

Public consultation comments received relating to the application to designate Loggerheads Parish as a neighbourhood plan area.

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
1	<p>Sport England Zoe Hughes (Senior Planning Administrator)</p>	<p>Planning Policy in the National Planning Policy Framework identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process and providing enough sports facilities of the right quality and type and in the right places is vital to achieving this aim. This means positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment land and community facilities provision is important.</p> <p>It is important therefore that the Neighbourhood Plan reflects national policy for sport as set out in the above document with particular reference to Pars 73 and 74 to ensure proposals comply with National Planning Policy. It is also important to be aware of Sport England's role in protecting playing fields and the presumption against the loss of playing fields (see link below), as set out in our national guide, 'A Sporting Future for the Playing Fields of England – Planning Policy Statement'. http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/</p> <p>Sport England provides guidance on developing policy for sport and further information can be found following the link below: http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/</p> <p>Sport England works with Local Authorities to ensure Local Plan policy is underpinned by robust and up to date assessments and strategies for indoor and outdoor sports delivery. If local authorities have prepared a Playing Pitch Strategy or other indoor/outdoor sports strategy it will be important that the Neighbourhood Plan reflects the recommendations set out in that document and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support the delivery of those recommendations.</p>	27/07/2015	Email	<p>Note Sport England's comments and take them in to account when preparing the Neighbourhood Plan</p>

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		<p>http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/</p> <p>If new sports facilities are being proposed Sport England recommend you ensure such facilities are fit for purpose and designed in accordance with our design guidance notes. http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</p> <p>If you need any further advice please do not hesitate to contact Sport England using the contact details below maggie.taylor@sportengland.org</p>			
2	Marine Management Organisation Susan Davidson (Communications Assistant)	<p>Thank you for inviting the Marine Management Organisation (MMO) to comment on the above consultation. I can confirm that the MMO has no comments to submit in relation to this consultation as it is not within our remit.</p> <p>If you have any questions or need any further information please just let me know. More information on the role of the MMO can be found on our website www.gov.uk/mmo</p>	27/07/2015	Email	Note the Marine Management Organisation's comments.
3	Daryl Smith	I support the application made by Loggerheads Parish Council to designate the whole of Loggerheads Parish as a Neighbourhood Area.	27/07/2015	Email	Note Daryl Smith's comment.
4	The Connecting Tracks Project John Huff (Lead Community Organiser)	<p>I support the two applications.</p> <p>I am pleased that the people of Loggerheads and its Parish Council have accepted my suggestion that their boundary is as the Parish boundary.</p> <p>I hope that both communities will use the insights promoted by the late Dr Tony Gibson in his ground breaking work under the general title of "Planning for Real". Anything I can do to assist in this approach would be good.</p>	29/07/2015	Email	Note the Connecting Tracks Project's comments. Consider whether or not a 'Planning for Real' approach would be appropriate.
5	UK Civil	We have no regulatory role in this matter.	29/07/2015	Email	No action

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	Aviation Authority Peter Gardiner (Executive Assistant to the Chair and Chief Executive)				required
6	Natural England Sharon Jenkins (Support Advisor – Technical Services)	<p>Thank you for notifying Natural England of your Neighbourhood Planning Area dated 27/07/2015.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning. We must be consulted on draft Neighbourhood Development Plans where the Town/Parish Council or Neighbourhood Forum considers our interests would be affected by the proposals. We must be consulted on draft Neighbourhood Development Orders and Community Right to Build Orders where proposals are likely to affect a Site of Special Scientific Interest or 20 hectares or more of Best and Most Versatile agricultural land. We must also be consulted on Strategic Environmental Assessments, Habitats Regulations Assessment screening and Environmental Impact Assessments, where these are required. Your local planning authority will be able to advise you further on environmental requirements.</p> <p>The following is offered as general advice which may be of use in the preparation of your plan.</p> <p>Natural England, together with the Environment Agency, English Heritage and Forestry Commission has published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans and development proposals. This is available at: https://www.gov.uk/consulting-on-neighbourhood-plans-and-development-orders</p>	03/08/2015	Email	Note Natural England's comments and consider how to address them when preparing the Neighbourhood Plan.

