

Summary of responses

General approach to developer contributions. Question 1a – Approach to Trigger Points

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	I support the approach to trigger points as a transparent and consistent means of considering contributions.	Support noted
Phil Murphy	Staffordshire and Stoke CCG	Agree	(None)	Support noted
Emery Planning on behalf of client	Bloor Homes	Disagree	(summary) It is unclear what approach the Council is looking to take in regard to trigger points. Examples are given in Appendix 2 of the Issues and Options Paper which have a fee per trigger point. However, there is no clear guidance as to if the Council is looking to implement this or to what this sum would be, with the paper stating 'the exact amount to charge per obligation trigger is an area of work that is still undergoing further research an engagement with stakeholders'. The monitoring of trigger points and developer contributions should fall within the general duties of the LPA as discussed in more detail under the Monitoring section of this report.	Comments noted. Details regarding trigger points and monitoring fees are set out in the draft SPD. The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allow fees for monitoring obligations to be sought from developers where: <ul style="list-style-type: none"> •the sum to be paid fairly and reasonably relates in scale and kind to the development; and •the sum to be paid to the authority does not exceed the authority's estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mr Sam Pierce	Persimmon Homes (North West)	General comment	Persimmon Homes supports the proposal for appropriate trigger points for the payment of s106 contributions, which will allow for dialogue between the Council, developers and infrastructure providers to ensure that contributions are secured at the appropriate time and when and where it is needed to mitigate the impact of development. It is further recommended that the SPD make suitable acknowledgement within the SPD for the phased payment of s106 contributions in accordance with agreed milestones tied to development progression. This is of particular importance on larger schemes where significant upfront infrastructure costs are envisioned and where making provision for payment of s106 contributions in instalments would significantly improve scheme viability.	Comments noted. The draft SPD sets out how trigger points will be agreed, which includes negotiation between the developer, the Council and any other infrastructure providers or consultees involved in the S106 agreement.
Mrs Sarah Haydon	Chief Officer Biddulph Town Council	General comment	Biddulph Town Council has a Neighbourhood Plan and Neighbourhood Development Order, which we hope will be adopted in Summer 2022. Within the Neighbourhood Plan document, the town has highlighted a number of priorities, which should be considered in relation to developer contributions. We therefore feel that those areas with adopted (or emerging- Reg 16) Plans should form part of the discussion about priorities, trigger points, etc. In relation to trigger points, we welcome early and ongoing discussion with developers, to ensure that funding is appropriately targeted and spent.	Comments noted. The draft SPD refers to the emerging Biddulph Neighbourhood Plan.
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A

Question 1b – Approach to Indexation

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support noted.
Emery Planning of behalf of client	Bloor Homes	General comment	(summary) It is noted that the Issues and Options Paper notes that CMPI is more accurate as it reflects the cost of construction materials and therefore directly relates to development costs. Our client (Bloor Homes) reserves their position on this matter until further details of this are put forward by the Council. However, there are no objections to this in principle.	Comments noted. The draft SPD clarifies that the Retail Prices Index published by ONS will be used as this will be consistent with the approach taken by Staffordshire County Council.
Phil Murphy	Staffordshire and Stoke CCG	General comment	The CCGs approach would be to request that any sums are index linked to the BCIS All-in Tender Price Indices	Comments noted. The draft SPD clarifies that the Retail Prices Index published by ONS will be used but for certain types of infrastructure there may be more bespoke information about costings that is particularly relevant to a specific project, which could assist in informing and evidencing changes to costings.
Mrs Sarah Haydon	Biddulph Town Council	No comment	(None)	N/A
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A

Question 1c – Approach to Prioritisation of contributions

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mr Sam Pierce	Persimmon Homes (North West)	Option 2 - sub priority groups based on critical and desirable infrastructure identified in the Infrastructure Development Plan	PPG is clear that policy requirements should be informed by evidence of infrastructure and affordable housing need, and a proportionate assessment of viability that takes into account all relevant policies, and local and national standards, including the cost implications of the Community Infrastructure Levy (CIL) and section 106 (10-001-20190509). Persimmon Homes supports the SPD making provision for prioritisation of contributions where scheme viability is challenging. Of those proposed options set out by the Council, the Company's preference is Option 2 and the publication of a priority list of contributions formed by the IDP. It is considered preferential to Option 1 in that it provides an element of certainty of the scale of s106 contributions to be sought if viability is challenging and will likely assist in viability/developer contribution negotiations being dealt with more efficiently rather than the Council's using their discretion on a site by site basis. Persimmon Homes reserves the right to make further representations concerning the scale of planning obligations and would encourage the publication of appropriate evidence base documents to review implications on scheme viability.	The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.
Phil Murphy	Staffordshire and Stoke CCG	Option 2 - sub priority groups based on critical and desirable infrastructure identified in the Infrastructure Development Plan	Prioritising contributions would appear to be the optimal solution to allow developers to account for such requirements at the front-end of the process, which can then be refined/negotiated at the pre-application stage. Provided the LPA retain the flexibility to adjust these priorities based upon emerging evidence and can account for variation of need across the locality this would seem a rational approach. The CCGs would however request that the 'Essential Infrastructure' quoted in the categories are set at the same level i.e. all fall within the Priority 1a category with the individual stakeholders evidencing need on a case by case basis appropriately and decision-makers applying planning judgement accordingly.	The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans,

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
				Corporate Plan and other supporting Council Strategies.
Rajvir Bahey	Sport England	Other option - please specify below	<p>In relation to the prioritisation of developer contributions it is noted and welcomed that playing pitches and open space, recreation and sports are listed as an infrastructure type. However, the requirements for the aforementioned infrastructure should be informed by an up to date evidence base which should be regularly be reviewed on an annual basis. The Council's Playing Pitch Strategy (PPS) was produced in 2017 and it is not known if an review has taken place to ascertain if the document is still up to date (Sport England's Stage E process guidance link) i.e. are the priorities and recommendations the same? Sport England recommends that the annual review should be taken within 3 years of the PPS being adopted and annually thereafter to identify if there any new prioritisations which should be reflected within the IDP. If the Council has not undertaken the review of its PPS, engaging with the sporting national governing bodies who form formed part of the stakeholder group, the document could be considered out of date. It is therefore vital clarity is provided as to whether such a review has taken place or whether the Council are going to produce a new PPS. Should a prioritisation approach be taken forward it is vital that requests are based on up to date evidence and costings, with monitoring as to the delivery of any identified deliverable schemes. This is vital particularly where there are viability issues to ensure contributions are not allocated to schemes which are not deliverable as opposed to going towards other infrastructure provisions (lower down the prioritisation order) which would support the development and its residents.</p>	<p>Comments noted. The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.</p> <p>The Council intends to update the PPS and incorporate the evidence into the Infrastructure Development Plan (IDP).</p>
Kezia Taylerson	Historic England	Other option - please specify below	<p>When considering the prioritisation of contributions from paragraph 2.7 onwards, when would a situation occur where contributions for desirable infrastructure, such as public realm, are sought? Is it not likely that monies would always be spent on infrastructure from the higher priority levels?</p>	<p>Comments noted. The draft SPD allows for a further consideration of contributions within the prioritisation process based on their value, particularly where viability is an issue. It also gives further consideration to assessing contributions according to</p>

