the village which is in Cheadle Parish and therefore outside the designated Neighbourhood Plan area. It is noted you have referred to the planning permission on this site but it is beyond the scope of a neighbourhood plan to include areas within the proposed settlement boundary beyond its designated area. It can be referred to as but not included in the settlement boundary. The key should be changed so the site outside</p>	

		<p>the neighbourhood plan area is not referred to as being in the proposed settlement.</p> <p>The settlement boundary for Upper Tean is slightly different to the development boundary on the policies map in the LP.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>“The settlement boundary cannot include land outside the Neighbourhood Plan area”.</p> <p><u>Comments at regulation 16:</u></p> <p>Whilst the last paragraph under ‘Staffordshire Moorlands Local Plan’ section (page 36), explains this issue in the latest version, the accompanying map still shows an amended “proposed settlement boundary” for the NP in the legend. The terminology should be amended to explain that it refers to the site of a planning permission in any adjacent Parish.</p>	<p>The settlement boundary maps were received from SMDC, agreed there should be no discrepancy in the two Upper Tean maps and none was intended. CPC suggest that SMDC kindly provide new maps with the scales clearly indicated for us. This could include replacement maps for all settlement boundaries and site allocations for consistency.</p> <p>CPC would seek a robust suggested and positive way forward on this issue. There is a significant, fundamental, and worrying aspects relating to the Tenford Lane development. Whilst everyone CPC has spoken to, including District Councillors agree that this development will become an integral part of Upper Tean (it fronts Upper Tean’s Tenford Lane), it does not count against our housing numbers. It has become a backdoor route to introducing significant housing numbers without reference to our plan. Worryingly there has recently been an application for a further 87 houses, albeit an invalid application the trend appears to be set.</p> <p>In some respects, if this is allowed to continue without reference to Upper Tean or Checkley Parish (as CPC would expect for any other major developments which become part of our community) the voluntary work over the last 7+</p>
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		<p>Also, this map deviates from the actual proposed settlement boundary map on page 41 so in any event there is scope for confusion.</p>	<p>years to get the NDP to this stage would disappointingly somewhat negated.</p> <p>CPC can find no legal precedent that would preclude our plan from including this integrated development in the NDP.</p> <p>This is the only issue over the plan preparation period where CPC has asked for substantive input from SMDC, it is of great concern that our communities do not understand how such developments can go ahead without reference to the policies and provisions in our NDP including the impact upon local services and infrastructure.</p> <p>CPC accept that this location is on the margins of Upper Tean's Settlement/Development boundary, hence the inclusion in the plan of a slightly extended settlement/development boundary area.</p> <p>No deviation is intended, SMDC provided the settlement maps, please provide fresh copies indicating (as SMDC suggest later in this representation) the map scale and helping us to ensure that the two maps do not deviate.</p>
31	Maps of villages and allocation plans, pages 39-42	<p>In the case of the village maps it is noted that "settlement boundary" is used whereas in the Local Plan "development boundary" is used.</p> <p>In all cases a scale should be provided (including for the allocation plans).</p>	<p>CPC will review and revise on advice from the Examiner. The plan will be amended to incorporate the approved term.</p> <p>SMDC provided the maps, new versions indicating scale would be greatly appreciated.</p>
32	Page 43 HSG2: Housing Mix.	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>"There is some repetition of LP policy H1. What evidence of local need will be required. Is there evidence of local</p>	<p>See comments below.</p>

		<p>needs for different housing types. The Local Plan used the Strategic Housing Market Assessment to provided evidence for housing need. The policy only refers to residential developments of more than 10 houses LP policy H3 also includes sites over 0.5ha the policy should refer to this.</p> <p>Point 2 of the policy stipulates the affordable housing should be an integral part of the development. This deviates from the NPPF and LP policy and is too restrictive.</p> <p>[para 63 NPPF quoted]</p> <p>LP policy H3 reflects the NPPF and states affordable housing should normally be provided on site but recognises that provision off-site or through a commuted sum will be considered where it can be robustly justified. LP policy SS1 Development Principles details the principles that underpin the whole plan and includes the provision of <i>“mix of types and tenures of quality, affordable homes, to meet the needs and aspirations of the existing and future communities”</i></p> <p>Limiting provision to on site only may have the unintended consequence of limiting the amount of affordable housing that could be provided. Sites may not have the capacity to provide onsite affordable housing or affordable housing providers may not wish to take certain sites.</p> <p>The policy should be reworded to better reflect the NPPF and LP policy.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p>	
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		<p>“Policy needs to be in accord with the NPPF.”</p> <p><u>Comments at regulation 16:</u></p> <p>It is noted some amendments have been made in response to SMDC comments in the latest version: the 10 dwelling threshold has been removed, and the word ‘must’ changed to ‘should’.</p> <p>However, the policy still does not (in the interpretation) elaborate on the forms of evidence an applicant would require. Neither does it refer to the 0.5ha threshold from the Local Plan. SMDC maintains objection.</p> <p>Clause (2) and its interpretation is still contrary to the Local Plan and NPPF as explained above, in that the policy expects affordable housing (where required) to be provided on-site at all times. Also it expects that first homes ‘must’ be provided at all times. SMDC maintains objection.</p>	<p>The interpretation makes clear that the policy does not seek to modify affordable housing requirements in terms of numbers. This also applies to thresholds.</p> <p>The policy does not state that first homes must be provided at all times.</p>
33	5.2 Business and Employment, page 44	<p>‘Purpose’ states: <i>“To encourage the re-use of heritage assets in the neighbourhood area and promote active ground floor uses in Upper Tean.”</i> . The term ‘active’ is ambiguous, recommend this amended to <i>“...and promote active ground floor uses in Upper Tean <u>open to the public</u>.”</i></p>	Agreed amendment
34	Page 47 EMP1: Upper Tean High Street	<p><u>SMDC raised the following issue at regulation 14 stage:</u></p> <p>“Does this policy apply to Upper Tean High Street It states <i>“Ground floor frontage commercial units in the Upper Tean High settlement should remain in”</i></p> <p>The policy seeks to ensure ground floor frontage commercial units remain in commercial use open to the</p>	See comments below.