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		<p>Local environmental record centres hold a range of information on the natural environment. A list of local records centre is available at: http://www.nbn-nfbr.org.uk/nfbr.php</p> <p><u>Protected landscapes</u> If your neighbourhood planning area is within or adjacent to a National Park or Area of Outstanding Natural Beauty (AONB), we advise that you take account of the relevant National Park/AONB Management Plan for the area. For Areas of Outstanding Natural Beauty, you should seek the views of the AONB Partnership.</p> <p>National Character Areas (NCAs) divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment.</p> <p>http://www.naturalengland.org.uk/publications/nca/default.aspx</p> <p><u>Protected species</u> You should consider whether your plan or proposal has any impacts on protected species. To help you do this, Natural England has produced standing advice to help understand the impact of particular developments on protected or Biodiversity Action Plan species should they be identified as an issue. The standing advice also sets out when, following receipt of survey information, you should undertake further consultation with Natural England. Natural England Standing Advice</p> <p><u>Local Wildlife Sites</u> You should consider whether your plan or proposal has any impacts on local wildlife sites, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) or whether opportunities exist for enhancing such sites. If it appears there could be negative impacts then you should ensure you have sufficient information to fully understand the nature of the impacts of the</p>			

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		<p>proposal on the local wildlife site.</p> <p><u>Best Most Versatile Agricultural Land</u> Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. Paragraph 112 of the National Planning Policy Framework states that:</p> <p><i>'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'.</i></p> <p>General mapped information on soil types is available as 'Soilscapes' on the www.magic.gov.uk and also from the LandIS website; http://www.landis.org.uk/index.cfm which contains more information about obtaining soil data.</p> <p><u>Opportunities for enhancing the natural environment</u> Neighbourhood plans and proposals may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring benefits for the local community, for example through green space provision and access to and contact with nature.</p> <p>Opportunities to incorporate features into new build or retro fitted buildings which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes should also be considered as part of any new development proposal.</p> <p>Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural</p>			

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		Environment and Rural Communities Act 2006, Natural England should be consulted again at consultations@naturalengland.org.uk			
7	The Coal Authority Rachel Bust (Chief Planner/ Principal Manager)	<p>Thank you for the notification of the 24 July 2015 consulting The Coal Authority on the above NDP.</p> <p>The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.</p> <p>As you will be aware the Neighbourhood Plan area is outside of the defined surface coalfield and therefore The Coal Authority has no specific comments to make on the Neighbourhood Plan.</p> <p>In the spirit of ensuring efficiency of resources and proportionality it will not be necessary for you to provide The Coal Authority with any future drafts or updates to the emerging Neighbourhood Plan. This letter can be used as evidence for the legal and procedural consultation requirements.</p> <p>The Coal Authority wishes the Neighbourhood Plan team every success with the preparation of the Neighbourhood Plan.</p>	12/08/2015 (incomplete response previously received on 28/07/15)	Email	Note the Coal Authority's comments
8	Historic England Peter Boland (Historic Places Adviser)	<p>Thank you for giving notice that Loggerheads Parish Council has applied for designation as a Neighbourhood Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012.</p> <p>Historic England has no objection to this proposal.</p> <p>The proposed neighbourhood plan area contains a varied range of designated and undesignated heritage assets including the Registered Battlefield of Blore Heath (1459); Hales Roman Villa and a moated site E. of Willoughbridge Lodge Farm, both of which are Scheduled Ancient Monuments. Due account should be taken of the conservation of all of these assets and their settings in formulating the neighbourhood plan</p>	19/08/2015	Email	Note Historic England's comments and consider how to address them when preparing the Neighbourhood Plan.