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				their value to maximise the overall contribution.
James Chadwick	Spatial Planning Policy Officer Staffordshire County Council	Other option - please specify below	<p>We support the principle of having a pre-determined structure in place to guide decision making on S106 contributions where viability is an issue, but the District Council believes there is still merit in bringing development forward. The County Council is an infrastructure provider in its own right and receives S106 contributions directly from new development. The SPD provides an overview of possible Options for consideration, but the detail is limited. As such we'd welcome the opportunity to explore with you the three options presented in the SPD outside of this consultation. In relation to Option 2 at this stage we would comment that under Priority 1a the contribution type listed as 'Highway Infrastructure' be changed to 'Transport Infrastructure'. Whilst the term Highway here does refer to all infrastructure works within the highway it could be misinterpreted by the reader as favouring works relating to motorised vehicle traffic. The use of Transport Infrastructure provides a more nuanced approach and broader context to include, for example, infrastructure works for cyclists and/or pedestrians. With regard proposed Option 3 there is an apparent inconsistency in Table 2. Critical Infrastructure is defined as 'Infrastructure which must happen to enable growth'. Whereas Desirable Infrastructure is defined as 'Infrastructure required for sustainable growth'. It is assumed that Critical infrastructure should also be defined as enabling sustainable growth.</p>	<p>Comments noted. The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.</p> <p>The draft SPD refers to 'Transport Infrastructure' rather than 'Highway Infrastructure'.</p>
Emery Planning on behalf of client	Bloor Homes	Other option - please specify below	<p>(Summary) There appears to be some overlap between the proposed options, with all of them relying upon the Infrastructure Delivery Plan being updated regularly. By choosing proposed option 2 or 3, the Council would be limiting how the developer contributions are spent, as what is 'critical' for one development, may not even be desirable for another. Whilst it is the aim that the IDP will be frequently updated, The Developer Contributions SPD will not have regular updates and what is 'critical' when first drafted may not be needed in years to come. Our client (Bloor Homes) would like to be consulted again once the Council can provide further information on the preferred method</p>	<p>Comments noted. The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to</p>

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			and how this will be monitored. We believe that the best option for the prioritisation of contributions is for each case to be considered under its own merits. Also more detail is required on the sub-option and how this would interact with the main option. Our client (Bloor Homes) reserves their position on this matter.	priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.
Mr Richard Goodall		Other option - please specify below	With Section 2:11 of your document, type of development will influence which contributions are most important, for example a large residential development could identify education and affordable housing as priorities. This statement of Section 2:11 certainly suits the large building firms who can distribute funding whether it is called s106 or not for local projects as a just every day occurrence, but the bottom line is how much profit can they make from their development. The medium and small building firms can not match what the 'big boys' consider as loose change for funding contributions. Some of the large building firms believe funding local projects gives them the opportunity to do what they want with their building development, point in question being St. Modwen at Blythe Bridge. Yes their funding money has created better facilities at Forsbrook Village Hall, but NO affordable housing at their development at Blythe Vale. Is that a trade off Staffordshire Moorlands District Council and the elected councillor for Blythe Bridge and Forsbrook really wanted? Developer contributions need clarity and identification in fulfilling a 'local' necessity for those developments which they are attached to.	Comments noted. The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Sub-option (add on to any of the Options above) - based on the value of contribution and effectiveness	(None)	Noted.
Mrs Sarah Haydon	Biddulph Town Council	Sub-option (add on to any of the Options above) - based on the value of contribution and effectiveness; Option 2 - sub priority	Table 1 should include the following additions: Priority 1a should include sewage/ waste water treatments Priority 2a should include Protection of Biodiversity sites Sustainable travel should include cycle paths and footpaths It is essential that the LPA engages with the Town Council and references the Neighbourhood Plan in any considerations.	Comments noted. The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to

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		groups based on critical and desirable infrastructure identified in the Infrastructure Development Plan		be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A

Question 1d – Approach to Viability

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support noted.
Mr David Pyner	Highways England	Agree	From review of the Issues and Options Paper, National Highways support the proposed approach which applicants should take in conducting viability assessments for developer contributions. It is the responsibility of applicants to understand the scope of their site's likely traffic impacts on the highway network, as well as the existing conditions of network, such that the likely need for mitigation and associated costs can be considered as early as possible. Early engagement with National Highways is recommended such that we can advise on this matter.	Comments noted.
James Chadwick	Staffordshire County Council	Agree	We support the proposal for the SPD to include a formal protocol in place to deal with viability issues that arise.	Support noted.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Mrs Sarah Haydon	Biddulph Town Council	Agree	(None)	Support noted.
Phil Murphy	Staffordshire and Stoke CCG	Agree	(None)	Support noted.
Emery Planning on behalf of client	Bloor Homes	Disagree	(Summary) The Staffordshire Moorlands Local Plan and Site Allocations Viability Study was utilised as an assessment of the overall viability of development in the district, providing a viability framework within which to consider the proposed site allocations. It was found in the study that many of the sites were not viable, which has resulted in few development sites being brought forward in the Staffordshire Moorlands 5 Year Housing Land Supply. The SPD should ensure that the proposed options for planning obligations are viable and ensure that development that is required to meet local needs can take place. It is therefore critical that the Council does not pursue contributions through the SPD and Section 106 obligations which are out of step with the level of contributions tested at the Local Plan stage. It is noted that the Council do not intend to utilise CIL to secure Developer Contributions. Further clarification as to why the developer contributions cannot be provided through CIL and need to be dealt with separately. This would be an appropriate forum for viability to be properly considered at a plan wide level, if the Council considers that development can support contributions at a higher level than accounted for in the Local Plan viability work.	Comments noted. The draft SPD sets out the approach to prioritisation of contributions where there are viability issues. CIL might be replaced by a new single infrastructure levy proposed as part of national planning reforms. The Local Plan is still reliant on S106 and this will be used until the new national levy is in place.
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A

