

# STAFFORDSHIRE MOORLANDS LOCAL PLAN EXAMINATION

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## GUIDANCE NOTE FOR THOSE PARTICIPATING IN THE EXAMINATION

### Introduction

1. I am Mark Dakeyne, a Planning Inspector appointed by the Secretary of State for Communities and Local Government to independently examine the soundness of the Staffordshire Moorlands Local Plan.
2. The Programme Officer (PO) for the examination is Angela Weate. Her contact details are given below.

### Purpose of the Guidance Note

3. This note provides guidance on procedural and administrative matters for participants involved in the Examination into the Staffordshire Moorlands Local Plan.
4. All participants should familiarise themselves with the contents of the note, in particular those who wish to submit hearing statements and/or take part in the hearing sessions.

### The role of the Inspector and PO in the Examination

5. My task is to consider the soundness of the plan. The National Planning Policy Framework (MHCLG, July 2018) sets out the criteria for determining soundness - namely that the plan is **Positively Prepared; Justified, Effective and Consistent with National Policy**. Appendix A to this Guidance Note contains a list of useful publications and websites for advice.
6. The starting point is that the Council has submitted what it considers to be a sound plan. I aim to work collaboratively with the Council and the Examination participants in a proactive and pragmatic manner to deliver a positive social, economic and environmental outcome for Staffordshire Moorlands. However, this does not necessarily mean that the plan will be found to be sound.
7. Following the close of the hearings I shall prepare a report to the Council with my conclusions. The Council may formally request me to recommend any Main Modifications which are necessary to make the plan sound, if it is feasible that such modifications could make it sound. I will deal with broad issues in my report, and not with each individual representation.
8. Any Main Modifications are likely to need to be the subject of formal consultation and potentially considered as part of a revised Sustainability Appraisal. Should this be necessary more information will be provided at that stage.
9. The PO works independently of the Council under my direction in connection with the Examination. Angela can be contacted as follows:  
**Address:** Moorlands House, Stockwell Street, Leek ST13 6HQ  
**Tel No:** 07970 143898

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E –mail: [programmeofficer@staffordshiremoorlands.gov.uk](mailto:programmeofficer@staffordshiremoorlands.gov.uk)

10. The main tasks of the PO are to act as a channel of communication between all parties and myself; to liaise with the parties to ensure the smooth running of the Examination; to ensure that all documents received are recorded and distributed; and to keep the Examination Library up to date. Copies of the Examination documents are on the Council's webpage (see below). Any participant who does not have access to the internet should contact Angela so that alternative arrangements can be made.
11. Any procedural questions or other matters that you wish to raise with me prior to the hearing sessions should be made through Angela. Please let her know if you have any specific needs in relation to attendance/participation at the hearing sessions.

## **Progressing your representations on the plan**

12. At the time of making their representation many representors indicated whether their views should be dealt with in a written form or whether they felt that they needed to come and discuss them orally at a hearing session. Both methods will carry the same weight and I shall have equal regard to views put at a hearing or in writing. Attendance at a hearing session will only be useful and helpful to me if you wish and need to participate in a debate and are seeking a specific change to the plan.
13. A Schedule of Matters and Issues for the Examination and on which the soundness of the plan depends will be prepared shortly having regard to the Council's responses to my preliminary questions. A summary of the likely Matters and Issues is attached to this note as Appendix B. For each Issue there will be specific questions. These questions are likely to form the basis of the discussion at the hearing sessions and should also be the basis on which written hearing statements, to be submitted in advance of the hearings, are prepared. The hearings are open to all to observe, but only those who have previously made representations relevant to the matters being considered, and have indicated that they want to participate, will be allowed to speak.

## **Dates for Hearing Sessions**

14. The hearing sessions (which are part of the overall Examination) are likely to open on **Tuesday 9 October 2018**, the first week of sessions taking place between 9 and 12 October and the second week between 15 and 19 October. It is also anticipated that there will be a final hearing session on 23 October to review progress on the examination. All hearings will take place in the Churnet Room, Moorlands House, Stockwell Street, Leek ST13 6HQ.
15. The programme indicating the matters to be discussed at each hearing session will be based on the Schedule of Matters and Issues. An indicative programme linked to the summary of Matters and Issues is attached as Appendix B.

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16. The first week of the hearings will deal with matters such as legal and procedural requirements; the spatial strategy; strategic policies; and the housing and employment requirements. The second week of the hearings will deal with site allocations, infrastructure and implementation.

