

Your ref  
Our ref  
Ask for Christine Lewis  
email Christine.lewis@lichfielddc.gov.uk

**District Council House, Frog Lane  
Lichfield WS13 6YU**

Switchboard +44 (0) 1543 308000  
Fax +44 (0) 1543 309899  
Direct Line +44 (0) 1543 308065  
Minicom only +44 (0) 1543 308078

13 April 2016

Dear Sir/Madam

**ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY)  
COMMITTEE**

A meeting of the above mentioned Committee has been arranged to take place on **THURSDAY 21<sup>st</sup> APRIL 2016 at 6.00 PM** in the **COMMITTEE ROOM**, District Council House, Lichfield, to consider the following business.

Access to the Committee Room is via the Members' Entrance.

Yours faithfully



Strategic Director

**To: Members of Economic Growth, Environment and Development (Overview and Scrutiny)  
Committee**

Councillors Cox (Chairman), Mrs Baker (Vice Chairman), Mrs Barnett, Mrs Boyle, Drinkwater, Mrs Eagland, Mrs Evans, Mills, Mosson, Rayner, Miss Shephard, Smedley and Mrs Stanhope MBE.

## AGENDA

1. Apologies for absence
2. Declarations of Interest
3. To approve as a correct record the Minutes of the meeting held on the 16<sup>th</sup> March 2016 (copy attached)
4. Work Programme (copy attached)
5. Developer Contributions – Supplementary Planning Document (copy attached)
6. Statement of Community Involvement (copy attached)
7. Developing a Formal Car Parking Strategy (copy attached)
8. GBSLEP - Delivering a More Effective and Consistent Planning System (copy attached)
9. Lichfield District Council Draft Economic Development Strategy – Response to Consultation and the Local Business Survey (copy attached)

Briefing Papers to be issued separately:

Local Plan Update

\*Briefing Papers were introduced after the Overview and Scrutiny Committee Co-ordinating Group requested that the length and volume of agendas be addressed. Briefing papers, which are intended to provide Members with information on relevant issues, are an alternative to placing items on the Agenda. If Members wish a paper to be discussed it can be included on the Work Programme and scheduled for a future meeting.



**ECONOMIC GROWTH, ENVIRONMENT & DEVELOPMENT  
(OVERVIEW AND SCRUTINY) COMMITTEE  
16<sup>th</sup> MARCH 2016**

**PRESENT**

Councillors Cox (Chairman), Mrs Baker (Vice-Chairman), Mrs Barnett, Mrs Boyle, Drinkwater, Mrs Eagland, Mrs Evans, Mills, Mosson, Rayner, and Mrs Stanhope MBE

**APOLOGIES FOR ABSENCE:** were received from Councillor Smedley

(In accordance with Council Procedure Rule No.17 Councillor Pritchard and Wilcox attended the meeting).

**DECLARATIONS OF INTEREST:**

Councillor Rayner declared a non-pecuniary interest as he works within the Planning sector.

**MINUTES:**

**RESOLVED:** That the Minutes of the Meeting held on 27<sup>th</sup> January 2016 as circulated were approved as a correct record and signed by the Chairman.

**WORK PROGRAMME AND FORWARD PLAN**

After discussion, it was agreed to remove the Forward Plan as a standing item on the agenda. It was noted that by the time items were added to the Forward Plan, the Committee was already listed as a consultee and was also on the work programme. It was noted that the Forward Plan was emailed to all Members and that would still give the opportunity for anyone to request items be added to the work programme if required. It was reported that the work programme would be created from items arising from the triangulation meetings between the Cabinet Members and Committee Chairmen and Vice/Chairmen and One Year Action Plans.

It was noted that there would be another meeting on the 21<sup>st</sup> April 2016 that would consider items that would be too premature to consider at this meeting due to consultation deadline dates.

It was noted that a number of briefing papers had been sent to the Committee and it was wished to be recorded that with regard to the Local Plan and Community Infrastructure Levy, it was felt that infrastructure should be in place before or created at the same time as development and not after as this causes too many issues for residents.

**RESOLVED:** That the Work Programme and Forward Plan be noted.

**SUPPLEMENTARY PLANNING DOCUMENT – BIODIVERSITY AND DEVELOPMENT**

The Committee was firstly introduced to Mr Ashley Baldwin who had recently taken the position of Spatial Policy and Delivery Manager. The Committee also noted that Patrick

Jervis had returned to the Authority in the role of Principal Spatial Policy and Delivery Officer.

The Committee received a report on the Biodiversity and Development Supplementary Planning Document (SPD) which was part of a suite of SPD's which supported the adopted Local Plan Strategy. It was reported that the SPD had been consulted on in accordance with the Council's adopted Statement of Community Involvement and the representations received were reported to the Committee along with proposed actions arising from them.

It was reported that there had been a Member Task Group, Chaired by Councillor Drinkwater, which had developed the SPD. Councillor Drinkwater reported that he had been happy with the work carried out and thanked Officers for their help and guidance. He also reported that he had raised a question himself during the consultation period regarding Biddulph Pool and it now being part of the larger Chasewater and Southern Staffordshire Coalfield Heaths SSSI. Councillor Drinkwater and a number of other Members agreed that not being listed as a separate SSSI would not give it the attention or priority as required. It was reported that the designation of SSSI were made by Natural England and therefore could not be changed, however it had been suggested to Councillor Drinkwater during the consultation that wording could be inserted into the SPD that would still highlight the Biddulph Pool area. The Committee agreed to insert this suggested wording.

The Committee then highlighted the representation received from Mrs Taylor and agreed that historic meadowland and woodland also needed protecting. It was resolved that this would be taken back to Officers to investigate further and if deemed feasible, would be included in the SPD. It was also agreed that a letter be sent from the Committee to Mrs Taylor to thank her for her input during the consultation.

It was asked what evidence there had been to justify the reduction of Biodiversity Net Gains Value from +25% to +20%. It was reported that the 25% figure had not been realistic to achieve and other Local Authorities offered 20% as it slowed for the best balance to protect Biodiversity and allow development to happen.

Councillor Drinkwater, the rest of the Task Group and Officers were thanked for their work.

**RESOLVED:** That Cabinet be recommended to approve and adopt the Supplementary Planning Document on Biodiversity and Development subject to the inclusion of specific reference to the importance of Biddulph Pool and if after consideration and feasible, the views of Mrs Taylor regarding the need to protect meadowland and woodland.

## **SUPPLEMENTARY PLANNING DOCUMENT – TREES AND LANDSCAPE**

The Committee received a report on the Trees and Landscape Supplementary Planning Document (SPD) which was part of a suite of SPD's which supported the adopted Local Plan Strategy. It was reported that the SPD had been consulted and the representations received were reported to the Committee along with proposed actions arising from them.

It was noted that this SPD had been created through a Member Task Group Chaired by Councillor Drinkwater and he reported that he had accepted the final version.



It was noted that regarding the removal of trees, the SPD would be for future development and would give more weight to the Planning Committee when considering applications. It was noted that current requests would have to be considered on each individual merits.

Members were disappointed to read the statistics via the Woodland Trust's representation that only 10% of the district's residents lived within walking distance of accessible woodland instead of the 17% average in the West Midlands.

It was asked if other means of advertising consultations could be considered as the Lichfield Mercury newspaper did not reach all rural areas. It was noted that consultation details were always given to Parish councils and this would be the best route to use to inform those rural areas.

Again Councillor Drinkwater as Chairman, the Task Group and Officers were thanked for their work.

**RESOLVED:** That Cabinet be recommended to approve and adopt the Supplementary Planning Document on Trees and Landscape subject to modifications being made in accordance with Appendix A and B to the report.

## **REVIEW OF THE EFFECTIVENESS OF THE PRE-APPLICATION CHARGING REGIME**

The Committee received a report giving an update on the effectiveness of the pre-application charging regime which is part of the Development Management process. It was reported that charging for advice before formal applications were submitted had been in place since April 2014 and feedback had been positive. It was also reported that charging was discretionary but was common place amongst local Authorities as the service was resource heavy. It was noted that giving advice helped make the planning process more effective as issues were dealt with before the application stage.

It was reported that the current charges were inclusive of VAT and so not fully recouping the costs as it could. It was proposed that the amounts be exclusive of VAT which again brought the charging regime in line with other Local Authorities. When asked it was reported that this would mean an increase of £7 for householders proposals and that VAT registered developers would be able to claim the VAT back.

It was also proposed that an extra category be introduced for change of use of land/building to non-residential use which would be set at the basic rate of £150 plus VAT.

The Committee noted that it had been two years before this review had taken place instead of the originally agreed one year. It was reported that this had been due to now resolved resource issues but it was agreed that the extra years' worth of data had been an advantage.

**RESOLVED:** (1) That the effectiveness of the pre-application charging regime since it was introduced in April 2014 be noted;

(2) That the Committee recommend to Planning Committee that:

a) the current schedule of fees for pre-application charging be updated to include a further separate category (change of use of land/building for non-residential use), charged at a basic rate of £150 as set out in Appendix 1;

b) that all basic fee levels should remain as is, although that these fees should be subject to the addition of VAT payment, rather than be inclusive of VAT, as set out in Appendix 1;

c) that a further review of the basic schedule of fees be undertaken in 12 months' time.

### **ACTIVITY AND PERFORMANCE INDICATORS 2016/17**

Members received a report regarding the proposed activity and performance indicators for the relevant directorates that would be reported to the Committee on a biannual basis.

It was reported that Performance Indicator 4 in Appendix A to the report was not a CLG statutory return but was an important internal indicator.

**RESOLVED:** (1) That the proposed Performance Indicators be noted;  
and

(2) That it be noted that reports on performance will be considered at the June and January meetings of this Committee

### **OVERVIEW & SCRUTINY REVIEW**

The Committee received a report updating them on progress made in the review of the Overview & Scrutiny function. It was noted that the Member Task Group, comprising of all O&S Committee Chairmen and the Leader of the Principal Minority Group, had met and considered different approaches and methods of scrutiny that could be used. It was reported that a number of actions had already been implemented including triangulation meetings, fewer agenda items and briefer report presentations. It was reported that the Task Group would visit other Authorities where different O&S Committee models are used and consider if beneficial to Lichfield District Council.

**RESOLVED:** That the progress on the review of the Overview & Scrutiny function be noted.

(The Meeting closed at 7.40pm)

CHAIRMAN

**ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2015-16**

Item	16 Mar	21 Apr*	Details/Reasons	Link to 2015/16 One Year Action Plan	Officer	Member Lead
<b>Policy Development</b>						
Terms of Reference					Christine Lewis	

**ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2015-16**

Item	16 Mar	21 Apr*	Details/Reasons	Link to 2015/16 One Year Action Plan	Officer	Member Lead
<p>Local Plan – Strategy, Land Allocations and Monitoring.</p> <p>Associated Neighbourhood Plans and Community Infrastructure Levy</p>	*	✓	<p>To receive reports on the preparation and implementation of the Lichfield District Local Plan, associated Neighbourhood Plans and infrastructure delivery mechanisms</p> <p>The Lichfield District Local Plan when finalised and adopted will establish spatial policy for Lichfield District. An overarching Strategy has been adopted. A detailed land allocations document with development management policies is now scheduled to be prepared.</p> <p>To receive reports on progress with Neighbourhood Plans which are being prepared by designated neighbourhood areas.</p> <p>In agreeing a Development Strategy for Lichfield District it is important to identify related infrastructure requirements and the means by which these will be delivered including using developer contributions obtained under the Community Infrastructure Levy.</p>	<p>Prepare a Local Plan including principles of sustainable development and the protection of key built and natural environmental assets</p> <p>Deliver increased levels of affordable housing to meet varied requirements across the District</p>	Craig Jordan	

**ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2015-16**

Item	16 Mar	21 Apr*	Details/Reasons	Link to 2015/16 One Year Action Plan	Officer	Member Lead
Biodiversity & Development – Supplementary Planning Document	✓		<p>To receive reports on the preparation of a Supplementary Planning Document related to Biodiversity and Development.</p> <p>The SPD would provide detailed guidance on what the District Council as Local Planning Authority seeks in terms of protecting, enhancing and creating nature conservation habitats linked to development proposals.</p>	<p>Prepare a Local Plan including principles of sustainable development and the protection of key built and natural environmental assets</p> <p>Deliver new/enhanced areas of nature conservation value.</p> <p>Promote the protection of valuable areas of open space and nature conservation in new schemes in line with the District’s Biodiversity Action Plan</p>	Justine Lloyd	Cllr Eric Drinkwater
Trees and Development – Supplementary Planning Document	✓		<p>To receive reports on the preparation of a Supplementary Planning Document related to Trees and Woodland.</p> <p>The SPD would provide detailed guidance on how Trees and woodland should be considered as part of any future development proposals in the District.</p>	<p>Prepare a Local Plan including principles of sustainable development and the protection of key built and natural environmental assets</p>	Portia Howe	Cllr Eric Drinkwater

**ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2015-16**

Item	16 Mar	21 Apr*	Details/Reasons	Link to 2015/16 One Year Action Plan	Officer	Member Lead
Developer Contributions – Supplementary Planning Document		✓	<p>To receive reports on the preparation of a Supplementary Planning Document on Developer Contributions</p> <p>The SPD would provide detailed guidance on how developer contributions would contribute towards delivering key local infrastructure also also explain the relationship between CIL and S106.</p>		Craig Jordan	
Statement of Community Involvement		✓	<p>To receive and consider a revised version of the Council’s Statement of Community Involvement setting out how the Authority intends to engage with residents and stakeholders in the operation of the planning system in Lichfield District. To approve a draft SCI for the purposes of public consultation and recommend to Cabinet adoption of a revised version.</p>		Heidi Hollins	
Pre-Application Charging Regime	✓		<p>To receive a report on the effectiveness of the Pre-Application Charging regime part of the Development Management process</p>		Sean Coghlan	

**ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2015-16**

<b>Item</b>	<b>16 Mar</b>	<b>21 Apr*</b>	<b>Details/Reasons</b>	<b>Link to 2015/16 One Year Action Plan</b>	<b>Officer</b>	<b>Member Lead</b>
Friarsgate Scheme	*		To receive updates on progress of the project	Work with developers to move forward the Friarsgate Shopping Centre Scheme	Helen Bielby	
Lichfield City Centre Business Improvement District	*		To receive reports and briefing papers on the progress of BID proposals relating to Lichfield City Centre.		Elizabeth Thatcher	
Lichfield District Economic Development Performance	*		To receive update reports/briefing papers on the economic performance of Lichfield District in 2015/16.		Craig Jordan/James Roberts	
GBSLEP Development Management Project		✓	To receive a report on an initiative led by the GBSLEP looking at improving Development Management procedures and processes across the LEP geography		Sean Coghlan	

**ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2015-16**

<b>Item</b>	<b>16 Mar</b>	<b>21 Apr*</b>	<b>Details/Reasons</b>	<b>Link to 2015/16 One Year Action Plan</b>	<b>Officer</b>	<b>Member Lead</b>
Review of The Lichfield District's 2015 Festivals and Events Programme and Preview of 2016 Programme	*		To outline to the Committee the extent and success of the Lichfield District 2015 Festivals and Events Programme and to outline the proposed 2016 programme.	s that we will help 'boost business' and the local economy by supporting and delivering an extensive programme of events and festivals that builds upon the district's cultural reputation, the enthusiasm of local organisations and people and realise the potential of our historic assets and iconic locations.	Lizzie Thatcher	
Economic Development Service Review		✓	To receive reports on a review of the Council's Economic Development Service		Richard King/Craig Jordan	
Car Parks Management Review	✓		To receive reports on a review of the Council's car parks management arrangements and emerging Car Parking Strategy		Richard King/John Roobottom	
Development Control Performance	*		To brief the Committee on Development Control performance		Claire Billings/Se an Coghlan	



**ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2015-16**

Item	16 Mar	21 Apr*	Details/Reasons	Link to 2015/16 One Year Action Plan	Officer	Member Lead
Activity and Performance Indicators 2016/17	✓		To receive a report on proposed actions and performance indicators relating to the EGED portfolio for 2016/17		Richard King	
Overview and Scrutiny Review	✓		To receive a report on the review of Overview and Scrutiny arrangements within the Council		Richard King	

April 21 – additional meeting date

# Developer Contributions SPD

Cllr Prichard

Date:	21 <sup>st</sup> April 2016
Agenda Item:	5
Contact Officer:	Craig Jordan/Maxine Turley
Tel Number:	01543 308 206
Email:	maxine.turley@lichfielddc.gov.uk
Key Decision?	<b>NO</b>
Local Ward Members	If any Wards are particularly affected insert the name of the Ward Members and their Ward. Ensure that the Ward Members have been consulted.



**ECONOMIC GROWTH,  
ENVIRONMENT AND  
DEVELOPMENT (OVERVIEW  
AND SCRUTINY) COMMITTEE**

## 1. Executive Summary

- 1.1 The Developer Contributions Supplementary Planning Document (SPD), is part of a suite of SPD's which support the adopted Local Plan Strategy. A draft version of the SPD forms [Appendix A](#).
- 1.2 Following approval from the Economic Growth, Environment and Development (Overview and Scrutiny) Committee formal consultation on the document commenced on the 1<sup>st</sup> February 2016 for six weeks with the Consultation closing on the 14<sup>th</sup> March 2016.
- 1.3 The comments received have been reviewed with recommendations and amendments to the document proposed. A summary of comments and recommendations form Appendix B.
- 1.4 Approval to adopt the amended Developer Contributions SPD is now sought.

## 2. Recommendations

- 2.1 That the Committee approves the recommendations listed in [Appendix B](#) which relate to the Developer Contributions SPD.
- 2.2 That the Committee recommend that Cabinet approve and adopt of the Developer Contributions SPD.
- 2.3 That the Committee recommend that Cabinet delegate to the Portfolio Holder for Economic Growth, Development and Environment authority to amend, if required, the Developer Contributions Supplementary Planning Document following the enactment of the Housing and Planning Bill 2016.

## 3. Background

- 3.1 The Local Plan Strategy adopted in February 2015, sets out the strategic context for Lichfield District, and will be complemented by a Local Plan Allocations Document. In addition, a suite of SPD's covering a raft of topics have been and continue to be developed to add further guidance to support existing policy.
- 3.2 The Developer Contributions SPD sets out the District Council's approach to planning obligations. The document sits directly alongside the District Council's Community Infrastructure Levy (CIL). The CIL Charging Schedule was adopted by Full Council on the 19<sup>th</sup> April 2016.
- 3.3 The SPD covers the types of development that the Council intends to seek contributions from subject to meeting the legal tests set out in the relevant Planning Acts and associated regulations. Planning obligations secured through developer contributions will enable the delivery of sustainable development within the District. Contributions will support the delivery of the key infrastructure requirements identified within the Local Plan Strategy (Core Policy 4: Delivering Our Infrastructure and

Policy IP1: Supporting Our Infrastructure) and also expressed in the Council’s Infrastructure Delivery Plan.

3.5 Between the 1<sup>st</sup> February and 14<sup>th</sup> March formal consultation was completed on the Draft Developer Contributions SPD. The Consultation resulted in 19 external representations. The main points identified can be summarised as follows:

- Clarity in regard to the relationship between S106 contributions and the Community Infrastructure Levy.
- Clarity in regard to the Infrastructure items that form the Reg 123 list.
- Viability in general and specifically relating to the CIL Charging Schedule.
- Comments on the level, mix and deliverability of affordable housing.
- The amendments and additions which may be required following the enactment of the Housing and Planning Bill 2016.

3.6 In response to the representations a number of changes to the document are being proposed to address comments made, these can be viewed in [Appendix B](#).

3.7 It is intended that when formally approved and adopted the Developer Contributions SPD will replace the following existing guidance:

- Planning Obligations, adoption statement May 2006 including the adopted Allocation of Funding Policy and Procedures.
- Open Space, Sport and Recreation SPD and Assessment Paper, Assessment Annex Maps Draft April 2005.

Alternative Options	<ol style="list-style-type: none"> <li>1. Continue using the guidance listed in section 3.7. This existing guidance does not reflect the policies within the adopted Local Plan Strategy or that Lichfield District Council has adopted a CIL Charging Schedule.</li> <li>2. That the comments received as part of the consultation are not taken into consideration and that the document is adopted without amendment. The SDP would not benefit from the local knowledge or knowledge from those operating within the development sector.</li> </ol>
Consultation	<ol style="list-style-type: none"> <li>1. Officers of the Infrastructure Officer Working Group (IOWG) have been pivotal in the development of the document. The IOWG includes officers from all Directorates and officers from Staffordshire County Council.</li> <li>2. Consultation on the Developer Contributions SPD started on the 1<sup>st</sup> February for a six week period coming to a close on the 14<sup>th</sup> March 2016. A press notice was placed in the Lichfield Mercury and a press release circulated. The document appeared in the Latest News section of the Local Plan pages of the Council’s Website, links were provided to the local planning consultation system. E mails were sent to those registered in the consultation system including statutory consultees.</li> </ol>
Financial Implications	<ol style="list-style-type: none"> <li>1. Developer Contributions will provide infrastructure requirements identified in the Infrastructure Delivery Plan and support the sustainable delivery of the Local Plan Strategy.</li> <li>2. Securing the right level of contributions will ensure development in the District is sustainable, thus reducing the impact on Council resources and in turn contributing to F4F.</li> </ol>
Contribution to the	<ol style="list-style-type: none"> <li>1. The SPD when approved and adopted by the Council will assist in delivering on the aims and objectives of the Lichfield District Local Plan Strategy which</li> </ol>

Delivery of the Strategic Plan	itself is aligned with the themes and aims of the District Council's Strategic Plan 2016-20.
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> <li>1. None</li> <li>2. An equality impact assessment will be prepared.</li> </ol>
Crime & Safety Issues	<ol style="list-style-type: none"> <li>1. None</li> </ol>

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	That the SPD does not provide the necessary guidance to assist in interpreting agreed Policy.	The document has been developed with input from appropriate professionals. The consultation period will enable comments to be received from potential users of the SPD. Following the consultation period there will be an opportunity for the SPD to be amended to reflect comments received.	Yellow
B	That the SPD is not prepared in time to operate alongside approved policy and the adoption of a CIL Charging Schedule.	The Local Plan Strategy was adopted in Feb 2015. Timescales, for the approval adoption process compliment the CIL Charging Schedule adoption timeline.	Yellow

<p><b>Background documents</b></p> <p>Local Plan Strategy Adopted February 2015</p> <p>Infrastructure Delivery Plan 2015</p> <p>Lichfield District Council Community Infrastructure levy Charging Schedule.</p>
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<p><b>Relevant web links</b></p> <p><a href="https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Local-plan/Local-Plan-Strategy.aspx">https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Local-plan/Local-Plan-Strategy.aspx</a></p> <p><a href="https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Planning-obligations/Community-Infrastructure-Levy-CIL.aspx">https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Planning-obligations/Community-Infrastructure-Levy-CIL.aspx</a></p> <p><a href="https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Resource-centre/Evidence-base/Infrastructure/Infrastructure-delivery-plan-IDP.aspx">https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Resource-centre/Evidence-base/Infrastructure/Infrastructure-delivery-plan-IDP.aspx</a></p>
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## 1 Executive Summary

Section 2 outlines the need for the revision of the existing Developer Contributions Supplementary Planning Documents (SPD). In Section 3, information is provided on the national and local policy background and how the SPD draws upon key Local Plan policies which guide the Council's approach in seeking planning obligations. Section 4 briefly highlights the Council's intended approach to implementing the Community Infrastructure Levy, and its relationship with this SPD. Section 5 covers the important matter of viability highlighting the evidence base that has informed the policies in the Local Plan which are subsequently drawn upon to inform this SPD. Finally, Section 6 sets out the main areas where planning obligations may be sought providing details on how the Council will apply policies from the Local Plan within this SPD.

## 2 Introduction

**2.1** This Supplementary Planning Document sets out the Council's approach to planning obligations. It sits alongside the Council's Community Infrastructure Levy (CIL) which is intended to be implemented in early 2016. The SPD covers the types of development that the Council intends to seek contributions from subject to meeting the legal tests set out in the relevant Planning Acts and associated regulations.

**2.2** This SPD replaces the Planning Obligations, adoption statement, May 2006 including the adopted Allocation of Funding Policy and Procedures and also the Open Space, Sport and Recreation SPD and Assessment Paper and Assessment Annex Maps, Draft April 2005.



## 3 Policy Context

### 3.1 National

**3.1.1** The legislative framework for planning obligations and conditions are set out in the Planning Acts and associated regulations as follows:

- Section 106 of the Town and Country Planning Act 1990, as amended by Section 12 of the 1991 Planning and Compensation Act; and
- Regulations 122 and 123 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended).