		<p>public. Planning permission is not always required for change of use of commercial premises. Permitted development rights regarding changes of use of retail properties which allow for certain changes of use to be carried out without the need for planning permission. Use Class E from Sept 2020 covers what was previously class A1, 2 ,3 shops financial services ,cafes & restaurants, B1 business, part D1 non residential institutions and part D2 Assembly& Leisure.</p> <p>The interpretation states the policy aims to <i>“enables diversification of the retail centre and recognises the importance of complementary uses.”</i> Whereas the policy seems more restrictive as it ground floor frontage commercial units shall remain in commercial use and uses not open to the public will not be supported. Policy needs some clarification.”</p> <p><u>Comments at regulation 16:</u></p> <p>Noted that in the latest version ‘settlement’ changed to ‘street’ and the first word ‘commercial’ deleted.</p> <p>New Clause (2) added stating <i>“Shopfronts should be retained for ground floor frontage units in the Upper Tean High Street settlement”</i> in response to Council’s earlier comments.</p> <p>As individual premises may currently, or in future, benefit from permitted development rights, it is recommended that amendments are made to the policy text as follows:</p>	<p>Suggested changes accepted.</p>
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		<p><u>“(1) Where changes of use require planning permission, ground floor frontage units in the Upper Tean High Street...”</u></p> <p>Clause (1) states “Ground floor frontage units in the Upper Tean High Street settlement should remain in commercial or community uses open to the public..”. Because of punctuation, It is not clear if “commercial” must be ‘open to the public’ – recommend amending to “..should remain in commercial <u>uses open to the public</u>, or community uses open to the public..”</p> <p>The interpretation section should similarly explain that changes of use (for example those covered by Class E) may not always require planning permission and therefore would not be controlled by the policy.</p> <p>It is noted that the extent of the High St frontage that this policy relates to, is not defined. SMDC would recommend the draft plan incorporates a plan of the High Street defining the extent of the policy. (For example the village conservation area covers the High St across and slightly to the west of the River Tean where it becomes Draycott Road, and to the east beyond the Hollington Road junction and south onto Uttoxeter Road – question whether the extent of the policy is intended to be coterminous with ‘High St’ covered by conservation area).</p>	<p>CPC suggest that SMDC could provide a map, this would be greatly appreciated.</p>
35	Page 48 EMP2: Heritage-Led Regeneration	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>“There is some overlap with LP policy DC2.</p>	

		<p>Point 1a The policy states “<i>Schemes involving heritage assets should:</i> <i>a) preserve or enhance the heritage asset and its setting;</i>” This is different to the NPPF which refers to substantial harm & less than substantial harm and considers the significance of the heritage asset and considers if there are benefits from proposed development that outweigh the harm see para 199-208. This approach is reflected in LP policy DC2 The Historic Environment. The Neighbourhood Plan policy needs to be in accord with national policy in the NPPF.</p> <p>Point 1b a refers to high quality and durable materials the interpretation section provides some clarification but it is not clear what materials would be acceptable and how development materials would be assessed as being high quality or durable.</p> <p>[NPPG Paragraph: 041 Reference ID: 41-041-20140306 quoted].</p> <p>The interpretation section states the policy applies to all development not just residential. It is not clear how this relates to policy HSG1 which restricts residential development outside the settlement boundaries.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>“The policy needs to be in accord with the NPPF.”</p> <p><u>Comments at regulation 16:</u></p>	
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		<p>No substantive changes made to policy or interpretation in latest version following SMDC regulation 14 comments.</p> <p>Additionally SMDC questions whether Clause (1) of the policy is clear that it applies to heritage assets <i>both inside, and outside</i> of development boundaries.</p> <p>SMDC also questions whether there is scope for conflict with for example, Policy EMP1 (where a heritage ‘enabler’ scheme would involve a change of use of a heritage asset on Upper Tean High St to a use(s) not supported by that policy). Question if the policy is sufficiently clear for use by a decision maker in these circumstances.</p> <p>SMDC maintains objection.</p>	<p>Government policy and guidance makes clear that Neighbourhood Plans should not repeat national policy and guidance. These apply anyway. The policy has been drafted to be consistent with the special statutory duties relating to heritage and national policy and guidance.</p> <p>As always, there may be tensions between different policy requirements. This applies to policy at all levels.</p>
36	Page 49 EMP3: Rural Business Diversity and Growth	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>“Point 2. Vehicle movements are mentioned in the interpretation section but not the policy. The policy could also consider if the site is in an accessible location with links to sustainable transport. The scale of development is also not referred to in the actual policy but is in the interpretation section.</p> <p>It is important that the policy reflects the overall spatial strategy of the Local Plan. Policy SS2 of the Local Plan identifies the settlement hierarchy and sets the development principles and level of development appropriate within the settlement hierarchy – larger</p>	

