
Cannock Chase Council

Examination of the Cannock Chase Local Plan 2018 - 2040

Guidance Note for people participating in the Examination (Version 2)

4 April 2025

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Introduction

1. I am Andrew McCormack, the Planning Inspector appointed by the Secretary of State to independently examine the soundness of the Cannock Chase Local Plan 2018 – 2040 ('the Plan') and I have prepared this Guidance Note. Its purpose is to explain and provide initial guidance on the procedural and administrative matters relating to the examination.
2. The Plan was submitted for examination by Cannock Chase Council on 29 November 2024. I was appointed by the Secretary of State on 18 December 2024 to conduct the examination under Section 20 of the Planning and Compulsory Purchase Act 2004. Further general information about the local plan examination process can be found in the Planning Inspectorate's publication Procedural Guide for Local Plan Examinations, which is available at www.gov.uk. There is also a short guide available aimed particularly at those taking part in an examination for the first time.

Programme officer

3. The Programme Officer (PO) for the examination is **Ian Kemp**. His contact details are on the cover of this Guidance Note. He is acting as an independent officer for the examination, under my direction. Mr Kemp will be responsible for organising the programme of hearings, maintaining and updating the examination website and document library, recording and circulating all material received, and assisting with procedural and administrative matters. He will also advise on any programming and procedural queries. Any matters which the Council or participants wish to raise with me should also be directed to Mr. Kemp in the first instance.

Examination webpages

4. The examination webpages are hosted by the PO and their content is controlled by the Inspector and the PO. All documents for the examination, including the Plan, policies map, and the Council's supporting and submission documents will be available to view online at the following location: <https://www.localplanservices.co.uk/cclocalplanexamination>
5. Any documents that I publish or ask for will be added to the examination webpages in the Examination Documents section. Any notes or documents I produce will be added within the Inspectors' Documents section.
6. If any representor does not have access to the internet, they should contact the PO who will endeavour to make alternative arrangements.

Purpose and scope of the examination

7. My role is to consider whether the submitted Plan meets the legal and procedural requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and associated Regulations and whether it is sound in accordance with the National Planning Policy Framework (the Framework).

To be sound the Plan must be:

Positively prepared: based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified: provide an appropriate strategy when considered against the reasonable alternatives and based on proportionate evidence;

Effective: deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidence by a statement of common ground; and

Consistent with national policy: enabling the delivery of sustainable development in accordance with the policies of the Framework and other statements on national policy, where relevant.

8. It is not part of my role to make improvements to the Plan, provided the Plan is sound and legally compliant.
9. There are three possible outcomes to the examination:
 - the submitted Plan is sound and legally compliant;
 - the submitted Plan is not sound and/or legally compliant but could be made so by changes (known as ‘main modifications’), if necessary, following the preparation of additional evidence; or
 - the submitted Plan is not sound and could not be made sound by changes. If so, I would be likely to recommend that the Council withdraws the Plan. The same would apply if there is a failure of legal compliance which cannot be remedied.
10. At the end of the examination, I will prepare a report for the Council setting out my conclusions and recommendations. My report will deal with the main issues of soundness and legal compliance, taking into account representations made but without responding to each of them.

National Planning Policy Framework (December 2024)

11. A revised National Planning Policy Framework was published in December 2024. This included transitional arrangements for local plans. Paragraphs 234 and 235 of the Framework state that where a plan has been submitted for examination under Regulation 22 on or before 12 March 2025, the plan will be examined under the relevant previous version of the Framework. In this case, the relevant previous version of the Framework is the September 2023 Framework as this was the version under which the Plan was prepared and subject to pre-submission consultation.

Changes to the plan

12. The starting point for the examination is that the Council has submitted a Plan which the local planning authority believes is ready for examination. Now that the Plan has been submitted there are only two means by which changes can be made to it:
 - as main modifications that I have recommended; or
 - as additional modifications made by the Council on adoption.
13. I can only recommend main modifications if they are necessary to make the submitted Plan sound and/or legally compliant. Any potential main modifications will be subject to public consultation before I recommend them in my report, and in some cases, they may also require further sustainability appraisal and habitat regulations assessment.
14. People seeking changes to the Plan must demonstrate why it is not sound and how their suggested changes would make it sound. Representations will be considered insofar as they relate to soundness and legal requirements. However, my report will not refer to representations individually.
15. At this advanced stage of the process, any further changes to the Plan should be limited. The Council cannot itself now make any ‘main modifications’. Any changes needed to remedy soundness problems can only come about through a recommendation in my report.
16. Additional modifications (sometimes also referred to as “minor modifications”) are changes which do not materially affect the policies in the Plan. They may be made by the Council on adoption and do not fall within the scope of the examination.