**3.1.2** The National Planning Policy Framework (NPPF) provides brief details on planning obligations in paragraphs 203 to 206. Paragraph 203 states:

“Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.”

**3.1.3** The NPPF identifies in paragraph 206 that:

“Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.”

**3.1.4** Further detail is provided in the Planning Practice Guidance (PPG), providing additional explanation on the application of planning obligations. In summary the PPG identifies the following key matters in relation to planning obligations:

- The statutory test (Regulation 122) which provide the parameters for when planning obligations can be used;
- The link between planning obligations and CIL to ensure transparency with regard to what regime is intended to be used to fund necessary infrastructure requirements, and picking up on the restrictions in place regarding the pooling of planning obligations;
- The need for policies that seek planning obligations to be set out in the Local Plan;
- Recognition that aspects of planning obligations may be negotiable;
- The need for transparency in terms of information on planning obligations to be publically available;
- Explaining vacant building credits; and
- Various administrative matters including the need for standard templates, timescales for agreeing obligations; the potential for changes to obligations; and paying back unspent contributions from obligations at the relevant point in time.

**3.1.5** The PPG also includes further guidance on the key tests to apply in considering the use of conditions contained in paragraph 206 of the NPPF, and guidance on the appropriate application of conditions.

**3.1.6** The policies referred to within the SPD have already been assessed against the Habitat Regulation as part of the Local Plan Strategy Development and therefore no further assessment is required.

### 3.2 Local

**3.2.1** The Local Plan Strategy <sup>(i)</sup>, adopted in February 2015, sets out the strategic context for Lichfield District, and will be complemented by the Local Plan Allocations Document, to be prepared in line with the timescales set in the Local Development Scheme.

**3.2.2** There are a number of key policies that identify infrastructure requirements for the District and details are set out in this SPD against the relevant themes. The Local Plan includes two policies that provide the strategic context for infrastructure requirements:

- Core Policy 4: Delivering Our Infrastructure
- Policy IP1: Supporting & Providing our Infrastructure

**3.2.3** These policies are reproduced in full in Appendix A of this SPD.

**3.2.4** The evidence base that informs what is expected to be delivered in terms of infrastructure is contained in the Council's Infrastructure Delivery Plan (IDP) <sup>(ii)</sup>. The latest version of the IDP sets out the strategic and local infrastructure expected to be delivered over the Local Plan period. A summary of key infrastructure expected over the Plan period is listed in Appendix B, further detail on each project can be viewed in the IDP.

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i [Lichfield District Local Plan Strategy \(February 2015\)](#)

ii <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Resource-centre/Evidence-base/Infrastructure/Infrastructure-delivery-plan-IDP.aspx>

## 4 Community Infrastructure Levy and Planning Obligations

**4.1** The legal basis for applying CIL is set out in Part 11 of the Planning Act (2008) and accompanying regulations <sup>(iii)</sup>. Guidance is also available in the PPG <sup>(iv)</sup> published by government. The government's intention is that the levy is designed to be fairer, faster and more transparent than the previous system of agreeing planning obligations between local councils and developers under section 106 of the Town and Country Planning Act 1990.

**4.2** The Community Infrastructure Levy:

- gives local authorities the freedom to set their own priorities for what the money should be spent on
- gives local authorities a predictable funding stream that allows them to plan ahead more effectively
- gives developers much more certainty from the start about how much money they will be expected to contribute
- makes the system more transparent for local people, as local authorities have to report what they have spent the levy on each year
- rewards communities receiving new development through the direct allocation of a proportion (15% or 25% depending on whether a Neighbourhood Plan is in place) of levy funds collected in their area

**4.3** The process of applying a CIL requires the Council to consult on a Preliminary Draft Charging Schedule (PCDS) in the first instance, followed by a Draft Charging Schedule (DSC) which is subject to independent examination. The development of the PCDS and DCS needs to be

consistent with an up to date "relevant plan" and be informed by an evidence base covering an assessment of the infrastructure requirements within the local authority's area, and information on the viability of development that is expected to be delivered during the development plan period.

**4.4** The adopted Local Plan constitutes the "relevant plan" referred to above. The plan has been informed by an Infrastructure Delivery Plan (IDP) setting out the key aspects of infrastructure that are considered necessary to deliver the expected development identified in the Local Plan. Work has also been undertaken for the Council by Peter Brett Associates (PBA) to determine the viability of different types of development. In turn, PBA has recommended proposals for charging rates that were consulted upon in the PCDS in 2014. Following further work by PBA, the DCS reflects charging rates that account for the consultation response on the PCDS and the latest information available on development costs and returns. The DCS was completed in May 2015. Examination of the DSC by an independent body will take place on the 28th of January.

**4.5** The PPG <sup>(v)</sup> sets out how it is expected that CIL will operate alongside any continued operation of section 106 obligations. The PPG specifically states,

"When a charging authority introduces the levy, section 106 requirements should be scaled back to those matters that are directly related to a specific site, and are not set out in a regulation 123 list. For transparency, charging authorities should have set out at examination how their section 106 policies will be varied, and the extent to which they have met their section 106 targets."

iii Community Infrastructure Levy Regulations 2010, and subsequent amendments in 2011, 2012, 2013 2014 and 2015  
iv Planning Practice Guidance on CIL can be accessed via the following web link:

<http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/>

v See the PPG; Paragraph: 093 Reference ID: 25-093-20140612 to Paragraph: 103 Reference ID: 25-103-20140612

## 4 Community Infrastructure Levy and Planning Obligations

**4.6** Regulation 123 sets out the need for local authorities to produce a list of “relevant infrastructure” which will be funded in whole or part by the CIL. The infrastructure identified on the list will therefore not be eligible for any further funding from section 106 obligations once the Council adopts a charging schedule. Moreover, from April 2015, any specific project or type of infrastructure will only be eligible for funding from five or fewer section 106 obligations. It is made clear in the PPG that the application of the five or fewer obligations per project/type of infrastructure will apply retrospectively from April 2010. Contents of the legal agreements need to define the project. **Appendix C** provides the details of the draft Regulation 123 list for the District.

**4.7** Following the introduction of CIL, planning obligations made under Section 106 of the Town and Country Planning Act 1990 will be limited to those matters that are directly related to a specific site, and which are in accord with Regulation 122, i.e. The obligation is necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. This may include requirements which are not capable of being funded through CIL, such as affordable housing.

## 5 Viability

**5.1** The need to consider viability in development proposals is identified in a number of policies in the Local Plan Strategy. In general terms, Policy IP1 includes a specific clause that states:

“...The viability of developments will also be considered when determining the extent and priority of development contributions in line with the Infrastructure Delivery Plan...”

**5.2** Policy H2 sets out the Council’s expectations in terms of affordable housing and the use of the dynamic viability model. The policy states:

“...The overall delivery of affordable housing in the District during the plan period will be related to the ability to deliver in the market conditions that prevail at the time a planning application is made. The District Council will vary this percentage in line with a model of dynamic viability. The levels will be reviewed annually informed by the following factors:

- Market land values;
- House prices; and
- Index of building costs....”

**5.3** The Council’s approach to viability has been informed by number of viability assessments. The emerging draft of the Local Plan Strategy was informed by work undertaken by the District Valuer <sup>(vi)</sup>. Subsequent viability work was undertaken to inform the proposed charging rates for the Council’s proposed Community Infrastructure Levy <sup>(vii)</sup>.

**5.4** The following sections set out the Council’s approach to dealing with specific issues where planning obligations may be sought.

**5.5** A fee will need to be paid to the sealing of the legal agreement to cover the Councils reasonable legal and administrative costs for drafting and completing the legal agreement. The fee will vary depending on the complexity of the legal agreement.

**5.6** Pre applications discussions are encouraged, further information including protocols are set out on the District Councils website. <sup>(viii)</sup>

vi [Valuation Office Agency \(2012\), Cannock Chase Council, Lichfield District Council, Tamworth Borough Council Local Plan and Community Infrastructure Levy Viability Testing Study to Support The Introduction of The Community Infrastructure Levy](#)

vii Further Information available at the Council’s web pages covering the [Community Infrastructure Levy](#)

viii <https://www.lichfielddc.gov.uk/Council/Planning/Pre-application-guidance/About-pre-application-guidance.aspx>

## 6 Planning Obligation Guidance

### 6.1 Affordable Housing

#### Local Plan Policies

- **Core Policy 4: Delivering our Infrastructure**
- **Policy IP1: Supporting & Providing our Infrastructure**
- **Core Policy 6: Housing Delivery**
- **Policy H1: A Balanced Housing Market**
- **Policy H2: Provision of Affordable Homes**

**6.1.1** The Local Plan sets out in Policy H2 and supporting text (paragraphs 8.14 to 8.21) the full detail on how the Council intends to work with partner organisations to deliver affordable housing in the district.

**6.1.2** The policy sets out the thresholds for development proposals that are expected to contribute towards providing affordable housing. The key aspects of the policy are reproduced below.

In additional **Appendix D** provides further detail including in respect of the intended implementation of Policy H2.

#### **Policy H2: Provision of Affordable Housing**

- In Lichfield City and Burntwood, affordable housing will be required on housing developments for 15 or more dwellings or sites of 0.5ha or more in size and in accordance with nationally set thresholds.
- Outside these two main urban areas, affordable housing will be required on housing developments in line with nationally set thresholds.

Affordable housing may be in the form of social rent, affordable rent, intermediate or a mix of tenures. The District Council will normally require at least 65% of the affordable housing on a site to be social rented managed by a registered provider; the precise proportions will be agreed with the District Council having regard to housing needs within the locality of the development and the economic viability of a scheme.

Affordable housing should be provided on site and only in very exceptional circumstances will contributions in lieu, that are broadly equivalent in value to on-site provision, be acceptable.

A flexible approach on thresholds, proportions, tenure, size and type will be taken on a scheme by scheme basis to reflect housing needs in the locality and to ensure scheme viability, subject to an open book approach by developers. Where the flexible approach cannot deliver a viable scheme due to site specific exceptional circumstances, reconsideration of the percentage of affordable housing to be delivered will be undertaken on a scheme by scheme basis.

**6.1.3** The Council has set a target, on qualifying sites, of up to 40% of new housing to be provided as affordable units. The target is based on an analysis of viability and need, informed by an affordable housing viability study carried out between 2008 and 2010. The Council accepts the need for a flexible approach and will assess viability on an annual basis which will determine an overall annual viable target to be published within the Annual Monitoring Report (AMR). The detailed mechanisms for assessing the factors in the 'model of dynamic viability' will be set out in the Infrastructure Delivery Plan. Applications that seek to vary the percentage identified by the 'model of dynamic viability' will need to be supported by a viability appraisal which the District Council will ask to be independently assessed, with agreed costs to be borne by the applicant.

**6.1.4** The Government has recently introduced an additional category of homes within the PPG, specifically Starter Homes. The PPG states that:

As set out in the [Starter Homes Written Ministerial Statement](#) <sup>(ix)</sup> of 2 March 2015, starter homes exception sites should not be required to make affordable housing or tariff-style section 106 contributions.

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ix <https://www.gov.uk/government/speeches/starter-homes>

## 6.2 Transport

### Local Plan Policies

- **Core Policy 4: Delivering our Infrastructure**
- **Policy IP1: Supporting & Providing our Infrastructure**
- **Policy ST1: Sustainable Travel**
- **Policy ST2: Parking Provision**
- **Policy Lichfield 1: Lichfield Environment**
- **Policy Lichfield 2: Lichfield Services and Facilities**
- **Policy Lichfield 5: East of Lichfield (Streethay)**
- **Policy Lichfield 6: South of Lichfield**
- **Policy Burntwood 1: Burntwood Environment**
- **Policy Burntwood 2: Burntwood services and facilities**
- **Policy Burntwood 5: East of Burntwood Bypass**
- **Policy: North of Tamworth**
- **Policy: East of Rugeley**
- **Policy Frad2: Fradley Services & Facilities**
- **Policy Alr1: Alrewas Environment**
- **Policy Alr2: Alrewas Services & Facilities**
- **Policy Arm1: Armitage with Handsacre Environment**

- **Policy Arm2: Armitage with Handsacre Services & Facilities**
- **Policy Shen1: Shenstone Environment**
- **Policy Shen2: Shenstone Services & Facilities**
- **Policy Whit1: Whittington Environment**

**6.2.1** The Council works closely with the County Council and Highways England to ensure any required transport infrastructure, identified in the Local Plan is delivered. The Local Plan (Chapter 6) highlights strategic transport infrastructure to be delivered over the plan period including:

- Completion of the Lichfield Southern Bypass to be delivered alongside the South Lichfield Strategic Development Allocation;
- Delivery of improvements to the strategic highway network as identified by the Highways Agency (as was, now Highways England);
- Lichfield City centre improvements including transport improvements associated with the Friarsgate scheme; and
- Delivery of an additional parking facility to serve the strategic needs of Lichfield Trent Valley station.