Question 1e – Approach to Monitoring Fees

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support noted
Mrs Sarah Haydon	Biddulph Town Council	Agree	(None)	Support noted
Phil Murphy	Staffordshire and Stoke CCG	Agree	(None)	Support noted
Emery Planning on behalf of client	Bloor Homes	Disagree	(Summary) The monitoring of developer contributions should be classified as the general duties of the LPA. The payment of a monitoring or administration fee is not necessary to make the development acceptable in planning terms and therefore should not be included in the SPD. This is supported by a High Court judgement of Oxfordshire County Council v Secretary of State for Communities and Local Government and others (2015) EWHC 186 (Admin). An appeal inspector ruled that several payments in a section 106 agreement were not necessary to make the development acceptable in planning terms. One of the payment obligations that was struck out was the obligation to pay a sum to Oxfordshire County Council for its costs of administering and monitoring the S106 agreement. This decision was then challenged by the County Council, but the High Court upheld the decision on the grounds that it was part of the Council's functions as a LPA to administer, monitor and enforce planning obligations in S106 agreements. A standardised approach to monitoring fees is not appropriate for all development, as found within the High Court judgement. Monitoring fees may only be appropriate for very large scale developments and the LPA should therefore assess each case on an individual basis rather than applying a standard approach to monitoring.	The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allow fees for monitoring obligations to be sought from developers where: <ul style="list-style-type: none"> •the sum to be paid fairly and reasonably relates in scale and kind to the development; and •the sum to be paid to the authority does not exceed the authority's estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development.
Mr David Pyner	Highways England	General comment	We have no comments to make on the subject of monitoring and administration fees associated with the potential changes to developer S106 agreements for developer contributions.	Comments noted.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
James Chadwick	Staffordshire County Council	General comment	In relation to the proposals for Monitoring of Obligations it is noted that this is still a work in progress. The County Council is also required to Monitor Obligations for which it is responsible e.g. Education, Transport. Therefore, it would be prudent to engage with our Legal Department to understand what the how the County is proposing to undertake monitoring of obligations and how it will go about collecting contributions to this end from developers. Should it transpire that District and County have differing approaches the SPD should note this and signpost developers to contact SCC.	Comments noted. The Council has liaised with SCC and the draft SPD signposts to the Staffordshire Education Infrastructure Contributions Policy and Staffordshire County Council pre-application advice.
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A

Question 2a – Approach to Affordable Housing- Commuted Sum

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	No comment	(None)	N/A
Mrs Sarah Haydon	Biddulph Town Council	No comment	We are happy to comment further after additional modelling work (3.5). In the meantime, please note that the Town Council preference is that affordable housing should be within the designated Town/ Parish boundary.	Comments noted.
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A
Phil Murphy	Staffordshire and Stoke CCG	No comment	(None)	N/A
Mr Richard Goodall		No comment	(None)	N/A

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Emery Planning on behalf of client	Bloor Homes	Other option - please specify	(summary) As it is unclear how the Council wish to proceed with affordable housing contributions, our client will reserve their position on this matter until options and costs are brought forward.	Comments noted.

Question 2b – Approach to Vacant building credit

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support noted
Mrs Sarah Haydon	Biddulph Town Council	Agree	(None)	Support noted.
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A
Emery Planning on behalf of client	Bloor Homes	No comment	(None)	N/A
Phil Murphy	Staffordshire and Stoke CCG	No comment	(None)	N/A

Question 2c – Approach to Open Space, Sport and Recreation

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire	Agree	(None)	Support noted.

	and Crime Commissioner			
Mrs Sarah Haydon	Biddulph Town Council	Agree	p11- Open Space table should make reference to the Neighbourhood Plan. Again, we are happy to comment further after additional options appraisal work.	Comments noted. The draft SPD refers to the emerging Biddulph Neighbourhood Plan.
Emery Planning on behalf of client	Bloor Homes	Disagree	(Summary) If developer contributions are to be sought for the maintenance of open spaces, this would need to be justified as the Council is already required to ensure the upkeep of these spaces. There may be some situations where this is more relevant than others and therefore a standardised approach should not be utilised for this. Further information should be provided by the Council once they have looked at the potential options in more detail as it is currently unclear how this will be applied.	Comments noted. The draft SPD states that obligations for open space and recreation will be based on a tailored approach relevant for each development site. It also sets out the Council's approach to management and maintenance of open spaces.
Rajvir Bahey	Sport England	Disagree	The document sets out approaches towards requesting contributions towards playing pitches with Sport England supportive of the approach set out in the PPS. Sport England are not supportive of a standards-based approach for identifying the contribution new development should make towards new outdoor sports provision. We do not consider that such an approach is sufficiently nuanced to take account of existing facilities ability to accommodate additional demand generated by new development. For example, it may be more appropriate to improve or enhance existing facilities to create additional capacity to meet the demand from new development rather than create new provision. Sport England also welcomes the identification of contributions to indoor sports provision to meet identified shortfalls in provisions. Sport England's sports facility calculator could be utilised as a tool to identifying demand and costs for developments which could be incorporated within the SPD. Sport England would welcome further consultation on the preferred approach once developed.	Comments noted. A standards-based approach has not been included for new outdoor sports provision. The SPD sets out the Council's approach to outdoor sports provision and indoor sports provision.
Mr Ian Dickinson	Canal & River Trust	General comment	(summary) Although the SPD acknowledges the importance of having access to a network of high-quality open spaces and opportunities for sport and activity in supporting healthy lifestyles and communities as highlighted in Para 98 of the NPPF, it appears to place greater emphasis on either provision of new open spaces/recreational facilities or the improvement of existing formal spaces, play areas and facilities. The canal network is a less formalised recreational	Comments noted. The draft SPD includes a section on informal recreation and that developer contributions may be secured where new development impacts on canal infrastructure.

			<p>space but it is nonetheless equally valuable and important in supporting healthier and more active lifestyles. Increased use and footfall generated by residential development near waterways can often lead to increased liabilities for the Trust. It is important to be able to secure developer contributions to help maintain the canal infrastructure when it is impacted by development, to enhance quality and ease of access. The Staffordshire Moorlands Green Infrastructure Strategy (May 2018) supports the enhancement of walking routes along the canal network and creation/enhancement of linkages with wider walking and cycling networks. We therefore consider that the SPD should seek to support these aims by acknowledging that developer contributions could be sought for canal and towpath improvements. We consider that such contributions would satisfy the tests set out in the CIL regulations 2010 and Para 56 and 57 of the NPPF, necessary to make a development acceptable in planning terms; directly related to a development and fairly and reasonably related in scale and kind to the development.</p>	
Mrs Wendy Bannerman	The British Horse Society	General comment	<p>The British Horse Society is the UK's largest equestrian Charity, with over 117,000 members representing the UK's 3 million horse riders. Nationally equestrians have just 22% of the rights of way network and are increasingly forced to use busy roads to access them. Between 29.02.2020 and 28.02.2021 1,010 road incidents involving horses have been reported to The British Horse Society 46 horses have died 118 horses have been injured 130 people have been injured 45% of riders were victims to road rage or abuse 80% of incidents occurred because a vehicle passed by too closely to the horse 43% of incidents occurred because a vehicle passed by too quickly This illustrates the importance of protecting, improving and extending safe off-road provision will help to prevent these numbers from increasing in the future. Open Space, Sport and Recreation makes no reference to PRoW and other multi-user paths with public access. The BHS would welcome further discussion and has detailed guidance on these crucial matters to ensure all users are included and developers meet requirements of the Equality Act 2010 and associated legislation. https://www.bhs.org.uk/advice-and-information/free-leaflets-and-advice.</p>	<p>Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.</p>

Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A
Phil Murphy	Staffordshire and Stoke CCG	No comment	(None)	N/A

Question 2d – Approach to Biodiversity

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support noted
Emery Planning on behalf of client	Bloor Homes	Disagree	(Summary) The Council does not currently include any planning obligations under biodiversity and climate change but with the support of an updated IDP the Council aims to achieve at least 10% net gain in biodiversity when this cannot be secured via planning conditions. It is noted that the SPD could encourage these measures in advance of them becoming a statutory requirement in 2023 however there is no current policy basis in the adopted development plan to justify this being added to the SPD. Furthermore, the Environment Act mandates Biodiversity Net Gain and therefore there is no requirement for this to be added into the SPD. As this will require a deemed planning condition, the requirement for this to be added as a planning obligation in the SPD is unclear. We are unclear on the justification behind this approach as the Local Plan does not include this policy and therefore cannot be applied prior to 2023 when it becomes a statutory requirement through the Environment Act.	Comments noted. The requirements of the Environment Act will be implemented as mandatory in winter 2023 however the draft SPD states that the Council will work with developers to proactively encourage that appropriate contributions are sought for Biodiversity Net Gain in advance of the 2023 date.
James Chadwick	Staffordshire County Council	General comment	It is noted that the SPD makes reference to the SPD including measure to ensure that there is provision made to secure developer contributions for biodiversity net gain where it is not possible to deliver these through development design or planning conditions. It is suggested that liaison with the County Ecologist would be prudent to understand whether there would be any linkage to Local Nature Recovery Strategies, which we are awaiting guidance from DEFRA on implementation and confirmation of the responsible authority.	Comments noted. The draft SPD sets out the Council's approach to biodiversity and green infrastructure. It states that the Council will continue to work with key stakeholders to strengthen ecological networks and corridors of biodiversity value. New evidence such as the Local Nature

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				Recovery Strategy and the Council's emerging Biodiversity Strategy will also inform biodiversity net gain.
Mrs Sarah Haydon	Biddulph Town Council	General comment	Reference should be made to the Environment Policies within the Neighbourhood Plan. Contributions should be spent within the Town/ Parish boundaries.	Comments noted. The draft SPD refers to the Biddulph Neighbourhood Plan.
Mr Ian Dickinson	Canal & River Trust	General comment	(summary) The canal network and Rudyard Lake both provide important wildlife habitats and support a wide range of biodiversity and form part of the wider green infrastructure network, with the canal network forming a green corridor connecting numerous wildlife habitats. Both the canals and Rudyard Lake are acknowledged in the Staffordshire Moorlands Green Infrastructure Strategy and therefore it is considered that developer contributions towards maintaining and enhancing its role as a green infrastructure corridor would be justified and capable of meeting the relevant tests. The Trust supports the inclusion of provisions within the SPD to allow Developer Contributions to be secured for the delivery of Biodiversity Net Gain (BNG) and considers that the canal network and Rudyard Lake both have a potential role to play in providing opportunities for providing off-site BNG funded through developer contributions.	Comments noted. The requirements of the Environment Act will be implemented as mandatory in winter 2023 however the draft SPD states that the Council will work with developers to proactively encourage that appropriate contributions are sought for Biodiversity Net Gain in advance of the 2023 date.
Ms K Dewey	Staffordshire Wildlife Trust	General comment	Thank you for consulting us on this document. We are not able to comment in detail at this time, but would welcome further discussions with the Forward Planning team regarding the final SPD. We support the proposed option to include a requirement within the SPD for at least 10% net gain in biodiversity where these cannot be secured via planning conditions. Consideration could also be given to requiring a higher percentage in certain key areas, identified through Nature Recovery Network mapping, for example degraded landscapes linking high-value sites. This might be dealt with through the planned Biodiversity Strategy; the current SPD should allow for future policy detail. Thought will need to be given to which developments this will apply to, and how any off-site offsetting could be directed towards green infrastructure and biodiversity projects.	Comments noted. The draft SPD sets out the Council's approach to biodiversity and green infrastructure. It states that the Council will continue to work with key stakeholders to strengthen ecological networks and corridors of biodiversity value. New evidence will also inform biodiversity net gain.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			Some projects within the Green Infrastructure Strategy would need to be developed further and costed, and/or a figure for monetary contributions per biodiversity unit determined. Particularly, a baseline for council-owned land in terms of biodiversity net gain should be an aim. Setting up a register of biodiversity net gain sites, and an accounting system would be helpful in readiness for mandatory net gain, as well as resourcing staff and training. A 'call for sites' for biodiversity mitigation sites would also be a useful undertaking. We would value further discussions on how biodiversity can be dealt with in this SPD.	
Phil Murphy	Staffordshire and Stoke CCG	General comment	The approach to 10% net gain in advance of national requirements is understood but where developers can evidence no net loss on site and can demonstrably mitigate for any unavoidable losses on site but not necessarily achieve 10% gain within the spatial constraints of the site, this uplift should not then be prioritised (by way of commuted sums) at the expense of other infrastructural requirements during this period.	Comments noted. The requirements of the Environment Act will be implemented as mandatory in winter 2023 however the draft SPD states that the Council will work with developers to proactively encourage that appropriate contributions are sought for Biodiversity Net Gain in advance of the 2023 date.
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A

Question 2e – Approach to Climate Change

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	As the responsible body for the Fire and Rescue Service, we particularly support the emphasis on flood risk mitigation given the increasing proportion of time which the service spends responding to flooding incidents.	Support noted.
James Chadwick	Staffordshire County Council	Agree	We support the principle of including measures within the SPD to ensure a greater level of climate resilience. The options presented include areas for which the County Council has responsibility and a	Comments noted.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			role in our capacity as Lead Local Flood Authority and Highway Authority. We are willing to assist in preparation of this section of the SPD or to provide feedback/comment on any draft wording.	
Mrs Sarah Haydon	Biddulph Town Council	Agree	Electric Vehicle Charging points should be included within the design of all developments, not just major developments.	Comments noted. The draft SPD refers to Electric Vehicle Charging points and Part S of the Building Regulations that came into force on the 15th June 2022.
Phil Murphy	Staffordshire and Stoke CCG	Agree	(None)	Support noted
Emery Planning on behalf of client	Bloor Homes	Disagree	(Summary) The Issues and Options paper states that although there is no direct reference to developer contributions within the Local Plan policy, there is an opportunity to underpin the policy requirements with additional detail and specific comments that can be provided within a S106 agreement. The viability of providing the wide range of proposed options would need to be assessed to ensure that development can still come forward despite the additional contributions. Our client (Bloor Homes) would like to be consulted again on this matter once a clearer approach is outlined. There is no reference to developer contributions for climate change within Local Plan policy and therefore no basis for these planning obligations to be secured.	Comments noted. The draft SPD sets out the Councils approach in a section relating to climate change.
Mr Ian Dickinson	Canal & River Trust	General comment	(summary) The proposed options identified for supporting measures to minimizing the effects of climate change include the provision of walking and cycling links in order to promote more sustainable travel modes. The canal towpath provides a valuable element although it often requires improvement to ensure suitability for year-round use, particularly by cyclists. The SPD should consider the role towpath can play in this respect and the potential need for improvements to ensure it can properly fulfil this role. Again we consider that developer contributions for such improvements would be capable of meeting the relevant tests (CIL regulations 2010 & NPPF paras 56 and 57).	Comments noted. The draft SPD includes a section on informal recreation and that developer contributions may be secured where new development impacts on canal infrastructure.
Mrs Wendy Bannerman	The British Horse Society	General comment	3.27 refers to 'provision of cycling and walking links' without inclusion of other vulnerable road users, including equestrians.	Comments noted. The draft SPD refers to informal recreation opportunities