		<p>villages, smaller villages and other rural areas. Policies SS8 Larger Villages, SS9 Smaller Villages and SS10 Other Rural Areas provide more detail. The scale of development reflects the size of the settlement and the principles of the settlement hierarchy. These policies seek to encourage an appropriate level of employment development in line with the spatial strategy and do not restrict such development to specific locations. Policy SS10 allows for the limited expansion or development of business for employment uses where a rural location can be justified.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>“Policy needs to be in accord with the Spatial Strategy in the LP.”</p> <p><u>Comments at regulation 16:</u></p> <p>No substantive changes made to policy or interpretation in latest version following SMDC regulation 14 comments.</p> <p>Note that the policy itself needs to meet the basic conditions, this cannot be set out in the interpretation alone.</p> <p>The interplay between clauses 1(a) and 1(c) and 1(d) is queried. For example whether the policy intends for existing businesses and brownfield sites that benefit from the policy, <i>to only be within, or adjacent</i> to villages. This</p>	<p>The interpretation does not address the basic conditions. So, it is unclear what this comment means. It should be noted that the Neighbourhood Plan as a whole needs to meet the basic conditions.</p> <p>Agreed amendment, ‘or’ to be inserted after the semicolon in clause c. This makes clear that development would be supported in any of the circumstances as described. Text amendment to Clause 1 c to be amended to read ‘extension or enhancement’.</p>
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		<p>needs to be clarified. Also grammatical error at 1(c) "<i>extension of or enhancement.</i>"</p> <p>Therefore SMDC maintains objection.</p> <p>A further point is that as the Local Plan Spatial Strategy is predicated around sustainable travel (eg Pol SS10 part (3) refers to rural traffic movements and part (5) refers to tourism growth that is "<i>sustainable</i>"), the policy should also expect sites to be in an accessible location with links to sustainable transport. Refer also to paras 84-85 NPPF 2021.</p> <p>The 3rd paragraph of the interpretation (which lists spatial strategy policies) could also identify SM Local Plan policy E4 Tourism and Cultural Development.</p>	<p>The NPPF recognises that tourism in rural locations may have varied access to sustainable transport, owing to the rural location. The local plan policy referred to would still apply.</p> <p>Agreed reference to this could be added.</p>
37	5.3 Community Facilities and Assets, National Planning Policy, page 50	3 rd para refers to ' <i>protected views</i> ' being identified in the draft NP. Whilst some views are described textually under Section 3.9, these are not depicted on maps anywhere in the document (and are not cross-referred to as contained within other evidence).	This information will be cross referenced
38	Staffordshire Moorlands District Council, Open Space Study, October 2017, page 52	All abbreviations used in the play space table should be defined/set out in full.	This table was in the NDP at Regulation 14 and Regulation 15, the report providing any further detail is clearly referenced
39	Checkley Parish Neighbourhood Plan – Local Green Spaces	This section (and the interpretation section to Policy LGS1 – see ITEM 42 below), should explain how this document has influenced which sites originally proposed as LGSs have subsequently been taken forward in this draft NP, ie how	CPC and the Steering Groups decided to review the Local Green Spaces (LGS) initially put forward to make sure that the LGS's met the criteria set out in the NPPF. Following the review, the original list was reduced to leave a list of LGSs

	Steering Groups Review September 2021, page 52	this later document influenced the results of the earlier 2018 Local Green Space audit.	that CPC and The Steering Groups could put forward with absolute certainty LGSs that met the criteria. Clearly following the Regulation 16 representation from Staffordshire County Council CC has agreed to remove from the submitted list the three school sites subject already to SEN protection
40	Page 53 COM1: Community, Sport and Recreational Facilities	<p><u>SMDC raised the following issue at regulation 14 stage:</u></p> <p>“There is overlap with Local Plan policy C1 and C2</p> <p>Point 1 states new CF will be supported provided there is no adverse impact on residential amenities, the policy could also consider if the site is in an accessible location with links to sustainable transport.</p> <p>Point 2 says replacement facilities have to be within the Neighbourhood Plan area nearby this may not always be appropriate and a location further afield could in some circumstances be acceptable or necessary and the policy should allow for this.</p> <p>Point 3 states residential development should be supported by a balanced range of facilities but it does not mention if this will apply to all residential developments or developments over a certain size. The interpretation section states for larger developments of 10 dwellings or more in-development play areas should be included. Clarification is needed as to what would be expected for smaller developments and how facilities would be provided - through a contribution of on site provision. LP policy SS12 Planning Obligations and Community Infrastructure Levy provides details on the on-site and off-site infrastructure</p>	See comments below.