**6.2.2** Beyond these strategic infrastructure requirements, the Local Plan policies listed above identify a range of potential improvements to various transport services which may incorporate the need for planning obligations to be sought from development proposals. The Regulation 123 list,



**Appendix C** identifies specific elements of transport infrastructure that are expected to be funded by CIL.

**6.2.3** Where a new development (typically a larger scale scheme) gives rise to a specific, localised improvement which goes outside the remit of a planning condition then the Council will utilise Planning Obligations and Section 278 agreements, as appropriate. Section 278 agreements are specifically related to transport improvements and they are made with Staffordshire County Council, the Highway Authority for Staffordshire or Highways England. Where there are a number of medium-larger developments occurring within proximity of one another, generating a related need for specific transport infrastructure provision, Planning Obligations will not exceed the five development pooling limit (Section 278 agreements are not subject to this pooling limit). Where financial contributions are secured via new Planning Obligations or Section 278 agreements they will not be used towards any projects on the CIL Regulation 123 list.

## 6.3 Education

### Local Plan Policies

- **Core Policy 4: Delivering our Infrastructure**
- **Policy IP1: Supporting & Providing our Infrastructure**
- **Policy Lichfield 5: East of Lichfield (Streethay)**
- **Policy Lichfield 6: South of Lichfield**
  - **South of Shortbutts Lane**
  - **Deans Slade Farm**
- **Policy Frad2: Fradley Services & Facilities**
- **Policy Alr2: Alrewas Services & Facilities**

**6.3.1** Staffordshire County Council is the Local Education Authority for the District and it has a statutory duty to provide sufficient school places for children who are of school age and whose parents want their child educated in the state sector. In general terms, Core Policy 4 and Policy IP1 provide the Local Plan framework that governs the Council's approach to infrastructure provision. The Council has worked closely with the County Council to inform assessments of education infrastructure needs arising from new developments being planned in the area up to 2029. The latest version of the Infrastructure Delivery Plan (IDP) places the need for further education facilities within the local infrastructure category for the Local Plan (see Chapter 6 of the Plan).

**6.3.2** As part of the work undertaken on the Community Infrastructure Levy (CIL) Charging Schedule, a draft Regulation 123 List has been drawn up<sup>(x)</sup>. The draft list identifies specific school projects that will continue to be funded from planning obligations. The list is based on the detailed policy framework, including concept statements, set out in policies Lichfield 5, Lichfield 6, Frad2, and Alr2.

**6.3.3** Education contributions via Planning Obligations will not be sought for specialist older persons housing schemes, and developments consisting purely of one and two bedroom flats will normally be excluded on the basis that they generate a low rate of child occupancy. Developers and agents should consult the most up to date Staffordshire County Council Education Planning Obligations Policy Document for further guidance and are encouraged to engage with the School Organisation Team in early pre-application discussions over the likely education implications of their proposal.

**6.3.4** It should be noted that where a project has been identified to mitigate the impact of development(s) the full cost of delivering the project will be met, relative to the size of development. This will include, where applicable, the necessary additional land, access and relevant services.

x See Appendix C of the [Community Infrastructure Levy Draft Charging Schedule Background Document](#) (March 2015)

## 6.4 Open Space/ Playing Pitches (Policies HSC1, HSC2, NR6)

### Local Plan Policies

- **Core Policy 4: Delivering our Infrastructure**
- **Policy IP1: Supporting & Providing our Infrastructure**
- **Core Policy 10: Healthy & Safe Lifestyles**
- **Core Policy 11: Participation in Sport & Physical Activity**
- **Policy HSC1: Open Space Standards**
- **Policy HSC2 Playing Pitch & Sport Facility Standards**
- **Policy Lichfield 1: Lichfield Environment**
- **Policy Lichfield 2: Lichfield Services and Facilities**
- **Policy Lichfield 5: East of Lichfield (Streethay)**
- **Policy Lichfield 6: South of Lichfield**
- **Policy Burntwood 2: Burntwood services and facilities**
- **Policy Burntwood 5: East of Burntwood Bypass**
- **Policy: North of Tamworth**
- **Policy: East of Rugeley**
- **Policy Frad2: Fradley Services & Facilities**
- **Policy Alr2: Alrewas Services & Facilities**

- **Policy Arm2: Armitage with Handsacre Services & Facilities**
- **Policy Faz2: Fazeley, Mile Oak & Bonehill Services & Facilities**
- **Policy Shen2: Shenstone Services & Facilities**
- **Policy Whit2: Whittington Services & Facilities**

**6.4.1** The Local Plan Strategy identifies specific standards for open space and playing pitches (Policies HSC1 and HSC2). Further detail is provided in the various location policies (Strategic Development Allocations and Broad Location, and their accompanying Concept Statements; and other settlement policies).

**6.4.2** Policy HSC1 sets out specific standards for open space. The Local Plan Strategy summarises the approach in the accompanying explanatory text:

“For the types of open spaces which are used on a day-to day basis such as play areas and amenity green space, public parks and gardens a standard of ten minutes walk time has been set: this allows for the identification of deficiencies for example where a play area is geographically close to housing but may be inaccessible due to a physical barrier such as a canal. For new strategic housing developments a standard of 1.43ha amenity green space per 1,000 population has been set: this is consistent with current existing provision in the District's urban areas. As many open spaces are multi-functional, these new open spaces may need to incorporate equipped play provision (depending upon existing provision and accessibility in the area), and could be formal or informal in their layout depending upon the local context. Further details are set out in the concept statements for each strategic development location.”

**6.4.3** Policy HSC2 provides the equivalent set of standards for playing pitches noting the need for replacement facilities, in line with Sport England's requirements; improvements where an unmet need is identified; and in the case of Strategic Development Allocations, an expectation that playing field facilities will be provided at a minimum level of 1.23ha per 1,000 population including around 200m<sup>2</sup> for changing and pavilion space and 0.025ha for parking. Additional Open Space Standards are presented in **Appendix E**.

**6.4.4** To seek a financial contribution towards the provision of indoor sports facilities in Lichfield District in line with the Sports Facilities Framework 2009-2021 for Lichfield District.

Documents for indoor Sport include:

Sports Across Staffordshire and Stoke on Trent - Sports Facilities Framework 2009-2021 - Strategic Assessment of Sports Halls and Swimming Pools in Lichfield

The Sports Facilities Framework for Staffordshire and Stoke-on-Trent was commissioned by Sport Across Staffordshire and Stoke-on-Trent (SASSOT), the County Sports Partnership (CSP). The Framework provides a strategic and coherent link between the West Midlands Regional Facilities Framework (2007) and the existing or emerging strategies of the individual local authorities within Staffordshire and Stoke-on-Trent, national governing bodies of sport and other key partners and stakeholders. It covers the period up to 2021. **Appendix F** provides a reproduction of the key elements relating to Lichfield District Identified in the Sports Facilities Framework.

**6.4.5** The various strategic allocations and other settlements policies highlight specific requirements for open space and playing pitch facilities that may require a contribution via planning obligations. Each development proposal will be assessed to determine whether it should incorporate planning obligations and where appropriate the nature of the obligation. The following pieces of evidence define where shortfalls occur within the District: Open Space Assessment and Open Space Assessment Appendices 2012 <sup>(xi)</sup> and the Playing Pitch Tennis and Bowls Strategy <sup>(xii)</sup>.

**6.4.6** The District Council will not be increasing its commitment to the maintenance of open space across the District. Therefore all improvements secured through planning obligations will be required to provide proposals of a preferred maintenance delivery vehicle. Once the details have been agreed with the relevant officers within the District Council evidence that the maintenance delivery vehicle has been duly entered into should be provided to the District Council.

xi <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Resource-centre/Evidence-base/Healthy-Safe-Communities/Open-space-assessment.aspx>

xii <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Resource-centre/Evidence-base/Healthy-Safe-Communities/Playing-pitch-tennis-bowls-strategy.aspx>

## 6.5 Environmental and Biodiversity Improvements and Protection

### Local Plan Policies

- **Core Policy 3: Delivering Sustainable Development**
- **Core Policy 4: Delivering our Infrastructure**
- **Core Policy 13: Our Natural Resources**
- **Policy NR3: Biodiversity, Protected Species and their Habitats**
- **Policy NR4: Trees, Woodland & Hedgerows**
- **Policy NR7: Cannock Chase Special Area of Conservation**
- **Policy NR8: River Mease Special Area of Conservation**
- **Policy BE1: High Quality Development**

**6.5.1** The Local Plan identifies the potential need for the use of planning obligations in mitigating and compensating for the on-site impacts to environmental resources as a result of development proposals. Furthermore, the presence in part within the District of the Special Areas of Conservation (SAC) designations for Cannock Chase and the River Mease require specific mitigation measures to be applied.

**6.5.2** The Council has previously published guidance on its approach to mitigating the impact of new residential development in accordance with Policy NR7 and NR8 with respect to the Cannock Chase

SAC <sup>(xiii)</sup> and the River Mease SAC <sup>(xiv)</sup>. Contributions will be sought to satisfy the Habitats and Species Regulations 2010 (as amended).

**6.5.3** The introduction of CIL is intended to provide the necessary funding stream for various environmental improvement schemes around the District, including any necessary mitigation strategies for Cannock Chase and the River Mease SACs where this is consistent with the Draft Regulation 123 list. **Appendix G** provides detail of the approved strategy in regard to Cannock Chase SAC. Where a development is not liable for CIL, or the project does not appear on the Draft Regulation 123 list, S106 may be required to mitigate for the impact of the development

**6.5.4** Core Policy 13 and Policies NR4 and BE1 identify circumstances where on-site mitigation measures, and in some cases, off-site mitigation, will be sought.

**6.5.5** Policy NR3 requires that all developments deliver a measurable net-gain to the Districts biodiversity value. Where this cannot be achieved within a developments boundaries additional habitat creation/improvement works must be enacted off-site via the creation of a Biodiversity Offsetting Scheme. Information regarding these schemes (and the developer contributions) required can be found in the Biodiversity and Development SPD, and the Biodiversity Offsetting Strategy.

xiii [Cannock Chase Special Area of Conservation \(SAC\), Guidance to Mitigate the Impact of New Residential Development](#)  
xiv [River Mease Developer Contributions Scheme \(October 2012\)](#)

## 6.6 Sustainable Drainage Systems (SUDs) at site specific level

### Local Plan Policies

- **Core Policy 3: Delivering Sustainable Development**
- **Core Policy 4: Delivering our Infrastructure**
- **Policy IP1: Supporting & Providing our Infrastructure**
- **Policy NR8: River Mease Special Area of Conservation**
- **Policy Lichfield 5: East of Lichfield (Streethay)**
- **Policy Lichfield 6: South of Lichfield**
- **Policy Burntwood 5: East of Burntwood Bypass**
- **Policy: North of Tamworth**
- **Policy: East of Rugeley**
- **Policy Frad1: Fradley Environment**

**6.6.1** A Ministerial Statement on sustainable drainage systems <sup>(xv)</sup> was implemented on 6 April 2015. The statement sits alongside existing policy and guidance contained in the NPPF and PPG. The statement identifies the key issues as follows:

“To this effect, we expect local planning policies and decisions on planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development (as set out in Article 2(1) of the [Town and Country Planning \(Development Management Procedure\) \(England\) Order](#)

[2010](#)) - to ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate.

Under these arrangements, in considering planning applications, local planning authorities should consult the relevant lead local flood authority on the management of surface water; satisfy themselves that the proposed minimum standards of operation are appropriate and ensure through the use of planning conditions or planning obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. The sustainable drainage system (SuDs) should be designed to ensure that the maintenance and operation requirements are economically proportionate.

To protect the public whilst avoiding excessive burdens on business, this policy will apply to all developments of 10 homes or more and to major commercial development.”