The matters, issues and questions (MIQs) for the examination

17. I have set out the matters which will form the focus for the examination and the hearings going forward. They are shown on the Schedule of Matters, Issues and Questions (Version 2) (‘the MIQs’) published on 4 April 2025 which accompanies this Guidance Note.

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18. The MIQs have been circulated to representors (with this Guidance Note) and are also available on the examination webpages. I have also issued a draft timetable for the hearings.
 19. Any comments or queries from representors on either the draft hearings schedule or the scope of the matters, issues and questions I have set out should be sent to the Programme Officer by **4pm on Thursday 3 April**.

Representations and written statements

20. The views of representors can be considered in three ways:
 - a) you can rely on the written representation you have already made;
 - b) you can, if you wish, also submit a written statement responding to the MIQs I have issued alongside this Guidance Note; or
 - c) you can, if you wish (and are entitled to do so), participate in the hearing sessions – I explain this further below.
 21. Everyone who has made a representation about the Plan during the Pre-Submission (Regulation 19) consultation that took place between 5 February and 18 March 2024 can either rely on what they have already submitted in writing or may, if they so wish, now submit a further written statement in response to any relevant matter, issue or question relating to their original representation. **There is no need to prepare a further statement if all the points are already covered in the original representation.**
 22. For those who do choose to provide written statements, they should directly address the matters I have identified in the MIQs.
 23. All written statements from representors should:
 - a) relate solely to the matters raised in their earlier representation;
 - b) explain which particular part of the Plan is unsound;
 - c) explain why it is unsound, having regard to the Framework;
 - d) explain how the Plan can be made sound; and
 - e) explain the precise change/wording that is being sought.
 24. From the Council, a written statement in response to all matters is required. These statements should include full and precise references to the evidence base to justify the policy and to demonstrate that the Plan is sound. They should also include references to any main modifications the Council considers necessary to make the Plan sound and set out the Council's position on changes sought by other parties, where relevant.
 25. All written statements should be succinct, avoiding unnecessary detail and repetition. There is no need for verbatim quotations from the Plan, national planning policy or other core documents (references will suffice). Nonetheless, it is vital that the fundamental elements of cases are set out clearly and concisely, since the hearings are not the place for new points or evidence to be presented for the first time.
 26. Please note that it is not my role to 'improve' the Plan. I can only recommend main modifications to rectify issues of soundness.
 27. Representors should attempt to reach agreement on factual matters and evidence before the hearings start and I strongly encourage everyone to maintain a dialogue with the Council and other participants in advance of the hearings. **Statements of Common Ground can be particularly helpful, even if serving to define areas of disagreement and these are especially welcomed.**
 28. There is no need to prepare a further statement if all points already covered in the original representation, but it would be helpful for participants to inform the PO if they **do not** intend to submit further statements.
 29. An electronic copy (pdf or Word format) of each written statement should be sent to the PO **Statements should be as succinct as possible and certainly no longer than 3,000 words**
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for each matter. Statements which are excessively long or contain irrelevant or repetitious material may be returned. Any technical evidence should be limited to appendices and should be clearly related to the case being made. Exceptionally, where there is a reason for electronic copies of written statements being not available or possible, non-electronic versions of written statements will be accepted. Three copies of these paper-based statements should be provided on A4 paper and stapled. Paper based Plans or diagrams should fold down to A4 size. Where possible, however, it is requested that any paper-based statements should be scanned or an electronic version should also be provided.

30. As the hearing sessions will be held over three separate weeks, the deadline for hearing statements in response to the MIQs is to be phased as follows.
31. All written statements relating to Matters 1 to 5 being discussed in Week 1 (see the Draft Hearings Schedule dated 26 March 2025) must be received by the Programme Officer **by 4pm on Monday 28 April.**
32. All written statements relating to Matters 6 to 8 being discussed in Week 2 must be received by the Programme Officer by **4pm on Thursday 8 May.**
33. All written statements relating to Matters 9 to 13 being discussed in Week 3 must be received by the Programme Officer by **4pm on Thursday 12 June.**
34. If material is not received by these respective deadlines, the PO will assume written statements are not being provided. Any additional statements and material will be posted on the examination webpages and will not be circulated directly to participants.
35. Participants should adhere to the timetable for submitting written statements. **Late submissions and additional papers are unlikely to be accepted on the day of the relevant session**, since this can cause disruption and result in unfairness, and may lead to the hearing being adjourned.
36. I will not accept any further representations or evidence after the hearing sessions have finished unless I specifically request it. Any late or unsolicited material is likely to be returned.