		<p>and facilities development proposals will be required to provide and the policy needs to be in accord with this.</p> <p>[LP policy C2 quoted].</p> <p>The studies being the Open Space Study, Playing Pitch Strategy and Indoor Sports Facility Assessment (2017).”</p> <p><u>Regulation 16 comments:</u></p> <p>In relation to Clause (1), the policy should also consider if the site is in an accessible location with links to sustainable transport, given Local Plan Policy SS10 part(1) last bullet.</p> <p>In relation to Clause (2) it is noted that the suggested change has been made to the latest version. However it is questioned what form of evidence would be needed to demonstrate that an existing facility is no longer needed or viable – this issue is already covered in Local Plan Policy C1 part(3) – therefore question if the policy expects <i>further</i> evidence to demonstrate this, or does it rely on Policy C1(3). This issue should be covered in the interpretation section.</p> <p>It is also noted that whilst Local Plan Pol C1(3) only requires demonstration of an <i>alternative facility</i> of the same type in the locality in justifying a loss, draft plan policy COM1 expects demonstration of a ‘replacement facility’ also being provided [ie to maintain the quanta of existing community facilities]. It is questioned whether the latter approach is consistent with NPPF para 93(c) which only discusses the range of community facilities in terms of <i>a community’s ability to meet its day to day needs</i> in general. For example,</p>	<p>The NPPF recognises that rural locations may have varied access to sustainable transport, owing to the rural location.</p> <p>The interpretation could be amended to cross reference to local plan requirements for testing where a facility is no longer needed or viable.</p> <p>If an alternative facility was already in place, then the policy could recognise that the facility being lost was no longer needed.</p>
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		<p>question whether a community facility could be lost where, because of the presence of other similar facilities in the locality, the community could still meet its day to day needs.</p> <p>SMDC's comments with respect to Clause (3) of the policy have not been addressed, therefore still apply.</p>	<p>Reference to Staffordshire Moorlands District Council's Open Space Study October 2017 could be added to the interpretation.</p>
41	COM2: Infrastructure Priorities	<p>Notes that policy in its entirety, and interpretation has been deleted in the latest version, following SMDC concerns that the policy in regulation 14 plan did not meet the basic conditions.</p>	
42	Page 54 – 56 LGS1: Local Green Space	<p><u>SMDC raised the following objection at regulation 14 stage [summarised]:</u></p> <p>“The designation of Local Green Spaces must be done in line with criteria set out in the NPPF [para 102] and demonstrated by providing a clear rationale and robust and proportionate evidence to support the designations. LGS should be those spaces are demonstrably special to the local community where it can be shown to have a particular significance. Local significance is generally considered to be based around beauty, historic significance, recreational value and tranquillity and richness of wildlife. In line with the requirements of the NPPF and national planning guidance, any sites that are identified in a Neighbourhood Plan should be assessed against a methodology and this should be explained in the Neighbourhood Plan.</p>	<p>See comments below.</p>