**6.6.2** The District Council will work with Staffordshire County Council (as the lead local flood authority) to ensure SuDs are in place in line with the Ministerial Statement and will include the long term maintenance arrangement for such provision. The Local Plan Strategy policies noted above identify the need for SuDS both in general terms and for the strategic locations identified in the plan. Additional detail on SuDs can be found within the Sustainable Design SPD.

xv <https://www.gov.uk/government/speeches/sustainable-drainage-systems>

## 6.7 Air Quality Management Areas

### Local Plan Policies

- **Core Policy 3: Delivering Sustainable Development**
- **Policy SC1: Sustainability Standards for Development**
- **Policy SC2: Renewable Energy**

**6.7.1** The Local Air Quality Management (LAQM) process is set out in Part IV of the Environment Act (1995), the Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007 and the relevant Policy and Technical Guidance<sup>(xvi)</sup>. The process places an obligation on all local authorities to regularly review and assess air quality in their areas, and to determine whether or not the air quality objectives are likely to be achieved. Where limits are likely to be exceeded, the local authority must then declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place in pursuit of the objectives.

**6.7.2** The NPPF acknowledges that air quality considerations are relevant in the planning process and states that developers need to take into account local authority Air Quality Management Areas, Air Quality Action Plans and Low Emission Strategies, this is supported in Core Planning Principal 12. In addition para 124 of the NPPF states “ Planning policies should sustain compliance with and contribute toward EU Limited Values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impact on air quality from

individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local Air Quality Action Plan”.

**6.7.3** There is currently one AQMA within Lichfield District Council designated in 2008 and located on the A5 at Muckley Corner, a location plan indicating the extent of the area can be viewed at [www.lichfielddc.gov.uk/airquality](http://www.lichfielddc.gov.uk/airquality)<sup>(xvii)</sup> along with all other air quality reports. It is likely that during the plan period that further AQMA's will be designated.

**6.7.4** The process identified within **Appendix H** will be used to determine whether and how an Air Quality Assessment is required. Should the air quality assessment for the proposed development show a negative impact on air quality, the applicant shall implement one of the following options:

**6.7.5** Determine financial costing's associated to the level of emissions that would be generated by the proposed development by using the methodology identified within the following government guidance: Valuing impacts on air quality: Supplementary Green Book guidance<sup>(xviii)</sup>. This guide explains how impact on air quality should be incorporated into a cost benefit analysis. The completion of this option will result in a financial cost generated which relates to the level of emissions associated to the proposed development.

**6.7.6** The applicant shall determine appropriate on-site air quality mitigation measures to negate the air quality impact of the proposed development on health and/or the local environment.

xvi <https://www.gov.uk/government/publications/2010-to-2015-government-policy-environmental-quality/2010-to-2015-government-policy-environmental-quality#appendix-5-international-european-and-national-standards-for-air-quality>

xvii <https://www.lichfielddc.gov.uk/Residents/Environment/Environmental-health/Pollution/Air-quality-monitoring.aspx>

xviii <https://www.gov.uk/government/publications/green-book-supplementary-guidance-air-quality>

## 6 Planning Obligation Guidance

**6.7.7** If on-site mitigation is not possible then the Local Planning Authority shall seek financial contributions for air quality impacts through a section 106 agreement. Any section 106 levied will be used to support actions identified within the Council's Air Quality Action Plan.



## 7 Appendix A Key Policies: Infrastructure Requirements

### Core Policy 4: Delivering Our Infrastructure

New development must be supported by the required infrastructure at the appropriate stage. The District Council will work in partnership with infrastructure providers, funding bodies, key stakeholders and other agencies and organisations to ensure a co-ordinated delivery of facilities and infrastructure to ensure that the District's communities function in a sustainable and effective manner. This includes continued joint working with other local authorities to facilities cross boundary needs.

The District Council will seek to protect, and where appropriate improve, services and facilities that provide a key function in the operation of existing communities. Development proposals resulting in the loss of a key facility from a settlement which is essential to the sustainable functioning of that settlement, will not be supported unless a replacement facility of improved quality, accessibility and size is provided for the community in a sustainable location.

New facilities must be located and designed so that they are integrated, accessible and compatible with the character and needs of the local community.

New development will be required to provide the necessary infrastructure at a timely stage to meet the community needs arising as a result. Development will also be expected to contribute as appropriate, to strategic projects that support sustainable development and the wider community.

Both strategic and local infrastructure provision will be linked to the phasing of new development. Phasing and specific infrastructure requirements are set out in the Infrastructure Delivery Plan (IDP) and the Concept Statements relating to the Strategic Development Allocations (SDA's) identified in the Local Plan.

Table 7.1

### Policy IP: 1 Supporting & Providing our Infrastructure

To ensure that all new development provides the necessary infrastructure facilities required create and support sustainable communities, the following will be required:

- The District Council will require all eligible development to provide the appropriate infrastructure on and off site, in line with other policies of the Local Plan and the Infrastructure Delivery Plan;
- For the Strategic Development Allocations (SDA's) reference will be made to the relevant infrastructure requirements as set out in the Concept Statements and Infrastructure Delivery Plan;

**7 Appendix A Key Policies: Infrastructure Requirements**

- The viability of developments will also be considered when determining the extent and priority of development contributions in line with the Infrastructure Delivery Plan;
- Applications that result in a loss of an existing infrastructure service or facility will not be permitted, unless it can be demonstrated that the facility is clearly surplus to the requirements of the community, or a replacement and accessible facility of equivalent or improved quality is provided to serve that community, in a sustainable location.

Table 7.2

## 8 Appendix B Key Infrastructure Summary

### Summary of Key Infrastructure Expected Over Plan Period

Further detail can be found in the updated Infrastructure Delivery Plan ([www.lichfielddc.gov.uk/evidence](http://www.lichfielddc.gov.uk/evidence))

Key Projects	Estimated Cost	Specific Funding Sources	Delivery Lead	Amounts Applied for	Amounts Secured	Total Funding Gap
<b>Transport - Generic long term improvements</b>						
Lichfield Southern Bypass - Phases 4a - Birmingham Road - Shortbutts Lane and 4b - Shortbutts Lane to London Road	£7,000,000	Developer s106/s278	SCC	£385,000		£6,150,000
		LEP Local Growth Fund		£5,750,000		
		LTADS		£850,000	£850,000.00	
<b>Transport - Strategic Road Network</b>						
A38 Improvements - Swinfen island	£2,200,000	Central Govt (HA)	Highways Agency			£2,200,000
		LEP Local Growth Fund		£2,200,000		
		Developer contribution				

## 8 Appendix B Key Infrastructure Summary

# 8 Appendix B Key Infrastructure Summary

Key Projects	Estimated Cost	Specific Funding Sources	Delivery Lead	Amounts Applied for	Amounts Secured	Total Funding Gap
Muckley Corner	£5,000,000	Central Govt (HA)	Highways Agency			£5,000,000
		LEP Local Growth Fund		£2,000,000		
		Developer contributions				
Further Junction Improvements A38 (Hilliards Cross and Fradley South)	£10,000,000	Central Govt (HA)	Highways Agency			£10,000,000
		LEP Local Growth Fund				
		Developer contributions				
<b>Water Resources, supply and flood risk</b>						
Mitigation for matters relating to flood risk as identified by EA	will vary	Developer	Developers & EA			TBC
		EA				
		Other				
<b>Waste water collection and treatment</b>						

Key Projects	Estimated Cost	Specific Funding Sources	Delivery Lead	Amounts Applied for	Amounts Secured	Total Funding Gap
River Mease SAC in line with River Mease WQMP (NB – figure for whole catchment area) – Estimated contribution for Lichfield DC area	£267,000	Developer contributions  CIL	River Mease Programme Board			£267,000
<b>Town Centre Improvements</b>						
Lichfield City Improvements						
Friarsgate (retail and leisure)	£50,000,000	Private Sector LEP Local Growth Fund	private sector in partnership with LDC	£3,000,000	£2,600,000	£47,400,000
<b>Burntwood Town Centre</b>						
Improved retail, community facilities, and leisure to deliver a town centre	£7,000,000	Private Sector LEP Local Growth Fund	private sector in partnership with LDC			£7,000,000
Public Realm Improvements - Burntwood including Sankey's Corner Improving and increasing parking - Burntwood Town Centre	£570,000	Developers - CIL/s106 LEP Local Growth Fund	SCC,LDC, B T C , developers & other partners	£35,000	£35,000	£535,000

## 8 Appendix B Key Infrastructure Summary

## 8 Appendix B Key Infrastructure Summary

Key Projects	Estimated Cost	Specific Funding Sources	Delivery Lead	Amounts Applied for	Amounts Secured	Total Funding Gap
Other Public Realm Improvements across the District	will vary	will vary	Partnership approach depending on scheme			TBC
<b>Education and Skills</b>						
Extension to Hob Hill Primary School, Rugeley and All Saint's Alrewas Primary School; and new school at Streethay to create 1½FE school,	£21,500,000	S106/SCC	SCC			£21,500,000
Expansion to Nether Stowe, The Friary, King and Edward VI high school(s)	£22,000,000	Public Sector Developers s106/CIL	SCC	£8,000,000	£4,281,000	£17,719,000
<b>Health, Sport &amp; Recreation</b>						
Indoor sports facility improvement						
Friary Grange leisure centre redevelopment	£765,000	Developer Contributions Other	LDC	£400,000	£400,000	£365,000

Key Projects	Estimated Cost	Specific Funding Sources	Delivery Lead	Amounts Applied for	Amounts Secured	Total Funding Gap
Friary Grange additional pool	£1,000,000	Developer Contributions Public funds	LDC			£1,000,000
<b>Cannock Chase AONB (including SAC)</b>						
Measures for mitigating impact of development on CCSAC, plus access management measures and including Gentleshaw Common in line with visitor mitigation strategy. Estimated contribution for Lichfield DC area.	£397,710	Developer contributions	Cannock Chase SAC partnership	£93,593	£12,645	£385,065
<b>TOTAL</b>	<b>£127,699,710</b>					<b>£119,521,065</b>

Table 8.1

## 8 Appendix B Key Infrastructure Summary

## 9 Appendix C Draft Regulation 123 List

### 9 Appendix C Draft Regulation 123 List

Infrastructure to be funded in whole/part by CIL	Infrastructure to be funded by s106	Comments
Completion of the Lichfield Southern Bypass	New underbridge section	<p>Section from east of new bridge structure to London Road to be delivered by developer as part of site access road layout.</p> <p>New underbridge section will be funded by s106 and Local Growth Fund.</p> <p>Section to west of new bridge delivered by gift of land from developers</p>
<p>Improvements to the Strategic Highway Network as identified by the Highways Agency:</p> <ul style="list-style-type: none"> <li>• Muckley Corner</li> <li>• Swinfen</li> </ul> <p>Further Junction Improvements and safer access to A38 (Hillards Cross and Fradley South)</p>		<p>Assume CIL funding to form part of package alongside Local Enterprise Partnership (LEP) bids.</p> <p>NB – HA can also utilise s278 approach alongside CIL</p>
<p>Delivery of secondary education facilities to serve projected need through:</p> <p><b>Expansion to Nether Stowe</b> (need to add more detail to differentiate the project where S106 will be spent)</p>	Will need to insert specific project elements identified to be funded by CIL at each school	Currently situation based on information from Staffordshire County Council is that about £8million has been applied for through S106 agreements with £4.281million currently secured.