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		<p>proposals. Consideration should also be given to the protection of undesignated heritage assets including farmsteads and archaeological remains (both known and potential) within the Parish. Many of these will be recorded in the Staffordshire County Council Historic Environment Record (HER).</p> <p>Having a sound evidence base for the Plan is important so as to form a properly supportive context for plan policies. The National Planning Policy Framework (paragraph 58) requires Neighbourhood Plans to develop robust and comprehensive policies setting out the quality of development that will be expected in an area based upon an understanding and evaluation of its' defining characteristics. The aim is to ensure that developments (inter alia) "respond to local character and history, and reflect the identity of local surroundings and materials....."</p> <p>Neighbourhood Plans are a positive way to help communities care for and enjoy the historic environment. Historic England is expecting that as Parish Council's come to you (and perhaps particularly to your specialist conservation staff) to seek advice on preparing Neighbourhood Plans they will value guidance on how best to understand what heritage they have, as well as assistance on preparing appropriate policies to secure the conservation and enhancement of this local heritage resource.</p> <p>Information held by the Council and used in the preparation of your Core Strategy/Local Plan is often the starting point for Neighbourhood Plans as for example the Historic Landscape Characterisation and the Extensive Urban Surveys completed by Staffordshire County Council. Comprehensive data on Heritage Assets including archaeological remains in your area will be available from the Staffordshire Historic Environment Record held by the County Council and local environmental and amenity groups often also hold useful information.</p> <p>Plan preparation also offers the opportunity to harness a community's interest in the historic environment by getting them to help add to the evidence base, perhaps by creating and or reviewing a local heritage list, inputting to the preparation of conservation area appraisals and undertaking or further</p>			

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		<p>deepening historic characterisation studies.</p> <p>Historic England has a statutory role in the development plan process and there is a duty on either you as the Local Planning Authority or the Parish Council to consult Historic England on any Neighbourhood Plan where our interests are considered to be affected as well as a duty to consult us on all Neighbourhood Development Orders and Community Right to Build Orders.</p> <p>Historic England will target its limited resources efficiently. We will directly advise on proposals with the potential for major change to significant, nationally important heritage assets and their settings. Our local offices may also advise communities where they wish to engage directly with us, subject to local priorities and capacity.</p> <p>Historic England fully recognises that the neighbourhood planning process is a locally-led initiative and communities will shape their own neighbourhood plan as informed by the issues and opportunities they are most concerned about and relevant to the local area. As a national organisation we are able to draw upon our experiences of neighbourhood planning across the country and information on our website might be of initial assistance https://www.historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/</p> <p>It is envisaged that the website will be progressively updated to share good practice in the management of the historic environment through neighbourhood planning.</p> <p>Historic England also publishes a wide range of relevant guidance. Links to this can be found in appendix 1 to this letter. Appendix II contains links to a number of Neighbourhood Plans that Historic England consider to be exemplary in their treatment of the historic environment.</p> <p>Should you wish to discuss any points within this letter, or if there are issues about this Neighbourhood Plan Area where the historic environment is likely to be of particular interest, please do not hesitate to contact me.</p>			

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9	Peter Jackson (Development Consultant)	<p>Rural Exceptions Sites</p> <p>In response to the consultation on Loggerheads neighbourhood plan proposal I ask the council to consider including in the plan sites that can be allocated as rural exception sites and provide a policy on this issue.</p> <p>The inclusion of this site that I have is fundamental to the 10 point plan - rural productivity and neighbourhood plan.</p> <p>It states:</p> <p>8. More housing</p> <p>The government will increase the availability of housing in rural areas, allowing our rural towns and villages to thrive, whilst protecting the Green Belt and countryside. This will include a significant contribution to the 200,000 'Starter Homes', to be offered at a 20% discount for first-time buyers under the age of 40, that the government is committed to delivering this Parliament. Through the right combination of measures, the government wants to ensure that any village in England has the freedom to expand in an incremental way, subject to local agreement.</p> <p>In addition to carrying out the review of planning constraints in rural areas mentioned above, the government will:</p> <ul style="list-style-type: none"> • Ensure local authorities put local plans in place for housing according to agreed deadlines and require them to plan proactively for the delivery of Starter Homes. The government will also bring forward proposals to speed up the process of implementing or amending a plan. • Help our villages to thrive by making it easier for them to establish a neighbourhood plan and allocate land for new homes, including through the use of rural exception sites to deliver Starter Homes. <p>We wish to bring this site forward in the plan making programme with Aspire Housing.</p> <p>As this site is adjacent to existing social housing it is ideally suited to the</p>	23/08/2015	Email	Consider Peter Jackson's comments when preparing the neighbourhood plan