		<p>Consideration needs to be given as to why it is appropriate to designate an LGS if the area already has a designation or existing use eg a park, sports pitch. Would there be any additional local benefit to designating such areas a LGS?</p> <p>The Local Green Spaces Steering Groups Review September 2021 provides an assessment of the proposed LGS sites against the NPPF criteria. A number of the proposed LGS sites fall within the following categories;</p> <ul style="list-style-type: none"> • School playing fields • Play areas • Informal open space within residential developments • Cricket ground <p>The Local Plan contains a number of policies which seek to maintain important areas of open space and consideration should be given to the need to designate all the proposed sites as LGS where the site is already covered by policies in the Local Plan. [policies listed].</p> <p>The Local Green Spaces Steering Groups Review September 2021 provides an assessment of the proposed LGS sites against the NPPF criteria. A number of the proposed LGS sites fall within the following categories;</p> <ul style="list-style-type: none"> • School playing fields • Play areas • Informal open space within residential developments • Cricket ground 	
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		<p>It is considered that while these sites provide local amenity space they do not meet the criteria for LGS designation as they are not demonstrably special and as existing play areas and recreation space and informal open spaces they are protected by policy C2. Additionally a number of these sites are identified as open space on the Local Plan policies map. A number are in Council ownership and as landowner of areas of informal open space in residential developments the Council is unlikely to support designation of Council owned sites as LGS in the Neighbourhood Plan.</p> <p>Further it is considered where sites already have an existing designation such as site LGS15 includes a scheduled ancient monument and surrounding area, sites and LGS11 & LGS 12 are designated (in whole or part) as Biodiversity Action Sites, designation may not be appropriate. LGS1, LGS2 and LGS3 are already designated as LGS in the Local Plan.</p> <p>[commentary provided on whether LGSs 1-21 from regulation 14 version of plan, already benefit from some form of designation].</p> <p>Paragraph 103 of the NPPF states “ <i>Policies for managing development within a Local Green Space should be consistent with those for Green Belts.</i>” The policy should reflect this and refer to Green Belt policy. LP policy DC4 Local Green Space states “<i>Development proposals within a Local Green Space will be assessed against national Green Belt policy</i>”</p> <p>There should also be maps of the LGS.”</p>	
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		<p><u>In relation to the basic conditions SMDC concluded:</u></p> <p>“The designation of Local Green Spaces must be in line with criteria set out in the NPPF and demonstrated by providing a clear rationale and robust and proportionate evidence to support the designations.”</p> <p><u>Comments at regulation 16:</u></p> <p>It is noted that the latest version of draft plan has reduced the number of proposed sites for LGS designation from 21x to 14x under this policy. Also, maps of these 14x sites have now been provided.</p> <p>However of the sites remaining, and given SMDC’s comments at regulation 14 above, the majority remaining appear to benefit from either some form of designatory protection already (eg open space, LGS), or are parts of biodiversity alert sites, or are part of school playing fields operated by SCC LEA.</p> <p>For these reasons the inclusion of the LGSs proposed under this policy is queried by SMDC, in the light of para 102 NPPF, and the Local Green Spaces Steering Groups Review September 2021 submitted by the NP steering group.</p> <p>SMDC therefore maintains objection.</p>	<p>SMDC has not stated explicitly which sites it objects to. Existing designations such as biodiversity alert sites, do not recognise or protect the community value of a space. LGS does recognise community value, so is often justified as an additional designation. CPC’s planning consultant UVE has been involved in numerous Plans where LGS designations have been made for sites with other designations. All of the spaces meet the NPPF criteria (the three school sites have been omitted as per previous comments). All spaces have been subject to engagement with landowners, stakeholders and the wider community.</p>
43	5.4 Place, Design and Environment - National	<p>Amend 1st para for clarity and address grammatical errors:</p> <p><i>“One of the basic intentions for this Neighbourhood Plan is to support and define where possible conditions and criteria</i></p>	<p>This could be simplified, suggestions from the Examiner welcomed. The entire Neighbourhood Plan contributes to sustainable development by positively planning for our</p>

	Planning Policy, page 57	<i>for the achievement of sustainable development. One of the key principles of the NPPF (paragraph 11) is the presumption in favour of sustainable development. Sustainability has wide ranging social, economic and environmental element, within this Neighbourhood Plan we intend to ensure the sustainability of any new development. The intention is to achieve growth across the Neighbourhood Area of Checkley Parish that is not be to the detriment or loss of <u>designated</u> Local Green Spaces, landscape and settings by siting potential developments on identified <u>allocations and locations identified as acceptable for development through policies</u>. This Neighbourhood Plan promotes the re-use of existing buildings and brownfield sites."</i>	level of growth to meet the needs of our community now and in the future.
44	Page 60 Green Infrastructure Strategic Network for Staffordshire Moorlands 2018	Rename to: "Green Infrastructure Strategy May 2018". Add text to the existing para to clarify the role of the Green Infrastructure Strategy [ie see introduction to document].	Agreed amendment. Text could be added in, if essential to the NDP. CPC feel the description currently included in the NDP is quite clear.
45	Page 61 DES1: Design	<u>SMDC raised the following objection at regulation 14 stage:</u> "There is overlap with LP policies DC1 & SD5 Point 1e and f the policy needs to expand on how development will respond to views/landmarks and what is meant by not impacting upon or removing locally important views and visually sensitive landscapes. Are there specific views landmarks you wish to protect or is it more general eg views into open countryside. The interpretation section provides some detail on views and vistas but it	See comments below.