Infrastructure to be funded in whole/part by CIL	Infrastructure to be funded by s106	Comments
<b>Expansion to The Friary</b> (need to add more detail to differentiate the project where S106 will be spent)		
<b>Expansion to King Edward VI</b> (need to add more detail to differentiate the project where S106 will be spent)		Currently assumed that CIL will contribute to funding with no specific elements identified for s106 funding.
Improved indoor sports provision to serve Lichfield City and its hinterland as set out in the Swimming Pool and Sports Hall Feasibility Study 2013	See comment	Some of the Strategic Development Allocations (SDAs) have already secured mitigation through S106, and Burntwood SDA is proposed to be through S106. East of Rugeley SDA is as yet undecided so could do either. Lichfield SDA's have permissions which provide on site or it is the intention they will provide on site.
Measures for preventing harm to the Cannock Chase Special Area of Conservation (CCSAC) agreed by the Cannock Chase SAC partnership.		Assume all coming from CIL (no SDAs in the area that impacts on SAC)
Measures for mitigating the impact of development upon the River Mease Special Area of Conservation (RMSAC) measures		
The following Transport improvement schemes from the Integrated Transport Strategy for Lichfield: <ul style="list-style-type: none"> <li>• Bus network and cycle and walking routes - smarter choices and pedestrianisation</li> </ul>		

## 9 Appendix C Draft Regulation 123 List

Infrastructure to be funded in whole/part by CIL	Infrastructure to be funded by s106	Comments
<ul style="list-style-type: none"> <li>• Bus access improvements on route 765 Lichfield to Tamworth</li> </ul>		
<ul style="list-style-type: none"> <li>• Route Signage Lichfield to Tamworth</li> </ul>		
<ul style="list-style-type: none"> <li>• Electric Charging points</li> </ul>		
<ul style="list-style-type: none"> <li>• Designated Coach Parking area</li> </ul>		
<ul style="list-style-type: none"> <li>• Review of Local traffic routing</li> </ul>		
<ul style="list-style-type: none"> <li>• Safer access to A38 (T)</li> </ul>		
<ul style="list-style-type: none"> <li>• A5127 Corridor Traffic Managements and Bus improvements</li> </ul>		
<ul style="list-style-type: none"> <li>• St John street Traffic management and Bus priority</li> </ul>		
<ul style="list-style-type: none"> <li>• Cannock Road – Burntwood public realm enhancements and modifications</li> </ul>		
<ul style="list-style-type: none"> <li>• Improved walking and cycle links from Southern – Northern Burntwood</li> </ul>		
<ul style="list-style-type: none"> <li>• Bus access and service improvement in Burntwood linking to Cannock and Lichfield</li> </ul>		
<ul style="list-style-type: none"> <li>• Lichfield City Centre Transport Package</li> </ul>		

Infrastructure to be funded in whole/part by CIL	Infrastructure to be funded by s106	Comments
<ul style="list-style-type: none"> <li>• East Lichfield Transport package</li> <li>• Burntwood Local transport package</li> <li>• HGV routing and parking arrangements in Fradley</li> <li>• A5127 Corridor Traffic management improvements</li> <li>• St Johns street Traffic management and Bus priority</li> <li>• Real Time Passenger information Lichfield</li> <li>• Smarter Travel Choices</li> <li>• A5(T) and A38(T) active traffic management</li> </ul>		
General flood mitigation measures	Site specific SuDS	<p>Subject to any further info from the Environment Agency on expectation of general flood measures required</p> <p>Assumption that site specific SuDS would apply across the District (not just SDA's)</p>
Delivery of primary education facilities Extension to Hob Hill Primary School, Rugeley	New primary schools required for East of Lichfield (Streethay);	Hob Hill – additional places will serve children in Lichfield and Cannock Chase Council areas.

## 9 Appendix C Draft Regulation 123 List

## 9 Appendix C Draft Regulation 123 List

Infrastructure to be funded in whole/part by CIL	Infrastructure to be funded by s106	Comments
Extension to All Saint's Alrewas Primary School	Deanslade Farm and South Lichfield SDAs, and a new school and extended facility to serve Fradley.	<p>All Saints – the County Council have identified that a small proportion of identified cost may be provided through a S106 agreement. Therefore, need to identify the specific project to be attributed to s106.</p> <p>Streethay - the current s106 provides for one form entry and there may be a possibility for further extension (additional half form entry). Assume additional half form entry to be attributed to CIL?</p>
Health facilities where evidence is provided that there is no local capacity and expansion of services is required to service additional growth	Fradley SDA identified provision for health care (see concept statement).	Not identified in the strategic infrastructure priorities for Local Plan (para 6.5) albeit IDP notes potential requirements at Burntwood and Fazeley (Allocations Plan to deal with Fazeley)
Improvements to playing pitch provision in line with the deficiencies identified in the Playing Pitch, Tennis and Bowls Strategy.	<p>Specific schemes identified in respect of the following SDAs</p> <ul style="list-style-type: none"> <li>• Fradley</li> <li>• South Lichfield</li> </ul>	

Infrastructure to be funded in whole/part by CIL	Infrastructure to be funded by s106	Comments
	<ul style="list-style-type: none"> <li>• East of Lichfield (Streethay)</li> <li>• East of Burntwood Bypass</li> </ul>	
<p>Social and community facilities in line with evidence of local need (e.g. through a Parish or Neighbourhood Plan).</p>	<p>Expected delivery of community centres/hubs to be delivered in the SDAs as identified in the Local Plan concept statements</p>	<p>Links to redistribution of CIL funding to Parish Councils and any neighbourhood planning forums that emerge.</p>
<p>Improvements to open space provision (including play provision for 8 key sites) in line with the Open Space Assessment</p>	<p>On-site recreation and open space provision and maintenance for the following SDAs:</p> <ul style="list-style-type: none"> <li>• Fradley</li> <li>• South Lichfield</li> <li>• East of Lichfield (Streethay)</li> <li>• East of Burntwood Bypass</li> <li>• Deanslade Farm</li> <li>• Cricket Lane</li> </ul>	

## 9 Appendix C Draft Regulation 123 List

Infrastructure to be funded in whole/part by CIL	Infrastructure to be funded by s106	Comments
<p>Improvements to the public realm and local environment. This includes access to green space and improvements to landscapes and habitats including the following:</p> <ul style="list-style-type: none"> <li>• Chasewater Country Park improvements</li> <li>• Central Rivers Initiative projects</li> <li>• Heathland management programme</li> <li>• Improvements to the canal network to improve Green Infrastructure Links</li> <li>• Infrastructure works relating to the restoration of the Lichfield and Hatherton Canal, with the exception of any works specifically undertaken in relation to any on-site provision by the developer connected to any of the south Lichfield SDAs.</li> <li>• Local Nature Reserves</li> <li>• Woodland and hedgerow projects</li> </ul>		
Low carbon initiatives/Carbon Investment Fund		This is supported by policy SC1 which states, The District Council is developing a Carbon Community Fund (CCF) which will support the achievement of carbon targets through financial contributions.

Table 9.1

## 10 Appendix D Affordable Housing

**10.1** It is important that everyone living in Lichfield District has the opportunity of a decent and affordable home. One of the priorities of the Housing Strategy 2013-2017<sup>(xix)</sup> is to “Improve housing choice and access to a wide range of affordable homes”. There is a clear evidenced need for more affordable homes in the district and the District Council is committed to improving affordability by seeking a target on qualifying sites of up to 40% of new dwellings to be provided as affordable housing.

### What is Affordable Housing?

**10.2** Affordable Housing is subsidised housing available to eligible households who are unable to rent or buy housing at market rates. The Council defines Affordable Housing as it is set out in the National Planning Policy Framework (NPPF), “*Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market*”. Eligibility for Affordable Housing is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price in perpetuity for future eligible households or for the subsidy to be recycled for alternative Affordable Housing provision.

**10.3** The types of Affordable Housing which will be sought on development sites in Lichfield District are:

<b>Rented Housing</b>	
Social rent	Managed by Registered Providers (RPs), this is rented housing to be let at no more than 100% of the rent level as determined by the National Rent Regime for target rents. Rents are lower than affordable rents, typically at 40%-60% of market rents.  This is the councils preferred rented tenure.
Affordable rent	Rents charged can be no higher than 80% of the full market rent. They may be let by a RP to tenants eligible for social rented housing; therefore rents charged should not exceed the Local Housing Allowance rate.
<b>Intermediate housing</b>	
Shared ownership	The purchaser buys a percentage share of a property (initially a minimum share of 25%, or a maximum 75%) and pays rent on the share that they do not own, which is capped at 3% of the value of that share. Shared Ownership properties are always leasehold but the purchaser may gradually acquire the freehold in stages from the RP (known as ‘staircasing’). If the purchaser staircases up to owning 100% of the property, the capital receipts should be ring-fenced by the RP to deliver

xix <https://www.lichfielddc.gov.uk/Residents/Housing/Housing-strategy/Downloads/Lichfield-district-housing-strategy-2013-17.pdf>

<b>Rented Housing</b>	
	more affordable housing in Lichfield district. Where 100% staircasing occurs, the RP will have first right of refusal on purchasing the property back should it be sold.
Equity share	The purchaser buys a percentage share of a property and does not pay rent on the share that they do not own. The remaining equity is transferred to an RP, or in some circumstances may be retained by the developer. Equity Share properties can be either freehold or leasehold.
Discounted market	Homes that are sold, usually on a freehold basis with a permanent % discount from open market value that is secured through land registry covenants. The level of discount will not be less than 25% and will be determined with regard to local incomes and house prices to ensure affordability.

Table 10.1

**10.4** Homes that do not meet the NPPF definition of affordable housing, (e.g. some forms of “low cost market housing”) will not be considered as affordable housing for planning purposes. Low cost market housing is smaller homes at the lower end of the market, which may help to meet the needs of first time buyers. Low-cost market housing can play a useful role in meeting the district’s wider housing demand and in achieving an appropriate housing mix. Developers are encouraged to supply a proportion of homes to meet the wider needs of the housing market.

**10.5** The Council’s definition of affordable housing encompasses both *general needs housing* provision and *supported housing* of different affordable tenures to meet the needs of the elderly and other vulnerable groups.

### **Starter Homes**

**10.6** The government is currently consulting on changes to the definition of Affordable Housing as set out in Annexe 2 to the NPPF so that it encompasses a wider range of products that can support people to access home ownership. In addition to this the Housing and Planning Bill 2015 is introducing a statutory duty to promote the delivery of starter homes, along with a requirement for a proportion of starter homes to be delivered on all suitable reasonably-sized housing developments.

**10.7** The Bill defines starter homes as new dwellings for first time buyers under 40, sold at a discount of at least 20% of market value and at less than a price cap of £250,000 (outside London).

**10.8** The council’s policy on starter homes will therefore be in accordance with the revised PPG in place at the time of the application.



### Accommodation requirements for older people

**10.9** Lichfield district is expected to see a 74% increase in the over 65 and a 128% increase in the over 75 age groups by 2035<sup>(xx)</sup>. Most older people are owner-occupiers and have already paid off their mortgages with many tending to live in larger homes that are perhaps too large for their needs. More people are also living alone for longer which adds further pressure on the housing market, and the housing stock therefore needs to adapt to meet the demographic changes ahead.

**10.10** Many older people want to stay in their current home for as long as possible and will have strong emotional ties to their home and neighbourhood. Moving house can be a very daunting experience for some older people and we therefore need to ensure that enough accessible, adaptable and affordable homes are available that meet the changing needs of the ageing population. This will also include the need to develop more suitable and attractive options to encourage older home owners to be able to downsize if they wish.

**10.11** Older people want housing that is attractive, in a safe, well-connected neighbourhood and developers are encouraged to ensure that the needs of our ageing population are adequately considered in new developments by making sure new homes are accessible, adaptable and enable older people to enjoy a good quality of life and remain independent and continue living in their existing home for as long as possible.

**10.12** We also need to see a significant increase in the supply and range of suitable housing built specifically for older people, including affordable rented accommodation and owner-occupied specialist housing such as extra care.

### Working With Registered Providers

**10.13** The District Council operates a partnership arrangement with Registered Providers (RP's) seeking to develop new affordable homes. This partnership is made up of a small number of approved RP's who are committed to delivering good quality, well designed, sustainable, adaptable and affordable homes in the District to meet our strategic housing aims and have excellent housing management and maintenance standards. It is expected that Developers will engage early on with one of our partner RPs to deliver the affordable housing secured on a development. An up to date list of preferred RP partners can be provided on request from the Housing Strategy Team.

### Housing and tenure mix

**10.14** New housing developments must provide for a variety of housing types and sizes to accommodate a range of different households, including families, single people and low income households as evidenced by the Southern Staffordshire Districts Housing Needs Study and SHMA update or future evidence. The mix of housing should contribute to providing choice in tenure and housing type, having regard to the existing mix of dwellings in the locality and the character and accessibility of the location. Housing developments will also need to contribute to the provision of homes that are suitable for the needs of older people, disabled people and those with other special needs (including supported housing projects), in a way that integrates all households into the community.

xx Enhanced joint strategic needs assessment for Lichfield District, 2012

**10.15** The District Council will be mindful of planning applications that deliberately seek to evade the relevant threshold for affordable housing and proposals for residential development just below the relevant thresholds must be based on the assessed housing potential of a site and not an attempt to avoid the provision of affordable housing. Sites presented just below threshold levels will be assessed in terms of ownership boundaries, density and proposed mix to ensure that land is being used efficiently and it does not avoid the required affordable housing contributions.