## **The hearing sessions and hearing statements**

17. Each matter will be the subject of separate discussion. The hearings will take the form of a roundtable discussion which I shall lead. They will not involve the formal presentation of cases by participants or cross-examination. I shall take account of all written representations already submitted and it is not the purpose of the hearings for these to be repeated. The Schedule of Matters and Issues will be prepared by late August and will form the basis for the agenda for each session. **Preparation of statements should not commence until this stage when participants at each hearing will also be confirmed.**
18. The hearings will be inquisitorial, rather than adversarial. I shall endeavour to progress them in an effective and efficient manner. As part of that process, it is my aim to minimise the amount of material necessary to come to informed conclusions on the issues of soundness. In that way I will conduct a focussed series of hearings and, in turn, produce a short, focussed report.
19. The Council is required to produce a hearing statement for each of the Matters in which it should seek to answer each of the individual questions set out in the list of Matters and Issues. Other representors may also submit hearing statements on the Matters, Issues and Questions of relevance to their original representation, although it is not a requirement.
20. Hearing statements should be a maximum of 3000 words for each Matter but I anticipate that many will not need to be as long as this. The word limit does not include Appendices but these should only be included where directly relevant and necessary and should also be as succinct as possible. Statements should be simply stapled rather than bound.
21. In preparing statements you should only answer the specific questions of relevance to your original representation whilst clearly identifying the number(s) of the question(s) you are seeking to answer. In addition to answering the relevant question(s) where a representor is seeking a specific change to the plan in order to make it sound it would be helpful for suggested wording for the change to be set out in the hearing statement. However, this is only likely to be possible/appropriate for representors seeking a limited and focussed change to the plan. In answering the questions, and insofar as it is relevant, participants may particularly wish to refer to the documents which the Council has submitted to the Examination.
22. Three paper copies and, if feasible, an electronic version of each hearing statement should be submitted to the PO **by 19:00 on Monday 24 September 2018**. Unless there are exceptional circumstances it is unlikely that late submissions will be accepted. Apart from these hearing statements no other

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written evidence will be accepted unless I specifically request it. Hearing statements will be posted on the Examination webpage, so that they are available to all participants and anyone else who wishes to read them. Because they will be available in this way, they will not be circulated directly to participants. However, anyone who is unable to access them on the webpage may request copies from the PO.

## **The hearing programme**

23. The programme for the hearings will be finalised and circulated by the end of August. Detailed agendas will be circulated a few days in advance of each hearing. It will also be possible to check the programme, agendas and progress of the hearings on the web site or by contacting the PO, once details are published.
24. On most days there will be morning and afternoon hearings with sessions starting at 09.30 hours and 13.30 hours. On Fridays there will only be morning sessions. There is scope for most sessions to run for up to 3 hours although there will be comfort breaks mid-morning and mid-afternoon.

## **The Examination Website**

25. The Examination Library is accessible from the Examination web site:  
[https://www.staffsmoorlands.gov.uk/examination\\_library](https://www.staffsmoorlands.gov.uk/examination_library)
26. This contains Submission Documents, the Council's evidence and documents produced during the Examination, including my questions to the Council and the Council's responses. If you have difficulties accessing the Library please contact the PO. It is not necessary to attach extracts of these documents to hearing statements as they are already Examination documents.

## **Site visits**

27. I have already carried out a familiarisation visit to the District. Insofar as I consider it necessary in my assessment of the soundness of the plan I shall visit sites and areas referred to in the representations again before, during, or after the hearings. I will do these on an unaccompanied basis unless I find that I need to go onto private land.

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## And finally...

25. I emphasise:

- I shall have equal regard to views put orally or in writing;
- the need for succinctness - please respect the letter and spirit of the 3,000 word limit in hearing statements with only limited and directly relevant appendices;
- that you must meet the deadlines for the submission of hearing statement(s);
- that your hearing statement(s) should focus on answering the questions I will pose in the *Schedule of Matters, Issues and Questions*.

*Mark Dakeyne*

INSPECTOR

(July 2018)

Attached – Appendices A and B

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## Appendix A

### List of relevant guidance and evidence

#### A. Government Policy and Guidance

National Planning Policy Framework

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>  
(the link takes you to both 2012 and 2018 versions of the National Planning Policy Framework)

Planning Practice Guidance

<https://www.gov.uk/government/collections/planning-practice-guidance>

#### B. Guidance from the Planning Inspectorate

Procedural Practice in the Examination of Local Plans: The Planning Inspectorate June 2016 (4<sup>th</sup> Edition v.1)

<https://www.gov.uk/government/publications/examining-local-plans-procedural-practice>

#### C. Examination and Evidence Base Documents

The Examination web site can be found at:

[https://www.staffsmoorlands.gov.uk/examination\\_library](https://www.staffsmoorlands.gov.uk/examination_library)

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## Appendix B

### Summary of Matters and Issues and Preliminary Hearings Programme

#### Tuesday 9 October

##### **9.30 – Introduction to the Hearings, Legal Compliance, Procedural Requirements and the Duty to Cooperate (DTC)**

- The extent and type of consultation and community engagement;
- The SA and HRA;
- The timeframe of the LP and its relationship to the evidence base;
- The DTC and in particular addressing housing needs in the Housing Market Area (HMA) and dealing with infrastructure constraints, particularly transport.

##### **13.30 - Strategy and Strategic Policies**

- The spatial distribution of development, including the changes for Cheadle and the Rural Areas compared to the Core Strategy (CS);
- The settlement hierarchy in Policy SS2, including the position of settlements in the hierarchy;
- The terms of Policies SS1 and SS1a;
- Green Belt –whether exceptional circumstances have been demonstrated for the alteration of Green Belt boundaries (Green Belt alterations will also be discussed in relation to specific allocations during Week 2);
- The approach to settlement boundaries, development adjoining boundaries and infill development in villages and rural areas (Policies SS2, SS8, SS9 and H1).