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		<p>expansion of that area with starter homes.</p> <p>The playground and open space can be improved with a full scheme or scaled down if necessary.</p> <p>The government will now allow a small element of market housing to make rural exception sites viable.</p>			
10	United Utilities Rebecca Pemberton (Planning Analyst)	<p>Thank you for your email notifying us of the intention to designate the above as a Neighbourhood Area.</p> <p>United Utilities does not wish to submit any formal comments at this stage, however wish to be kept informed and consulted with further should this designation be approved.</p> <p>It is important that United Utilities are kept aware of any future development plans and supporting policies to ensure we can facilitate the delivery of the necessary sustainable infrastructure at an appropriate time. Therefore we encourage further consultation with us once a draft Neighbourhood Plan is commenced as we may submit detailed comments at the Draft Plan public consultation stage.</p> <p>If you wish to discuss this in further detail please feel free to contact me.</p>	24/08/2015	Email	Note United Utilities' comments and continue to engage with them at key stages in preparing the neighbourhood plan
11	Gladman Developments John Fleming (Graduate Planner)	<p>Gladman Developments Ltd (Gladman) specialise in the promotion of strategic land for residential development with associated community infrastructure. This letter provides Gladmans' representations on the application made by Loggerheads Parish Council for the designation of a Neighbourhood Area, for the purposes of preparing a Neighbourhood Development Plan.</p> <p>At this stage Gladman have no specific comments to make on the application for the Neighbourhood Area designation. However, as the first formal stage of preparing a Neighbourhood Plan, Gladman would like to take the opportunity to comment on the Loggerheads Neighbourhood Area application to highlight a number of key requirements to which the development of the emerging Neighbourhood Plan should have regard. Gladman wish to participate in the Neighbourhood Plan's preparation and to be notified of further developments</p>	24/08/2015	Email	Note Gladman Development's comments and consider how to address them when preparing the Neighbourhood Plan.

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		<p>and consultations in this regard.</p> <p><u>Neighbourhood Plans - Guidance and Legislation</u></p> <p>The National Planning Policy Framework (The Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out requirements for the preparation of neighbourhood plans and the role these should take in setting out policies for the local area. The guidance set out in the Framework has now been supplemented by the recently published Planning Practice Guidance (PPG) on Neighbourhood Plans.</p> <p>Paragraph 16 of the Framework sets out the positive role that Neighbourhood Plans should play in meeting the development needs of the local area. Its states that:</p> <p><i>"The application of the Presumption (In Favour of Sustainable Development, set out in paragraph 14 of Framework) will have implications for how communities engage in neighbourhood planning. Critically it will mean that neighbourhoods should:</i></p> <ul style="list-style-type: none"> <i>• Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;</i> <i>• Plan positively to support local development, shaping and directing development in their area that is outside of the strategic elements of the Local Plan"</i> <p>Further guidance on the relationship between Neighbourhood Plans and strategic policies for the wider area set out in a Council's Local Plan is included in paragraph 184 of the Framework:</p> <p><i>"The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date plan is in place as quickly as possible. Neighbourhood Plans should reflect these policies and neighbourhoods should</i></p>			

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		<p><i>plan positively to support them. Neighbourhood Plans...should not promote less development than set out in the Local Plan or undermine its strategic policies”.</i></p> <p>Before a Neighbourhood Plan can proceed to referendum it must be tested against the Neighbourhood Plan Basic Conditions, set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 and further detailed in paragraph 065 of the Neighbourhood Plan PPG. These Basic Conditions are:</p> <ul style="list-style-type: none"> <i>a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan</i> <i>b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order</i> <i>c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order</i> <i>d) The making of the neighbourhood plan contributes to the achievement of sustainable development</i> <i>e) The making of the neighbourhood plan is in general conformity with the strategic policies contained within the development plan for the area of the authority</i> <i>f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations</i> <i>g) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan</i> <p>If a Neighbourhood Plan is not developed in accordance with the Neighbourhood Plan Basic Conditions there is a real risk that it will fail when it reaches Independent Examination.</p> <p><u>Relationship with Local Plans</u></p> <p>To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, Neighbourhood Plans should be prepared to conform to up-to-date</p>			