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			Active travel does include equestrians. Jesse Norman in House of Commons debate on Road Safety, 5 November 2018: 'We should be clear that the cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders'•. For the reasons given in the response to c. Open space, sport and recreation shared routes for all vulnerable road users should be provided for in development plans.	and improved linkages in order to encourage walking, cycling and horse riding.
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A

Question 2f – Approach to Health

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	This section should reference Healthy and Safe Communities as per NPPF. As such, we strongly believe that policing and fire infrastructure should be included in the approach. This definition is currently in debate nationally in the context of planning reform. It does not simply relate to police buildings but also the vehicles, technology and operational equipment that are essential to deliver policing services to an expanding local population.	Comments noted. Planning obligations should only be used to secure infrastructure where they are compliant with the CIL regulations. The draft SPD allows for consideration of other infrastructure not specifically required by the Local Plan but reasonably requested by an infrastructure provider / consultee.
Phil Murphy	Staffordshire and Stoke CCG	Agree	The need to work collaboratively and feed into strategic estates plan is agreed. It is suggested that the trigger for consultation on cases is as follows with a recognised address for consultations moving forward as follows: Planning@staffsstokeccgs.nhs.uk . Applicable Policy and Guidance: -National Planning Policy Framework 2021 (NPPF) -Planning Practice Guidance (PPG) -Healthy and Safe Communities -Relevant development plan documents for each LPA and associated policy -Health Building Note 11-01: Facilities for primary and community care services. Type of infrastructure contribution may be required to support: - Construction costs for	Comments noted. The draft SPD includes a section on health infrastructure and when S106 contributions may be required.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			<p>additional facilities/extensions, adaptations, or alterations including all fees, charges and VAT where applicable - New health facilities (these may be co-located with other health or social care providers).</p> <p>Trigger for consultation: - Residential - 10 dwellings or more - Applications for the development of concentrated/multi-tenant housing such as residential care homes, nursing homes, sheltered housing or student accommodation (these will be assessed for their impact on the local healthcare functions on a case-by-case basis).</p> <p>Form of contributions: - Capital monies to provide new or enhanced facilities - Land or buildings may also form all or part of the contribution - All on-costs associated with the above. Calculation of costs: The calculation showing the likely impact of the new population in terms of the number of additional consultations is based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services and this will be the primary method for calculating developer contributions. Primary contact for consultations Planning@staffsstokeyccgs.nhs.uk</p>	
Mrs Sarah Haydon	Biddulph Town Council	General comment	Health and wellbeing outcomes can also be improved through investment in community facilities. This should form part of the consideration here. Contributions should be spent within the Town/Parish boundaries.	The draft SPD includes sections on sport and recreation and health and community facilities.
Mrs Wendy Bannerman	The British Horse Society	General comment	<p>Much of the research relating to active travel acknowledges that walking and cycling are beneficial leisure activities, not primarily commuting methods (Menai et al, 2015; Mouratidis, 2019, etc). Equestrian leisure activity also has health benefits: 'Horse riding induces physiologically positive effects such as muscle strength, balance and psychologically positive changes' (Sung et al, 2015). According to BETA two-thirds of equestrians are women and Church et al (2010) found 37% of women who are horse riders are over 45 years of age and over a third would pursue no other physical activity. The therapeutic and physical benefits of horse riding and carriage driving have been proven for people with disabilities (Favali and Milton, 2010).</p>	Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Emery Planning on behalf of client	Bloor Homes	General comment	Presently, the Council have no set policy for negotiating developer contributions towards health, but the NHS / Clinical Commissioning Group (CCG) are consulted during the planning application stage. The SPD is to include a section on the provision of health to refine this process and the Council will continue to work collaboratively with the NHS/CCG to support the use of developer contributions. Our client (Bloor Homes) reserves their position on this matter until further details are provided in relation to options and costs.	Comments noted. Policy SS1 – Development Principles, outlines the requirement to provide necessary local services including healthcare. The draft SPD includes a section on health and set out the Council’s approach to developer contributions.
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A

Question 2g – Approach to Training and Employment

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Emery Planning on behalf of client	Bloor Homes	Disagree	(Summary) This will involve meeting specific needs identified locally which would be managed through a Training and Employment Management Plan. However, it should be noted that this could cause some harm to the viability of achieving development in some locations. If there aren't the required skills in certain areas, this will lead to a delay in development which could have a positive impact on the surrounding local area. Furthermore, there is no policy basis to enable the request of developer contributions for training and employment.	Comments noted. Local Plan Policy E1 states the Council will, where appropriate, seek to enter into agreements with developers and employers to contribute towards training programmes and employment support and employment access schemes. The draft SPD includes a section on training and employment.
Mrs Sarah Haydon	Biddulph Town Council	General comment	Contributions should be spent within the Town/ Parish boundaries.	Comments noted.
James Chadwick	Staffordshire County Council	Agree	We support the recommendation that the SPD includes coverage for Employment and Training. Elsewhere in the County S106 has been used to secure Employment and Skills Plans and contributions to training and job brokerage schemes. We are preparing a Framework Employment and Skills Plan document that should help developers in the preparation of their own Plans. It is suggested that liaison with our Head of Employability Skills, would be useful to discuss our experience elsewhere in the County with such matters, the work we	Support noted and comments have been reflected in the draft SPD which refers to the Framework Employment and Skills Plan and the additional support offered by Staffordshire County Council.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			are presently undertaking in this arena and what role SCC could play moving forward.	
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support noted.
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A
Phil Murphy	Staffordshire and Stoke CCG	No comment	(none)	N/A