#### Wednesday 10 October

##### **09.30 - Housing and Employment OAN and Requirements**

- Whether the evidence base supports the housing requirement of 320 dwellings per annum (dpa) or 6080 dwellings for the LP period within an OAN range of 235 to 330 dpa taking into account demographic and economic factors, market signals and affordable housing need;
- The need for 27 ha of employment land;
- The relationship between housing and employment land provision.

##### **13.30 - Housing Land Supply**

- The components of housing supply to meet the housing requirement;
- Flexibility and/or a slippage allowance;

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- The method of addressing shortfall – Sedgefield or Liverpool method;
- 5% or 20% buffer;
- The windfall allowance;
- The contribution from the Peak District National Park (PDNP);
- Potential provision in the settlements compared to housing requirements (Policy SS4);
- The housing trajectory;
- The need for a Housing Implementation Strategy (HIS);
- The base date for housing supply calculations.

## **Thursday 11 October**

### **09.30 – Specific Housing Needs and Generic Housing Policies**

- The effectiveness of Policy H1 in meeting the need for a mix dwellings;
- The justification for applying the Nationally Described Space Standard and the Optional Building Regulation requirement for accessibility, if that is what is intended;
- The need for and policies relating to Self-Build/Custom Build Housing;
- The justification for affordable housing targets and the tenure split in Policy H3, taking into account considerations such as viability;
- Whether provision should be made for a proportion of market housing on rural exception sites;
- Whether there is a need to make allocation(s) for gypsies and travellers pitches (residential) taking into account the Gypsy and Traveller Accommodation Assessment (GTAA) and other evidence;
- The terms of Policy H4 (Gypsy and Traveller Sites and Sites for Travelling Showpeople).

### **13.30 - Employment Policies (including town centres and tourism)**

- The effectiveness of Policies E1, E3 and E4 and their consistency with national policy;
- The terms of Policies TCR1, TCR2 and TCR3 particularly in relation to non-shopping uses and the threshold for impact assessment;
- The allocation of a site for a discount foodstore in Biddulph.

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## Friday 12 October

### **09.30 - Development Management Policies**

- Whether development management policies (Policies SD1, SD2, SD3, SD4, SD5, DC1, DC2, DC3, DC4, C1, NE1 and NE2) are positively prepared and consistent with national policy;
- The delivery of Open Space and other Green Infrastructure (Policies C2 and C3).

## Tuesday 16 October

### **09.30 – Allocations (Leek)**

- The strategy for Leek (Policy SS5);
- The site selection process, principally the SHLAA;
- The suitability of the allocations having regard to infrastructure and other constraints and the need for a range of sites;
- Whether any significant adverse impacts would arise for the economic, social and environmental dimensions of sustainable development, taking into account potential mitigation;
- The development criteria;
- The delivery of the allocations over the plan period.

### **13.30 – Allocations (Biddulph)**

- The strategy for Biddulph (Policy SS6);
- The site selection process, principally the SHLAA;
- The suitability of the allocations having regard to infrastructure and other constraints and the need for a range of sites;
- Exceptional circumstances for the Green Belt releases;
- Whether any significant adverse impacts would arise for the economic, social and environmental dimensions of sustainable development, taking into account potential mitigation;
- The development criteria;
- The delivery of the allocations over the plan period.

## Wednesday 17 October

### **09.30 – Allocations (Cheadle)**

- The strategy for Cheadle (Policy SS7);
- The site selection process, principally the SHLAA;

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- The suitability of the allocations having regard to infrastructure and other constraints and the need for a range of sites;
- Exceptional circumstances for the Green Belt releases;
- Whether any significant adverse impacts would arise for the economic, social and environmental dimensions of sustainable development, taking into account potential mitigation;
- The development criteria;
- The delivery of the allocations over the plan period.

## **13.30 – Allocations (Villages)**

- The strategy for Larger and Smaller Villages (Policies SS8 and SS9);
- The site selection process, principally the SHLAA;
- The suitability of the allocations having regard to infrastructure and other constraints and the need for a range of sites;
- Exceptional circumstances for the Green Belt releases;
- Whether any significant adverse impacts would arise for the economic, social and environmental dimensions of sustainable development, taking into account potential mitigation;
- The development criteria;
- The delivery of the allocations over the plan period.

## **Thursday 18 October (hearing venue not available)**

### **Inspector Site Visits**

## **Friday 19 October**

### **09.30 – Infrastructure and Delivery**

- The effectiveness of Policy SS12;
- Whether necessary infrastructure will be delivered in a timely fashion e.g. road improvements, schools, health services.

### **12.30 – Monitoring and Implementation**

- Monitoring Indicators;
- LP Review Mechanisms.

## **Tuesday 23 October**

### **11.30 – Review Session**