		<p>needs expanding. There is a lot of detail on pages 15-16 in the Rural Look and Feel – Quality of Environment section on views in settlements and in the supporting document Locally Protected Views which could be used to inform the policy.</p> <p>There are a number of ways which the policy wording could be improved to assist users of the plan. It is considered that the wording is a little vague – how will development respond to views what and where are the views. Further explanation of the importance of the views and a detailed description of them is needed in order to help users of the plan to design their particular scheme accordingly. Developers could not demonstrate how their proposal would impact on a view without more details about the view. Photographs and arrows are useful, with a description behind them of what the view is and what it means. The level of detail required to support an application should be proportionate to the size of the development proposed.</p> <p>The London Plan identifies and manages protected views and they have a very detailed SPD covering this [hyperlink provided]. The SPG may provide some useful elements to incorporate into the NP to provide applicants and case officers with more detail on how the protected views should be addressed in planning applications. Each protected view is clearly identified point to point. It's significance is clearly identified along with specific design responses that developments may take within each vista.</p> <p>The London Plan suggests that Design and Access Statements (or Townscape Visual impact Assessments)</p>	
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		<p>should be used by applicants to set out how the development responds to the view. [excerpts from this quoted].</p> <p>[NPPG Paragraph: 041 Reference ID: 41-041-20140306 quoted].</p> <p>Point 4 you need to consult with Staffordshire County Council as Lead Local Flood Authority. LP policy SD5 deals with flood risk and is quite detailed regarding how development should manage surface water. The first sentence needs some clarification its not clear what it means. Drainage is also covered in the green development guidance note and therefore this part of the policy could be deleted as it is included in the green guidance note.</p> <p>The interpretation section could be expanded to cover all elements of the policy.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>“Policy needs to be in accord with national policy.”</p> <p><u>Comments at regulation 16:</u></p> <p>Clause 1(e) and (f) – SMDC note that Clause 1(f) has been removed from the policy in the latest version of the plan. However Clause 1(e) substantially remains [re-numbered as Clause (7) of the policy]. Also refer to earlier Regulation 16 comments above [ITEM 21/ ITEM37] which also raise the</p>	<p>Clause 7 will be amended for clarity to read ‘Development should respond to surrounding views and landmarks in its design and layout’. The intention is to require developers to undertake contextual analysis, rather than for the policy to identify specific views and landmarks.</p>
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		<p>point about valued views not being identified in this draft plan. SMDC maintains objection.</p> <p>Clause (4) in relation to surface water and drainage: note that SM Local Plan Policy SD5 Flood Risk, already contains requirements concerning provision of on-site SuDS and regarding surface water run-off rates (4th and 5th paragraphs). However in the case of SuDS these are <i>not required in all cases</i> [see supporting text para 7.27 for explanation]. Therefore the SMDC recommends that Clause 8(b) is amended slightly to refer to the SuDS requirement in “<i>all applicable development</i>”, or “<i>all major development</i>” or similar. Or otherwise CPC need to demonstrate that you have consulted with Staffordshire Lead Local Flood Authority and this level of requirement has specifically been requested by them.</p> <p>The interpretation section could also reference policy SD5; and in relation to clause (4) the SMDC’s adopted Local Plan appended parking guidance.</p> <p>It is re-iterated that the interpretation section could be expanded to cover all elements of the policy.</p>	<p>The requirement in the policy relates permeable hard surfaces and taking opportunities to incorporate SuDS. So, the intention is not to modify local plan policy on SuDS. This could be clarified if necessary, in the interpretation.</p> <p>If necessary, the interpretation could cross reference to Local Plan policy.</p> <p>CPC’s view is that the clauses are self-explanatory so do not require additional interpretation.</p>
46	Page 63 DES2: Infill	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>“Point 1b Policy is too restrictive it may in some cases be appropriate in design terms to have infill development which would involve the loss of garden space. There needs to be some clarification as to what is meant by inadequate gaps between buildings.</p>	See comments below.

		<p>Point 2 The loss of POS may in some circumstances be acceptable eg if alternative provision was made or the POS was no longer needed. This is covered in policy COM1: Community, Sport and Recreational Facilities</p> <p>LP policy SS4 Strategic Housing and Employment Land Supply details the housing requirement for the LP area and the NP area being 50 dwellings for Checkley Parish. It states NP should demonstrate they can support the housing requirement through site allocations and/or windfall sites. Infill sites would form part of the windfall sites.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>“The NP needs to ensure it can deliver the housing requirement in policy SS4 of the LP”.</p> <p><u>Comments at regulation 16:</u></p> <p>No substantive changes made to policy or interpretation in the latest version following SMDC Regulation 14 comments. Therefore SMDC maintains objection.</p> <p>The interpretation cross-refers to NP Policy HSG1. Also note SMDC objections above to that policy [ITEM 29].</p>	<p>The paragraph at the bottom of page 35 of the Neighbourhood Development Plan deals with housing numbers. This makes clear that 15 are provided by the strategic site allocation UT019. For clarity, a sentence will be added to make clear that the two sites allocated in the NDP would provide 57 additional houses. There are also additional planning permissions (see previous comments above) This means that the housing need figure has been exceeded by a considerable margin.</p> <p>The infill policy does not preclude development but does require context design and capacity of the site to take the</p>
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			development to be considered, in line with national policy and guidance. We would emphasise the importance of giving proper consideration to design and amenity issues. The Local Plan policy relating to POS would still apply.
47	Page 64 DES3: Landscape and Rural Character	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>“There is overlap with LP policies NE1, NE2.</p> <p>Point 2.The NPPF (para 179-182) seeks to protect and enhance biodiversity and recognises a hierarchy of international, national & local designated sites. It does not completely prohibit all development which has an adverse impact on biodiversity but considers mitigation, compensation and the wider benefits of development and applies different approach to designated sites in the hierarchy. It provides a detailed and comprehensive approach to the impacts of development on biodiversity. The Neighbourhood Plan policy needs to be in accord with national planning policy.</p> <p>[Paragraph: 041 Reference ID: 41-041-20140306 quoted].</p> <p>This policy, as it stands does not comply with the guidance. You need to think about how the policy wording could be applied to a development site proposal. Taking it literally, as the wording stands everything on every map must be preserved or enhanced by new development. There needs to be explanation in the policy to distinguish which areas are important and how a developer can address this in creating a site layout.</p>	See comments below.