Question 2h – Approach to Highways

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support noted.
Mrs Wendy Bannerman	The British Horse Society	General comment	As previously stated, sustainable and active travel is not limited to walking and cycling. Horse riding is included in the Active Travel definition. Jesse Norman MP, Parliamentary Under Secretary of State for Transport in a House of Commons debate on Road Safety, 5 November 2018 (1) stated: 'We should be clear that the cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders..... Horse riders are vulnerable road users - there is no doubt about that, and there never has been - and they have been included in the work we are doing'. • Developers should reduce reliance on increasingly busy roads by	Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			improving and extending the off road network of bridleways, byways and multi-user routes and providing for safe connectivity through Pegasus crossings (light controlled crossings accessible to equestrians, pedestrians, cyclists, wheelchair users and mobility scooter users), under and overpasses.	
Mr David Pyner	Highways England	General comment	<p>National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is the role of National Highways to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to Staffordshire Moorlands District, our principal interest is safeguarding the operation of the A50 trunk road, which routes through the southern part of the District between Blythe Bridge and Uttoxeter. National Highways most recent involvement in the Staffordshire Moorlands Local Plan was in October 2019 through review of the main modifications to the Submission Version. We noted the changes to the scale of housing and employment growth proposed for the District, and recommended early engagement with site promoters to consider development impacts on the A50 and advised that the updated growth aspirations be reflected in the forthcoming transport analysis. As stated within the Paper under the heading of Transport and Accessibility, National Highways support the proposal that developments which generate significant demand for travel or are likely to have significant transport implications will be required to contribute towards transport infrastructure. Historically National Highways has developed, along with the support of the relevant local planning and highway authorities, developer contribution schemes for highway infrastructure required to mitigate the cumulative traffic impacts generated by the local authority's allocated sites. As agreed by all parties and developers, a fair and proportionate cost is to be provided towards highway infrastructure, and this is calculated through the following approach for each location/junction where mitigation is required: 1. Determine the cost of each mitigation scheme required at each location to accommodate</p>	The comments are noted and have been reflected in the Transport Infrastructure section of the draft SPD.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			<p>the cumulative traffic demands from the Local Plan's growth aspirations. 2. Determine each specific development site's traffic impact on each junction as a proportion of all developments' cumulative traffic impact on each junction. 3. Multiply the cost of improvement at each junction by each development's proportionate impact. More details can be provided on National Highways historic and ongoing developer contribution schemes to support Staffordshire Moorlands District Council in the development of a fair and proportionate developer contribution strategy towards highway mitigation. We have no further comments to provide at this stage and trust that the above is helpful in the development of the Developer Contribution SPD.</p>	
Mrs Sarah Haydon	Biddulph Town Council	General comment	Please refer to the Neighbourhood Plan and the sections on infrastructure.	Comments noted. The draft SPD refers to the emerging Biddulph Neighbourhood Plan.
Mrs Julie Turner	Staffordshire Moorlands Bridleways Group	General comment	<p>Staffordshire Moorlands Bridleways Group (which is affiliated to the British Horse Society) wish the following comments to be taken into consideration regarding developer contributions: Only 3% of public rights of way in Staffordshire Moorlands District are available for use by horse riders, compared to a national average of 22%. The low level of off-road routes available for ridden and driven horses within the Staffordshire Moorlands is acknowledged in Staffordshire County Council's Rights of Way Improvement Plan. Staffordshire Moorlands Bridleways Group asks that consideration be given to developers providing bridleways within large developments, or alternatively, providing bridleways in the local vicinity, particularly where a new bridleway would link with existing bridleways and/or create circular routes. Walkers, cyclists and horse riders can all legally use bridleways so a wide variety of users will benefit. Staffordshire Moorlands District has a higher than average proportion of heavy good vehicles using highways, in view of the number of quarries and associated industries. Also - the roads leading to Alton Towers carry a large amount of traffic and as many visiting drivers are from urban areas they are not used to safe driving methods when passing horses. The provision of additional</p>	Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			bridleways will increase the safety of both horse riders and cyclists that currently have to use the ordinary roads.	
James Chadwick	Staffordshire County Council	General comment	The Options paper does not appear to make any specific recommendations in relation to Transport and Accessibility. Paragraphs 3.37-3.39 are factually correct and we will seek to secure S106 contributions towards transport infrastructure improvements and/or to promote sustainable travel where necessary. At this point it is unclear what content the SPD may contain in relation to Transport and Accessibility but we will happily work with you or review any draft text as you prepare the final version of the SPD.	Comments noted. The draft SPD includes a section on transport infrastructure which includes sustainable travel.
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A
Emery Planning on behalf of client	Bloor Homes	No comment	(None)	N/A
Phil Murphy	Staffordshire and Stoke CCG	No comment	(None)	N/A

Question 2i – Approach to Education

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
Emery Planning on behalf of client	Bloor Homes	Disagree	(Summary) It is noted that the SPD will not set out the County Council's Education infrastructure contributions policy but instead applicants will be sign-posted where to refer to this separately. It is important to note our concerns in relation to how contributions are calculated under the Staffordshire Education Infrastructure Contributions Policy. The costs per pupil place have increased significantly. We do not consider that the updated figures are justified and they appear to be much higher than the figures being applied in other local authority areas. It is also not clear how this sits with the viability work which underpins the adopted Local Plan. This is displayed in the Education Contributions Request Note prepared by	The draft SPD will direct applicants to the County Council's published Education Infrastructure Contributions Policy so that the most up to date version can be accessed. Staffordshire County Council as the Local Education Authority sets out the context and calculations for collecting contributions and developers are advised to contact

Consultee Name	Organisation	Agree/Disagree/Other	Consultee Comments	Council Response
			EFM for Land at Froghall Road, Cheadle. The sum requested by Staffordshire County Council cannot be considered to be CIL compliant in terms of being 'fairly and reasonably related in scale and kind to the development'. This is supported by a National Benchmarking exercise and an average taken from other local authorities displaying a significantly lower contribution cost than that under the Staffordshire Education Infrastructure Contributions Policy.	the pre-application advice service for further information.
James Chadwick	Staffordshire County Council	Agree	We agree with the proposed approach that the SPD will direct applicants to refer to the County Council's published Education Infrastructure Contributions Policy separately.	Support noted.

Question 3 – Other areas you consider the SPD should cover?

Consultee Name	Organisation	Consultee Comments	Council Response
Emery Planning on behalf of client	Bloor Homes	(summary) Bloor Homes Ltd welcome the preparation of the SPD to provide clarity on how planning obligations will be sought and how contributions will be utilised. However - Would like further clarification as to why many of the matters are not being dealt with through CIL Regulations. - Not possible to comment on many of the matters addressed within the Issues and Options paper until further details of costs and options are brought forward. - Wish to be consulted throughout the drafting of the SPD when issues surrounding the lack of clarity and connections to the policy basis have been clarified.	Comments noted. CIL might be replaced by a new single infrastructure levy proposed as part of national planning reforms. The Local Plan is still reliant on S106 and this will be used until the new national levy is in place.
Mr Sam Pierce	Persimmon Homes (North West)	(summary) Thank you for providing Persimmon Homes (North West) Ltd with the opportunity to make comments. Persimmon has significant recent experience of delivering new homes within Cheadle. It is considered important that the Council seek the views of the development industry in the plan-making process, particularly when seeking to introduce new planning policies or obligations which may impact development viability and the Council's ability to achieve its housing requirement. Persimmon Homes does have some procedural concerns as to how the updated SPD is being introduced. The PPG continues that it is not appropriate for plan-makers to set	Comments noted. The Staffordshire Moorlands Local Plan was prepared under the transitional arrangements set out in para 214 of the 2019 Framework which states that the policies in the previous Framework published in 2012 will apply for the purpose of examining plans, where those plans were submitted on or before 24 January 2019. The draft SPD sets out the current legislative framework and states that developer contributions should only be used where it isn't possible to address the unacceptable impacts of