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		<p>strategic policy requirements set out in Local Plans. Where an up-to-date Local Plan has been adopted and is in place for the wider authority area, it is the strategic policy requirements set out in this document that a Neighbourhood Plan should seek to support and meet. When a Local Plan is emerging or is yet to be found sound at Examination, there will be lack of certainty over what scale of development a community must accommodate or the direction the policies in the Neighbourhood Plan should take.</p> <p>The Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy was adopted in 2009. The Council resolved on 11th December 2013, to withdraw the Site Allocations and Policies Local Plan and instead proceed with the preparation of a new joint Local Plan. It is anticipated that the draft Local Plan will be published for consultation in 2017 and submitted for examination in 2018. Gladman question the Parish Council's ability to proceed on a Neighbourhood Plan at this time when there is no up-to-date adopted development plan in place to which the Loggerhead Neighbourhood Plan can be based or tested against.</p> <p>Although the Neighbourhood Plan PPG indicates that Neighbourhood Plans can be advanced before an up-to-date Local Plan is in place, Gladman would strongly question the ability to progress a Neighbourhood Plan on this basis. If a Neighbourhood Plan is progressed prior to an up-to-date Local Plan being prepared, or the strategic policies and development requirements set out in an emerging Local Plan change, then the work on the Neighbourhood Plan is likely to be abortive. A Neighbourhood Plan cannot be consistent with the requirements of the Framework or the meet the Neighbourhood Plan Basic Conditions if it is progressed on a development plan that is out-of-date.</p> <p><u>Neighbourhood Plan Policies and Proposals</u></p> <p>In accordance with the Neighbourhood Plan Basic Conditions, Neighbourhood Plan policies should align with the requirements of the Framework and the wider strategic policies for the area set out in the Council's Local Plan. Neighbourhood Plans should provide a policy framework that complements and supports the requirements set out in these higher-order documents, setting out further, locally-specific requirements that will be applied to development proposals</p>			

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		<p>coming forward.</p> <p>The Framework is clear that Neighbourhood Plans cannot introduce policies and proposals that would prevent development from going ahead. They are required to plan positively for new development, enabling sufficient growth to take place to meet the strategic development needs for the area. Policies that are clearly worded or intended to place an unjustified constraint on further sustainable development taking place would not be consistent with the requirements of the Framework or meet the Neighbourhood Plan Basic Conditions.</p> <p>Communities should not seek to include policies in Neighbourhood Plans that have no planning basis or are inconsistent with national and local policy obligations. Proposals should be appropriately justified by the findings of a supporting evidence base and must be sufficiently clear to be capable of being interpreted by applicants and decision makers. Policies and proposals should be designed to add value to policies set out in Local Plan and national guidance, as opposed to replicating their requirements. The community should liaise with the Council's planning team to seek advice on the appropriateness of the Neighbourhood Plan's proposals.</p> <p><u>Sustainability Appraisal/Strategic Environmental Assessment</u></p> <p>The preparation of a Neighbourhood Plan may fall under the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) that require a Strategic Environmental Assessment (SEA) to be undertaken where a Plan's proposals would be likely to have significant environmental effects. The requirement to undertake an SEA will be dependent on a Neighbourhood Plan's proposals, but is likely to be necessary where a Plan is proposing specific allocations or site designations.</p> <p>In accordance with Schedule 1 of the SEA Regulations, a Screening Assessment of a Neighbourhood Plan's proposals should be completed to assess whether an SEA must be prepared. Where an SEA is required this should be commenced at the earliest opportunity, alongside the preparation of the emerging Neighbourhood Plan, to ensure the Neighbourhood Plan's</p>			

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		<p>proposals have been properly considered through the SEA process, and appropriately justified against other reasonable alternatives. Where an adequate SEA has not been undertaken a Neighbourhood Plan is unlikely to meet the Neighbourhood Plan Basic Conditions.</p> <p>Although Neighbourhood Plans do not require a Sustainability Appraisal (SA) of their proposals, preparing an SA can help to show how a Neighbourhood Plan will contribute to the achievement of sustainable development, a Neighbourhood Plan Basic Condition. Where an SEA is required, extending this assessment to the preparation of an SA is unlikely to require significant additional input.</p> <p>The Council's planning team will be able to advise on the likely need for an SEA of the Neighbourhood Plan's proposals. To be compatible with EU obligations, further appraisals, such as a Habitats Regulations Assessment, may also be required depending on local circumstances.</p> <p>I hope you have found this letter to be constructive. Should you have any queries in relation to our response please do not hesitate to contact us.</p>			