		<p>The examiner of the Biddulph NP which contained a similar policy raised a number of concerns. [excerpts from report quoted].</p> <p>The maps themselves are difficult to read when they are zoomed in to focus on individual sites and this is how they would be used.”</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>“The policy needs to be in accord with the NPPF”.</p> <p><u>Comments at regulation 16:</u></p> <p>SMDC notes that Clause(2) has been removed in the latest version.</p> <p>With regards Clause(1) it is questioned whether the policy is expecting the wildlife sites and landscape features listed to be preserved or enhanced <i>in all cases</i> (including off-site); or only where they would be affected by the actual development site. In the case of off-site contribution, note that this would be covered by the scope of Policy SS12 Local Plan (and emerging developer Contributions SPD linked to this); and the imminent legislative requirements for biodiversity net gain applicable from late 2023 onwards. In any event refer to Council’s comments above concerning paras 179-182 NPPF: the terminology “<i>..must..preserve or enhance</i>” in this clause is therefore queried as NPPF compliant.</p>	<p>This is clearly about the impact of development on the features listed in the policy. The word ‘must’ can be amended to ‘should’.</p>
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		<p>Further clauses (1) and (3) refer to complementing/ reflecting <i>local rural character</i>: it is questioned what evidence this is based on. For example SM Local Plan Policy DC3 Landscape and Settlement Setting, already links to a number of relevant studies in the supporting text. This point is not covered in the interpretation section.</p> <p>The interpretation section could also reference the forthcoming national biodiversity net gain duty from late 2023, under the Environment Act 2021.</p>	<p>Reference to the Environment Act could be added to the interpretation.</p>
48	Page 68 DES4: Conservation Area	<p>Amend clause (1) to refer to “ ..Checkley Conservation Area..” not “Areas”.</p> <p>Note that a conservation area character appraisal for the village of Upper Tean is yet to be completed by SMDC.</p> <p>The interpretation section should be expanded to elaborate on <i>why</i> both clauses of the policy are written as they are, ie are the two villages comprised of predominant existing built features which justify the approach. Inserting photographs would be beneficial here.</p> <p>The interpretation section could also reference the potential cross-over with Pol DES3 clauses (3) and (4) in relation to boundary treatments.</p> <p>The interpretation section could additionally explain that there are currently two conservation areas within the parish (Upper Tean and Checkley); and also set out the legislative basis for conservation areas, namely the Planning (Listed Buildings and Conservation Areas) Act 1990.</p>	<p>Amendment supported.</p> <p>Noted.</p> <p>The interpretation makes clear that the policy highlights key characteristics of the conservation areas. The Conservation Area Appraisals would provide the details of the characteristics.</p> <p>A general cross reference could be made to policy DES1, DES2 and DES3.</p> <p>The interpretation relates to how the policy should be applied. The rationale for the policy is in the first part of the chapter, proceeding the policies.</p>

49	Staffordshire Moorlands District Integrated Transport Strategy 2018, page 70	Please explain this is prepared by Staffordshire County Council and the reasons why. See https://www.staffordshire.gov.uk/Transport/transportplanning/districtintegratedtransportstrategies.aspx#:~:text=What%20are%20district%20integrated%20transport,are%20called%20integrated%20transport%20strategies	CPC will refer to SCC and include the link. For clarity SMDC please confirm that this strategy is wholly prepared by SCC with no input from SMDC
50	Page 69 TRA1: Transport Pages	<p><u>SMDC raised the following objection at regulation 14 stage:</u></p> <p>“There is some overlap with policies LP T1 and T2.</p> <p>Point 2 states particular regard should be made to the combined impacts of all new developments on traffic safety and congestion on a number of critical road junctions. Its not clear what is meant by particular regard. Will a traffic impact assessment be required for all developments? [Para 113 NPPF quoted].</p> <p>The response for Staffordshire Highways whilst supporting the overall policy approach of highlighting critical road junctions states that the policy should refer to significant developments should have regard to those junctions in the transport work to support applications and goes on to state small scale developments where traffic generation would be so low it would not warrant a detailed assessment. This seems to contradict the policy which refers to all developments.</p> <p>Point 3 details smaller key junctions the policy should detail the policy requirements for these junctions.</p>	See comments below.