Consultee Name	Organisation	Consultee Comments	Council Response
		<p>out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination [23b-004-20190901]. The Company is concerned that in proposing to introduce revised planning obligations and possible further financial burden on housing development through the SPD, which has not been subject to the level of scrutiny afforded by the examination process, full consideration has not been given to the impact on scheme viability and developers ability to bring developments forward viably to meet identified housing needs. The Company consider that any new or additional planning obligations should be considered as part of a future Local Plan review and subject to full viability appraisal. Use of Planning Obligations Notwithstanding the above, as set out at paragraph 1.9 and 2.7 of the SPD, the National Planning Policy Framework [the Framework] sets out that planning obligations should only be used where it is not possible to address unacceptable impacts arising from a development through a planning condition. Planning Practice Guidance [PPG] is clear that planning obligations may only constitute a reason for granting planning permission if they "meet the tests that they are necessary to make the development acceptable in planning terms. They must be: i, Necessary to make the development acceptable in planning terms; i, Directly related to the development; and i, Fairly and reasonably related in scale and kind to the development. As per the Framework and PPG, the use of planning obligations should only be considered if it not possible to address an unacceptable impact via planning conditions; it should be a pre-requisite that the Council ensure and provide appropriate justification as part of the pre-application/decision-making process that a contributions is justified and can't otherwise be dealt with via condition, and meets the necessary tests set out in regulation 122 of CIL.</p>	<p>development through planning conditions or other statutory controls.</p> <p>The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.</p> <p>The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allow fees for monitoring obligations to be sought from developers where:</p> <ul style="list-style-type: none"> •the sum to be paid fairly and reasonably relates in scale and kind to the development; and •the sum to be paid to the authority does not exceed the authority's estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development
Mr Ian Dickinson	Canal & River Trust	(summary) The Canal & River Trust is owner, operator and Navigation Authority for some 17km of the Caldon Canal and 4km of the Leek Branch of the Caldon Canal. We also own and operate Rudyard Lake which is a reservoir providing a water supply for the	Comments noted. The draft SPD includes a section on informal recreation and that developer contributions may be secured where new development impacts on canal infrastructure.

Consultee Name	Organisation	Consultee Comments	Council Response
		<p>Caldon Canal. Our waterways contribute to the health and wellbeing of local communities and as a historic, natural and cultural asset form part of the green-blue infrastructure network. Inland waterways can help to stimulate regional, sub-regional and local economies. The canals in Staffordshire Moorlands, and particularly Rudyard Lake provide attraction that also contribute to the local tourist and visitor economy. Canal towpaths offer a sustainable, traffic-free route for walkers and cyclists and also encourage healthier lifestyles and improve the overall health and wellbeing of local communities. As such they contribute significantly towards achieving a number of policy objectives. It is important to ensure that potentially harmful impacts on the Trust's assets and infrastructure from new developments are avoided or mitigated. Impacts can arise from increased numbers of people using the canal and towpath network which often necessitates improvements to towpath surfaces to cope with increased footfall and/or alterations to access points to facilitate easier use by people with differing levels of mobility. The Trust therefore considers that an up-to-date SPD on Developer Contributions will be beneficial in ensuring that there is a clear and consistent approach to securing appropriate contributions to mitigate the impact of development where existing infrastructure is inadequate to meet the demands generated by it. In order to ensure that harmful impacts on our assets and infrastructure can be mitigated we consider that it is important that the SPD acknowledges the multi-functional roles that waterways can play and supports the principle of seeking appropriate contributions to support these roles where relevant to new developments. This will enable them to contribute more fully to the health and well-being of communities through benefits such as biodiversity, conservation and recreation.</p>	
Mr Richard Goodall		<p>From sustainable travel to better sports areas have to be high-lighted which all part of essential infrastructure for communities. Are building projects committed to this mantra consistently or only when it is convenient. At Forsbrook Village Hall better sporting area and changing rooms have been funded, but you must remember the loss of part of Blythe Bridge High School playing field for development to</p>	<p>Comments noted. The main purpose of the draft SPD is to set out the Council's approach to the use of S106 agreements used to secure developer contributions from new developments. It outlines the mechanisms for securing developer contributions, explains what is expected of applicants and what the applicant can expect from the</p>

Consultee Name	Organisation	Consultee Comments	Council Response
		<p>balance the difference. Developer contributions require more research and fairer opportunity for small, medium and large building projects to produce the desirable infrastructure that people want.</p>	<p>Council in relation to securing S106 planning agreements. It also will ensure that the process is fair, transparent and applied consistently.</p>
<p>Mr Phil Darby</p>		<p>After years of fighting off the proposed development of housing on Green Belt farmland between Folly Lane and Rock End we are now informed that SMDC are once more considering going against the wishes of residents and general public to grant the building of houses on this land. All of the reasons for the previous refusal of permission still apply and you must surely understand that there will be enormous objection to any further proposal as well as to the plans to increase the size (and associated problems) of the AP Proteins site. It would appear that SMDC have little or no regard for Council Tax Paying residents but are very supportive of Building Developers and large Commercial concerns whose ultimate goals are simply increased profits for themselves. Listen to the people you are supposed to serve.</p>	<p>The Issues and Options document is a technical paper regarding developer contributions. The responses to the consultation have been used to inform a draft Developer Contributions SPD. It does not propose sites or land for development.</p>
<p>Charles David Bode</p>		<p>Ball Haye Green playing field. It is several years since Ball Haye Green FC were evicted from their base ground behind Ball Haye Green Workingmans Club. Since that time their facilities which took many dedicated manhours and labour to achieve have being trashed. I understand that the initial planning application was rejected on various issues, and as the (community asset) status on the ground will soon be lifted, what happens next.? I ask this question in light of conflicting government guidance a) a need for more affordable housing b) a dire need for playing field space and community involvement in sport. I have witnessed in my 70 years involvement with BHGFC a dramatic depletion of community involvement in local football. Most of this stems from the schools who have sold off playing fields and have replaced football, cricket etc with other subjects etc. We have lost 90% of our local community involvement in football already, and the loss of this Ball Haye Green facility is certainly bringing local football involvement nearer to extinction. We need strong leadership from our local council to save this facility and</p>	<p>The draft SPD sets out the Council's approach for qualifying residential development to make provision or a contribution towards provision of open space, sports and recreation facilities which are necessary and reasonably related in form and scale in accordance with the recommendations set out in the various open space, sport and recreation studies. It does not propose land for development or refer to specific sites.</p>