#### **Phasing on large sites**

**10.16** On large sites where development will be phased, it is expected that the affordable housing will be developed at the same time as the market housing and an affordable housing phasing plan must be submitted and agreed prior to start on site.

**10.17** As a general rule, in each phase no more than 25% of open market dwellings should be occupied until 25% of the affordable housing units have been constructed and transferred to an RP ready for immediate occupation and no more than 80% of open market dwellings on each phase should be occupied until 100% of the affordable homes have been transferred to an RP ready for immediate occupation.

**10.18** Each phase will be expected to deliver a proportional level of affordable housing to ensure even distribution across the development. Affordable housing should be fully integrated within the general market housing and should be reasonably dispersed or 'pepper-potted' throughout the development to adhere to the principles of creating mixed and sustainable communities.

#### **Design, layout and construction of Affordable housing**

**10.19** To complement the 'pepper-potting' approach it is important that the affordable housing is of good quality and indistinguishable from general market housing in terms of appearance, build quality and location. To ensure that rented homes are sustainable and energy efficient in the long term for families and to qualify for any grant funding that may be available at the time, affordable housing must conform to any Homes and Communities agency design and quality standards that are in place at the time. They should also comply with the SPD on Sustainable Design.

#### **Viability**

**10.20** The presumption will always be for the provision of affordable housing to be made on site and it is expected that the need to provide it will be taken into account when a land value is agreed alongside other planning policy requirements. The District Council recognises that it may be necessary to negotiate over the type and mix of Affordable Housing to enable a development to come forward. Negotiations will be undertaken with the relevant District Council officers based on delivering the best outcome to meet local housing needs. They will take the following form:

- The preferred mix and tenure of dwellings will be negotiated to establish whether the percentage target identified by the 'model of dynamic viability' can be met through an alternative tenure mix that will still meet local housing need.
- If the percentage target cannot be delivered for reasons of viability, an 'open book' viability appraisal will be required to satisfy the council that the proposed scheme would not be viable if the full amount of affordable housing was provided on-site and to help determine the amount and type of affordable housing provision that would be reasonable. The submitted viability appraisal will need to be independently assessed, with agreed costs borne by the applicant.

**10.21** Alternatives to on-site provision will only be agreed in exceptional circumstances and where off-site alternatives are considered to be the best way to achieve the delivery of more affordable units. If off-site provision is agreed for reasons other than viability, the Council will seek contributions in lieu that are broadly equivalent in value to on-site provision.

## 11 Appendix E Open Space Standards

### Open Space Standards

Open Space Type	Standard	Cost of provision (£ per m <sup>2</sup> )
Play	3m <sup>2</sup> per person	£92
Amenity Green Space including parks and gardens	12.7m <sup>2</sup> per person	£21
SDA Amenity Green Space including parks and gardens	14.3m <sup>2</sup> per person	£21
Natural/semi natural green space (including woodlands, canals, lakes, rivers and other Green infrastructure)	210m <sup>2</sup> per person	£0.39
Allotments	Min. 1 plot per 32 households (Area 150m <sup>2</sup> )	Dependent on type of provision i.e. Extension to existing/new provision (xxi)

Table 11.1

Based on 2015 costs.

xxi Comment is especially welcomed in relation to allotment contributions, in particular new provision.

## 12 Appendix F Sports Facilities Framework Summary

**12.1** The Sports Facilities Framework prioritises investment in “hub level” and above facilities across the sub-region by:

- Guiding sub-regional strategic planning (including the provision which will be required if the planned housing growth is realised);
- Taking account of population trends;
- Anticipating the impact of a 1% per annum growth in participation on facility needs;
- Highlighting gaps in strategic facility provision across the SASSOT area and identifying options to address them;
- Taking into account the role of the education sector in sports provision and community use, paying particular attention to the Building Schools for the Future (BSF) and Academy programmes;
- Inputting into the statutory planning process;
- Providing an input into other agendas e.g. health, regeneration.

**12.2** The Sports Facilities Framework concentrates on the larger sports halls (6 badminton court and above), plus those which are 4-court size and managed intensively to provide for general community needs and club competitions. The larger halls are strategically important because they are able to cater for elite/high level use for a number of sports including badminton, basketball, handball, netball and volleyball.

**12.3** The Sports Facilities Framework therefore proposes that a network of 6+ court halls should be established in Lichfield.

### Swimming pools explanation

**12.4** There is currently sufficient capacity to provide for swimming across the SASSOT area. However, the network of pools includes some modern pools but majority are aged or ageing and the current amount of water space in the SASSOT area includes a significant proportion of small school pools such as in Lichfield. These provide limited sports development opportunities for the community and therefore need to be (largely) discounted in assessing the amount of additional provision needed in the future.

**12.5** The Sports Facilities Framework acknowledges the above and recommends a long term facility network which will also meet the needs of the growing population and the anticipated growth in swimming.

**12.6** The following table identifies proposals which begin to address the space requirements up to 2021

	Proposal
Lichfield District Council	Develop an additional pool of 25m x 4 lane plus a teaching pool in city centre.

Table 12.1

**12.7** In addition to the above, the Facilities Planning Model; Strategic Assessment of Need for Sports Halls and Swimming Pools in Lichfield (January 2010) shows that based on current facilities and population:

- 6% of demand is not currently being met by supply (unmet demand).
- All unmet demand arises from people who live outside the catchment area of a pool, the majority of which are walkers who live outside the walking catchment (83%).
- Unmet demand across the District is equivalent to 54m<sup>2</sup> of water space.
- Usage levels at all swimming pools are estimated to be about 73% of total available capacity, which is too busy. However, this masks the fact that, other than the Friary, all pools are operating above 80% capacity (significantly above the 'comfortable capacity' level of 70%).

**12.8** When this is compared to an increased population based on housing growth to 2026 unmet demand for swimming space increases dramatically.

- Demand from the resident population for swimming pools in Lichfield increases by 7%
- Unmet demand remains at 6% of total demand.
- Unmet demand across the District is equivalent to 60 m<sup>2</sup> of water space.
- 100% of unmet demand arises from residents living outside the catchment of swimming pools – 84% of which are walkers with no access to a car.
- Usage levels at all swimming pools are estimated to fall slightly from 73% of total capacity to 72%, but all swimming pools, with the exception of Friary Grange, are now too busy at 80% and above, way above the comfortable threshold of 70%.

## 13 Appendix G Special Area of Conservation

### What is a Special Area of Conservation

**13.1** Special Areas of Conservation (or SACs) are strictly protected sites designated under the EC Habitats Directive with the listed habitat types and species being those considered to be most in need of conservation at a European level. These sites, together with Special Protection Areas (or SPAs), are called Natura 2000 sites.

**13.2** The requirements of this Directive have been transposed into domestic legislation under the Habitats and Species Regulations 2010 (as amended).

**13.3** Article 6(3) of the Habitats Directive requires that any plan or project, which is not directly connected with or necessary to the management of a European site, but would be likely to have a significant effect on such a site, either individually or in combination with other plans or projects, be subject to an 'appropriate assessment' of its implications for the European site in view of the site's conservation objectives.

### Policy Context

**13.4** Lichfield District Council must comply with its duty under the Habitats and Species Regulations as a Competent Authority to ensure appropriate mitigation is delivered prior to developments being built and new visits generated. As such Policy NR7 'Cannock Chase Special Area of Conservation' and Policy NR8 'River Mease Special Area of Conservation' seeks to ensure Lichfield District Council fulfils its obligation:

#### **Policy NR7 – Cannock Chase Special Area of Conservation**

Before development is permitted it must be demonstrated that alone or in combination with other development it will not have an adverse effect whether direct or indirect upon the integrity of the Cannock Chase SAC having regard to avoidance or mitigation measures.

In particular any development that results in a net increase in dwellings within a 15km radius of any boundary of Cannock Chase SAC (as shown on the Policies Map) will be deemed to have an adverse impact on the Cannock Chase SAC unless or until satisfactory avoidance and/or mitigation measures have been secured.

The ongoing work by relevant partner authorities will develop a Mitigation and Implementation Strategy. This may include contributions to habitat management; access management and visitor infrastructure; publicity, education and awareness raising; provision of additional recreational space within development sites where they can be accommodated and contributions towards off site alternative recreational space where they cannot; and measures to encourage sustainable travel.

**Policy NR8 – River Mease Special Area of Conservation**

Development will only be permitted where it can be demonstrated that it will not be likely to lead directly or indirectly to an adverse effect upon the integrity of the Mease Special Area of Conservation.

Development which falls within the water catchment of the Mease SAC will require an assessment under the Habitat Regulations. Ongoing work to outline the pressures on the SAC has identified damage is currently being caused by poor water quality exacerbated by pollution, run off, siltation, abstraction, invasive non-native species. Development, especially that which increases the stress on sewage treatment works or increases the level of phosphate in the watercourse would make matters worse. Evidence has shown mitigation of effects is possible by investment in sewage treatment works, habitat management, access management, provision of sustainable drainage techniques, publicity, education and awareness raising.

The effective avoidance and/or mitigation of any identified adverse effects must be demonstrated and secured prior to approval of development and on-going monitoring of impact on the SAC will be required. Development outside the water catchment may be required to demonstrate that they will have no adverse effect on the integrity of the SAC.

This policy should be read in conjunction with Core Policy 3.

**Cannock Chase SAC**

Sitting within the wider Cannock Chase Area of Outstanding Natural Beauty (AONB), the Cannock Chase SAC was designated in 2005 under the provisions of the European Habitats Directive, the majority of the site having previously been designated as a Site of Special Scientific Interest (SSSI) in 1987. Cannock Chase represents the largest area of heathland habitat surviving in the English Midlands and though much diminished in area from its original extent, as with all lowland heathland zones, the habitat and dependent species are of very high nature conservation importance.

Evidence commissioned by the SAC Partnership suggests that the planned level of growth within a 15 kilometre radius of the SAC (as set out in Map 1) is likely to have a significant effect on Cannock Chase SAC. The greater part of this effect would arise from development within a 0-8km zone (as set out in Map 1) as it has been determined through research that this zone would contribute the most visitors to the SAC <sup>(xxii)</sup>. The effect of increased visitor numbers consists of additional damage from site use.

Lichfield District Council has published a 'Cannock Chase Special Area of Conservation (SAC) Guidance to Mitigate the Impact of New Residential Development' <sup>(xxiii)</sup> which details the levels of contribution required per dwelling and which will provide sufficient actions to prevent harm arising to the SAC from the delivery of the Local Plan Strategy. This package

xxii Further Analysis of Cannock Visitor Survey Data to Consider Apportioning Costs between Zones – Durwyn Liley, 30<sup>th</sup> September 2013.

xxiii <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Planning-obligations/Downloads/Other-mitigation/Cannock-Chase-SAC-guidance-to-mitigate-the-impact-of-new-residential-development.pdf>



of Strategic Access Management and Monitoring Measures (SAMMM) will need to be monitored and reviewed should development levels in excess of the Local Plan Strategy be sought. The SAMMM will be funded through CIL or section 106 to provide the mitigation required to satisfy the Habitats and Species Regulations 2010 (as amended).

### **River Mease SAC**

The River Mease was designated by the Secretary of State as a Special Area of Conservation (SAC) under the EC Habitats Directive on the 1st April 2005. Meandering from Ashby de la Zouch westwards across Leicestershire, Derbyshire and Staffordshire where it meets the River Trent, the River Mease and the lower section of the Gilwiskaw Brook are designated as the 'River Mease Special Area of Conservation'. Covering around 25km (16 miles) the River Mease Special Area of Conservation represents one of the best examples of an unspoilt meandering lowland river, which supports characteristic habitats and species.

A Water Quality Management Plan (WQMP) was produced by the Environment Agency as a result of its Review of Consents as required by the Habitats Regulations. The WQMP was finalised in June 2013 with a primary purpose to '*reduce the levels of phosphate within the River Mease SAC, to enable the Conservation Objectives for the SAC to be met, and an adverse effect upon the SAC avoided*'; the primary objective of the WQMP is that '*the combined actions will result in a reduction in phosphate in the River Mease to no more than 0.05mg/l*'

The WQMP includes a list of actions and investigations relating to all types of sources which will help reduce the levels of phosphorous throughout the catchment and the River Mease SAC. One of the actions listed in Table 5.1 of the WQMP is to '*establish a developer contribution framework, in accordance with planning obligations best practice*'. The primary objective of the developer contribution scheme (DCS) is therefore to mitigate the negative effects of development on the River Mease SAC.