		<p>Point 4 States <i>"Where highway improvements are required to support development, the needs of pedestrians should be prioritised. Any such improvements must have no adverse impact on the local rural and historic environment"</i></p> <p>Where highway improvements are required to support development a balanced judgement may be needed between the need for improvements and the needs of pedestrians and the impact on the local rural & historic environment the wording of the policy should be changed to allow for this.</p> <p>The NPPF considers if the impact of a development would have substantial harm or less than substantial harm and considers the significance of the heritage asset and also if there are benefits that outweigh the harm see para 199-208. This approach is reflected in LP policy DC2 The Historic Environment. The Neighbourhood Plan policy needs to be in accord with national policy in the NPPF."</p> <p><u>The above led SMDC to conclude that the regulation 14 version of the plan did not meet the basic conditions because:</u></p> <p>"The Neighbourhood Plan policy needs to be in accord with national policy in the NPPF."</p> <p><u>Comments at regulation 16:</u></p> <p>Clause (1)(a) grammatical error: <i>"..including links to surround path networks.."</i> should say <i>"surrounding"</i>.</p> <p>SMDC questions what the source of the requirement in Clause (1)(b) for cycle storage for all dwellings is – for</p>	<p>Agreed amendment.</p> <p>Active travel we would refer SMDC to the NPPF and the National Design Guide 2021 (Movement is one of the ten</p>
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		<p>example does this derive from county-level or national cycle guidance; or has it been suggested to the CP Steering Group by SCC, for example. (This should also be explained within the interpretation).</p> <p>Clause (2) of the policy still applies to “all new development”. Therefore SMDC maintains objection.</p> <p>SMDC notes that Clause (3) has now been deleted entirely from the latest version.</p> <p>Clause (4) of the policy still appears [as re-numbered Clause (3) and sub-divided into 3(a) and 3(b)] remains substantially unchanged (although “<i>must have no adverse impact</i>” has been amended to “<i>should have no significant adverse impact</i>”). This still does not deal with the substance of the Council’s regulation 14 concerns therefore SMDC maintains objection.</p> <p>Interpretation 1st para – amend for clarity : “...<i>The Plans / Maps above below outlining shows all the critical junctions in the parish...</i>”</p>	<p>key principles). Cycle storage is also a basic requirement in BREEAM and other standards.</p> <p>Clause 1 makes clear that balanced transport provision is proportionate to the scale and nature of the development. Clause 2 would obviously only apply to development that had a traffic impact.</p> <p>Addition of the word ‘significantly’ is added on the basis of advice from our planning consultants and is based on feedback they have noted from previous examinations.</p> <p>Agreed amendment. Text for critical junction 3 to be added.</p> <p>CPC has also noticed a print error where the third named junction in clause 2 has been omitted but the plan of the junction reference ‘3’ was included. This error should be corrected and updated to read ‘Hollington Road/ Heath House Lane’.</p>
51	6.0 Infrastructure Priorities, page 73	<p>Refers to Parish Council Priorities for spending infrastructure monies on local highway improvements etc.</p> <p>Note that the scope for developer contributions associated with new developments is set out in Local Plan policy SS12</p>	Comments noted.

		<p>Planning Obligations and Community Infrastructure Levy . In May 2023 the District Council conducted a public consultation upon a draft Developer Contributions SPD that, when finalised will accompany this policy.</p> <p>The priorities for local highways measures to be conducted by Staffordshire County Council Highways, are set out in the Staffordshire Moorlands District Integrated Transport Strategy 2018 – 2031.</p>	
52	7.0 Green Development Guidance Note, page 75	<p>Under “Green Building Design”, bullet points list carbon neutral methods of construction. It is questioned to what extent all of these would be policy compliant (including draft NP policies). For example, green roofs.</p> <p>Under “Green Landscape Design” it states “<i>Sustainable Urban Drainage Systems (SUDS) should be incorporated into the landscape design. This includes green spaces for residential developments.</i>” However under Local Plan policy SD5 SuDS are not required for <i>all forms</i> of development [refer to ITEM 45 regulation 16 comments above]. Therefore suggest amendment: “<i>Sustainable Urban Drainage Systems (SUDS) should be incorporated into the landscape design of all applicable developments...</i>”</p> <p>The section on “Green Energy” could also explain about how many forms of micro-renewables are now permitted development (for dwellings, flats etc) under the permitted development regime.</p>	<p>Comment noted.</p> <p><i>“Sustainable Urban Drainage Systems (SUDS) should be incorporated into the landscape design of all applicable developments...”</i> text to inserted</p> <p>Comment noted – SMDC to provide detail please</p>
53	Page 75 Green Guidance note	<p><u>SMDC raised the following issue at regulation 14 stage:</u></p> <p>“Page 52 (Green Guidance Note) section on Local Plant and Tree Species needs some more detail”.</p>	<p>CPC will seek advice from experts within SMDC and seek advice from Staffordshire Wildlife Trust as per note in the NDP text.</p>

		Details are still missing latest draft, therefore this should be provided.	Please note a small drafting change required - Text on inside back cover to be moved to the inside of the document (page 76)
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