Consultee Name	Organisation	Consultee Comments	Council Response
		help to turn things around, and quickly! I know the government are advising Staffs Moorlands Council to save these facilities, what is the delay?	
Adele Metcalfe	Community Policy Planner Peak District National Park Authority	I confirm that the PDNP has no comments with regards to this.	Comments noted.
Ms Anita Williams		I see from your plans once again that we are in the same stage again after these plans have been turned down. What has changed! What a waste of time and ratepayers money.	The Issues and Options document is a technical paper regarding developer contributions. The responses to the consultation have been used to inform a draft Developer Contributions SPD. It does not propose sites or land for development.
James Aberley		In response to the issues and options for the developer contributions SPD. I think the important thing is from the public's perception the whole scheme isn't abused. In that, developers who promise to deliver some community benefit either financial or provision of facilities etc, should be asked to lodge the money for that up front with SMDC so that they can't just back out of it later and scale down the requirements which seems to happen in the majority of cases. Same goes for affordable housing, if a certain % of a scheme is designated for that, then they should build in contingency money to make sure that they can actually achieve that up front rather than change it later as it gives SMDC planning a bad name!	Comments noted. The main purpose of the draft SPD is to set out the Council's approach to the use of S106 agreements used to secure developer contributions from new developments. It outlines the mechanisms for securing developer contributions, explains what is expected of applicants and what the applicant can expect from the Council in relation to securing S106 planning agreements. It also will ensure that the process is fair, transparent and applied consistently.
Kezia Taylerson		Many thanks for consulting Historic England on the above consultation. We have limited comments to raise on this consultation and we look forward to working with the Council as they develop their Local Plan documents. We would request the inclusion of heritage as a form of infrastructure that could benefit from planning obligations, including but not exhaustive to, opportunities to better reveal the significance of heritage assets through public realm works, public art and interpretation, improved walking and cycleways which create better access and appreciation	Comments noted. The draft SPD includes a section on heritage which sets out where developer contributions may be sought.

Consultee Name	Organisation	Consultee Comments	Council Response
		<p>of heritage, improvement works in conservation areas, heritage at risk works etc. This could link to your Local Plan Spatial Objective 8 which seeks enhancement opportunities for heritage and Local Plan Policy DC2 Historic Environment. We are happy to liaise with you to discuss appropriate wording. If you have any questions on how Historic England can engage in the preparation of local plan documents, please contact us.</p>	
Ms Melanie Lindsley	The Coal Authority	<p>Our records indicate that within the Staffordshire Moorlands area there recorded coal mining features present at surface and shallow depth including; mine entries, recorded workings and mine gas sites. These features pose a potential risk to surface stability and public safety. The Coal Authority's records also indicate that surface coal resource is present in the area, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning process consideration should be given to such advice in respect of the indicated surface coal resource. It is noted that this current consultation relates to a Developer Contributions SPD (Issues and Options) and I can confirm that the Planning team at the Coal Authority has no specific comments to make on this document.</p>	Comments noted.
Ms Louise Eyre	Cheddleton Parish Council	<p>Parish Council discussed the SPD and do approve of the document as this does tighten certain loop holes in areas of climate change and viability for affordable housing so support this being implemented.</p>	Support noted.
	Severn Trent	<p>Thank you for the opportunity to comment on your consultation, we do not currently have any specific comments to make on your plan. Please keep us informed when your plans are further developed when we will be able to offer more detailed comments and advice. (Summary) A position statement states that where more detail is provided on site allocations Severn Trent will provide specific</p>	Comments noted.

Consultee Name	Organisation	Consultee Comments	Council Response
		<p>comments. Some general guidelines and relevant policy wording is provided for the following: Wastewater Strategy Surface Water Sustainable Drainage Systems (SuDS) Blue Green Infrastructure Water Quality and Resources Water Quality; and Developer Enquiries.</p>	
Mrs Wendy Bannerman	The British Horse Society	<p>The Staffordshire ROWIP states that “There are many existing longstanding problems due to past development not accommodating or severing the path network. The emphasis is on ensuring that such events do not recur by improving the availability of rights of way information and communication with potential developers and local planning authorities. New development plans provide opportunities to improve and extend the network for the shared enjoyment of equestrians, cyclists and pedestrians. DEFRA has recorded a population of 9,775 horses just in the immediate postcode areas of the Staffordshire Moorlands district (2021). BETA (2021) data shows that each horse owned equates to a contribution of £5,548 to the economy giving a total of £354,231,700 per annum. Resources to manage a well-used and growing off-road network are needed. The Rights of Way and Definitive Map services within Derbyshire are limited which could lead to delays in maintenance, enforcement and determination of routes and off-road provision which is not recorded on the Definitive Map such as greenways and multi-user routes will require resources additionally.</p>	<p>Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.</p>
	Natural England	<p>While we welcome this opportunity to give our views, the topic this Supplementary Planning Document covers is unlikely to have major effects on the natural environment, but may nonetheless have some effects. We therefore do not wish to provide specific comments, but advise you to consider the following issues (summary): Green Infrastructure - SPD could consider making provision for Green Infrastructure (GI) within development which should be in-line with the GI strategy. The PPG provides more detail on GI. It is one of the most effective tools available to us in managing environmental risks such as flooding and heat waves. Greener neighbourhoods and improved access to nature can also improve public health and quality</p>	<p>Comments noted. The draft developer contributions SPD sets out the Council’s approach to Green Infrastructure and Biodiversity. The Council has also undertaken a SEA Screening Assessment which concludes that significant effects on the environment are unlikely to occur and therefore further assessment is not required to be undertaken. Natural England as one of the SEA bodies has been consulted and concurs with the Council’s assessment.</p>

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		<p>of life and reduce environmental inequalities. Sets out examples of ways to retrofit green infrastructure in urban environments. Biodiversity enhancement - This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework. Landscape enhancement - The SPD 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. SEA - SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p>	
Dr Simon Elsdon		<p>With the best will in the world it is impossible to pick up any sense of what specifically we are being asked to comment on. Endless sections and subsections spread across a bewildering number of documents feels like tick boxing for central government and/or way of sneaking plans past us</p>	<p>The Issues and Options document is a technical paper regarding developer contributions. The responses to the consultation have been used to inform a draft Developer Contributions SPD. It does not propose sites or land for development.</p>
Mr John Williams		<p>(Summary) Unconvinced about the need for the document which is being prepared by consultants. The document is difficult to work through due to the many parts that make up the report. It is similar to a document which was produced in 2015. Response refers to a Cheddleton Appraisal Matrix and land identified by CD002-3 which is located in the Green Belt. Staffordshire Moorlands Council Members have previously rejected proposals on this site. The Planning Department seems intent in pursuing the need for development on this land. It is considered that the Council should not be spending money on report and guidance which are inappropriate and subjective.</p>	<p>The Issues and Options document is a technical paper regarding developer contributions. The responses to the consultation have been used to inform a draft Developer Contributions SPD. It does not propose sites or land for development.</p>