Artificial intelligence (AI)

37. It is understood that Artificial Intelligence (AI) could be used to support the process. However, if AI is to be used, such as in the writing of documents, or creation of plans and images, this should be declared when the information is submitted. Such a declaration should include what system or tools you have used, the source of the information that the AI system has based its content on, and what information or material the AI has been used to create or alter.

The hearing sessions

38. The hearing sessions will start on **Tuesday 13 May 2025 at 10am** and will be held over three separate weeks (see draft hearing schedule) during May to July 2025. They will take place at the Council Chamber, Civic Centre, Beecroft Road, Cannock, Staffordshire WS11 1BG.
39. Every effort will be made to keep to the hearing schedule, but late changes may be unavoidable. Priority will be given to starting the debate on each matter at the appointed time, and it may be necessary to extend the discussion into a subsequent session. The PO will endeavour to inform participants of any late changes to the timetable. **However, it is the responsibility of participants to keep themselves up-to-date with the arrangements and programme. Participants need to be ready to attend at 'Reserve' time indicated on the latest Schedule – this time will be used if necessary to complete any unfinished sessions.**
40. The hearings will take the form of round table discussion which I shall lead. It will not involve the formal presentation of cases by participants or cross-examination. There will be a lot of issues to cover and all contributions should therefore be focussed.
41. Sessions will normally start at **9.30am (except the first day which will start at 10am) and 2pm each day, with a break for lunch at about 1pm, and a finish at about 5pm.** A short break will

be taken mid-morning and mid-afternoon.

42. Please let the PO know as soon as possible if you have any specific needs in relation to attendance and participation at the hearing sessions.

Participation at hearing sessions

43. **Only those who have made representations seeking to change the Plan have a right to appear before, and be heard by, the Inspector(s).**¹ However, it is important to stress that written representations carry the same weight as those made orally at a hearing session. Consequently, participation at a hearing session is only necessary if, in the light of the MIQs, you have specific points you wish to contribute.
44. People who are able to participate in the forthcoming hearing sessions are those who made representations seeking to change the Plan under Regulation 20 (ie when the Council invited representations before submitting the Plan for examination) where their representation relates to a point that is among the matters for the examination.
45. If you have a right to be heard, and wish to exercise that right, you should contact the PO **by 4pm, Friday 11 April** indicating the appropriate Matter and session you wish to attend (see the draft Schedule). You need to do this regardless of what you may have indicated previously. **Please note that if you do not contact the PO by that date it will be assumed that you do not wish to appear and be heard and you will not be listed as a participant.** You should only request to be heard at a hearing session if you have made a relevant representation seeking a change to the Plan. However, the hearing sessions are open for anyone to observe.

Phasing of the hearing sessions

46. The hearings will take place in three phases:

Phase 1 (week commencing 12 May 2025): **This will cover Matters 1 to 5:** Duty to Cooperate and other legal requirements; Vision, Strategic Objectives and Spatial Strategy; Delivering High Quality Development; Community Infrastructure and Healthy Living and Providing for Housing Choice..

Phase 2 (week commencing 2 June 2025): **This will consider Matters 6 to 8:** Creating a Vibrant Economy & Workforce; Sustainable Transport and Communications and Attractive Town and Local Centres.

Phase 3 (week commencing 7 July 2025): **This will consider the remaining Matters 9 to 13:** Protecting and Enhancing the Natural Environment; Supporting a Greener Future; Strategic and Site-Specific Site Allocations and Delivery and Monitoring.

The report

47. After the hearings, I will write a report setting out my conclusions about the soundness of the Plan, including recommendations on any actions or modifications I consider necessary to make it sound. The examination will remain open until my report has been submitted to the Council. However, as mentioned above, no further representations or evidence will be accepted after the hearings have ended unless I specifically request it. Late or unsolicited material may be returned.
48. I trust that this Guidance Note is helpful. If you have any further questions please contact Ian Kemp who will be happy to assist if at all possible.

A McCormack

Inspector

¹ S20(6) of the Planning and Compulsory Purchase Act 2004

Reminder of key dates:

- Deadline for general comments or queries on the Schedule of MIQs / Draft Hearings Schedule:
4pm, Thursday 3 April
- Deadline to confirm with the PO whether you wish to exercise the right to be heard if you made a relevant representation seeking a change to the Plan, indicating the appropriate Matter and the hearing session: **4pm, Friday 11 April**
- Deadlines for written statements on MIQs:

Matters 1 – 5:	4pm, Monday 28 April
Matters 6 – 8:	4pm, Thursday 8 May
Matters 9 – 13:	4pm, Thursday 12 June
- Hearing sessions begin: **10am, Tuesday 13 May.**