The developer contribution scheme (DCS) is relevant to development which results in a net increase in phosphorous load being discharged to the River Mease Special Area of Conservation (SAC). It currently applies to all development which contributes additional wastewater via the mains sewerage network to a sewage treatment works which discharges into the catchment of the River Mease SAC.

The purpose of the DCS is to provide a strategic approach to mitigation that facilitates the delivery of new development within the catchment. The Council will seek financial contributions on an equitable basis whereby different sized dwellings make different contributions relative to the scale of their potential impact. The DCS does not preclude a developer asking the authority to assess the application separately from the DCS with bespoke mitigation proposals assessed on a case by case basis.

The DCS is split into development windows. Lichfield District Council has published the current 'Developer Contributions Scheme (October 2012)' <sup>(xxiv)</sup> however this is currently under review as the amount of phosphate mitigation available has been filled through planning permissions granted. As such a new DCS is currently under consultation and which details the levels of contribution required per dwelling.

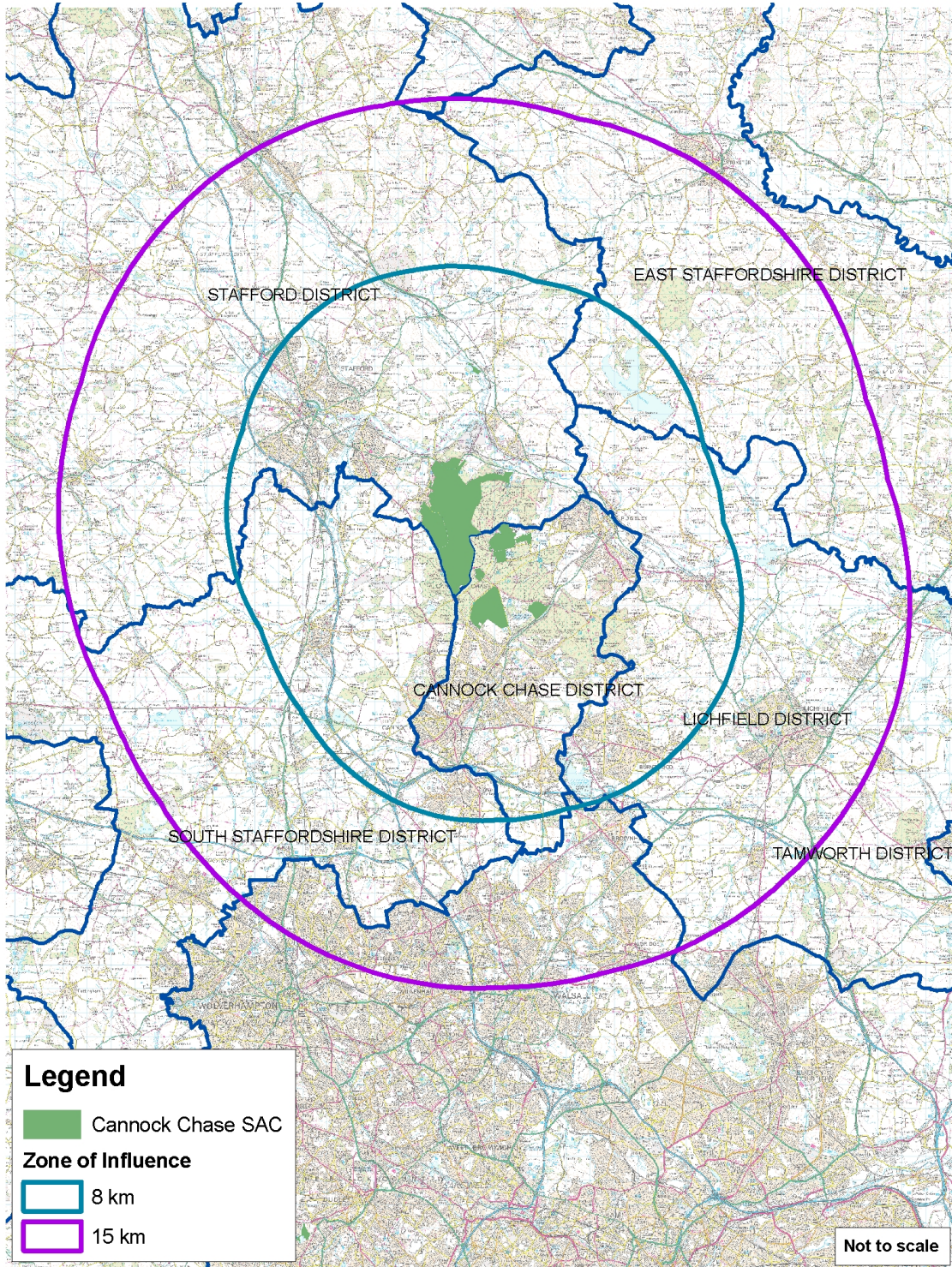
Mitigation will be funded through CIL or Section 106 to provide the mitigation required to satisfy the Habitats and Species Regulations 2010 (as amended).

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xxiv <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Planning-obligations/Downloads/Other-mitigation/River-Mease-Developer-Contribution-Strategy-November-2015.pdf>



**Cannock Chase SAC Zones of Influence**



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Map 1



## 14 Appendix H Air Quality Management

Developer requirements will be determined through the following process:

### **STEP 1 – Screening Checklist**

The local authority will initially determine whether the developer is required to undertake an air quality assessment by using the following checklist:

Screening Checklist (answer questions with tick)	Yes	No	Requirements:
1. Is the proposed development within an Air Quality Management Area (AQMA) <sup>(xxv)</sup> ?			If YES, go to checklist STEP 2.
2. Is the proposed development categorised as a major <sup>(xxvi)</sup> sized development?			If YES, go to checklist STEP 2.
			If both NO, no further assessment required.

Table 14.1

### **STEP 2 – Air Quality and emissions mitigation assessment checklist**

The developer will be required to complete the following checklist to determine whether an air assessment is required:

Question (answer all questions with a tick)	Yes	No	Recommendations
1. Is the proposed development within or in relevant proximity to an Air Quality Management Area (AQMA) or in an area near to exceeding AQ limits (candidate AQMA)?			-If any questions answered = YES, contact the Air Quality Officer to confirm that an air quality (AQ) assessment is required and then undertake an emissions assessment.
2. Does the development require an EIA?			
3. Will the development type likely become a large scale major development category size? (either on its' own or as part of several separate (cumulative) planned documents.)			
4. Is vehicle parking in development:			

xxv AQMA locations can be located on the local authority website

(<https://www.lichfielddc.gov.uk/Residents/Environment/Environmental-health/Pollution/Air-quality-monitoring.aspx>)

xxvi Major category defined by Town and Country Planning (Development Management Procedure) Order (England) 2010 definitions

Question (answer all questions with a tick)	Yes	No	Recommendations
<ul style="list-style-type: none"> <li>&gt;100 (outside AQMA) or</li> <li>&gt;50 (within or adjacent to AQMA)?</li> </ul>			-If all questions are answered = NO, OR the air quality officer determines there is no need for an AQ assessment = <u>Go to Section 2</u>
5. For existing roads with >10,000 Annual Average Daily Traffic (AADT), does the development: <ul style="list-style-type: none"> <li>Introduce extra vehicle movements (&gt;5%),</li> <li>Change average vehicle speed (10 kph),</li> <li>Is it likely to cause congestion or introduce &gt;15 heavy duty extra vehicle movements per day?</li> </ul>			
6. Will the development introduce new sensitive receptors: <ul style="list-style-type: none"> <li>Into or an area in relevant proximity to an AQMA or</li> <li>Into a candidate AQMA.</li> </ul>			
7. Are there any other proposed developments in the vicinity of this development which could have a cumulative effect on air quality?			
8. Is the development introducing biomass energy/heating plant into an urban environment?			
9. Is the development likely to impact on sensitive environments (i.e. SSSI's, National Nature Reserve, etc)			

Table 14.2

### **STEP 3 - Completing the Air Quality assessment**

Government technical guidance on how to complete an air quality assessment can be found at:

<https://www.gov.uk/government/publications/2010-to-2015-government-policy-environmental-quality/2010-to-2015-government-policy-environmental-quality#appendix-5-international-european-and-national-standards-for-air-quality>



## Appendix B

### Developer Contributions Supplementary Planning Document Consultation Summary Table

Organisation	Comment	Response
<p><b>Barton Willmore on behalf of the Church Commissioners for England</b></p>	<p><b>Affordable housing</b></p> <p>The Council have set a target of up to 40% for new housing within the SPD to be provided as affordable units, in line with Policy H2: Provision of Affordable Homes in the adopted Local Plan Strategy 2015. With regard to the requirement of 40% of new housing to be provided as affordable units – it is considered that this target is considered out of date, as it was based upon an affordable housing viability study carried out between 2008 and 2010. According to the Building Cost Information Service, build costs have increased by 17% since January 2008 and according to Land Registry data, house prices in Staffordshire are still 5.8% below their 2008 levels. With the simultaneous increase in build costs and reduction in house prices over the last eight years, the overall viability of a development within the District has come under immense pressure. As a result, a review of the level of affordable housing should be undertaken to reduce the requirement in order to improve viability.</p> <p>The Policy underlines that “the District Council will normally require at least 65% of the affordable housing on site to be social rented managed by a registered provider”. Whilst we acknowledge the Local Plan Strategy 2015 has been</p>	<p><b>Response: Rep Para 1</b>  <b>Local Plan Strategy Policy H2: Provision of Affordable Homes</b>            Para 2 states that the District Council will vary the overall delivery of affordable housing percentage in line with a model of dynamic viability. The levels will be reviewed annually informed by the following factors</p> <ul style="list-style-type: none"> <li>• Market land values</li> <li>• House prices and</li> <li>• Index of building costs</li> </ul> <p>The Annual monitoring Report 2015 para 6.29 states that the current viable affordable housing target is between 31-34%.</p> <p><b>Recommendation</b>            No Recommendation</p> <p><b>Response: Rep Para 2</b>            Duly Noted  <b>Recommendation</b></p>

	<p>adopted, we consider greater flexibility and scope should be given to affordable rented products, rather than social rented. As referenced at paragraph 10.3, affordable rent can be no higher than 80% of the full market rent, whilst in comparison social rent is typically at 40%-60% of market rent, which is the Council's preferred rented tenure.</p> <p>In order to improve the overall deliverability of housing developments within the District and the delivery of new affordable homes, we suggest that the SPD be amended so that the District Council seeks a higher proportion of affordable rent and shared ownership tenures, with social rent still forming part of the mix but at a lower percentage of the total provision. Such a split would improve the viability of developments and still provide a sufficient mix of affordable housing tenures, as opposed to a target percentage of 65% for social rented.</p> <p>Notwithstanding our above suggestions we do support the Council's flexibility in respect to negotiation, as outlined at paragraph 10.20, whereby the Council recognise that it may be necessary to negotiate over the percentage target, type and mix of affordable housing, as to not impinge on the viability of a development scheme. However, we do suggest that the reference made to a flexible approach being taken on a scheme by scheme basis to reflect local housing need should be reinforced within section 10 Appendix D Affordable Housing.</p> <p><b>Community Infrastructure Levy and Planning Obligations</b></p> <p>We note that LDC recently received the Examination of the Lichfield District Council Community Infrastructure Levy Charging Schedule Final Report following Examination Hearings, which took place on 28th January 2016. The Inspector's Report, published on 24th February 2016, recommends that subject</p>	<p>No amendment</p> <p><b>Response: Rep Para 3</b> The form of social housing will need to comply with Policy H2: Provision of Affordable Homes. Policy cannot be amended via the SPD.</p> <p><b>Recommendation</b> No amendments</p> <p><b>Response: Rep Para 4</b> Para 10.20 of Appendix D is supported by Local Plan Strategy Policy H2 Para 5.</p> <p><b>Recommendation</b> No Recommendation</p> <p><b>Response: Rep Para 4</b> Duly Noted</p> <p><b>Recommendation</b> No Recommendation</p>
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	<p>to modifications, the Charging Schedule can be approved. On this note, we fully expect that LDC will comply with Planning Policy Guidance [Paragraph: 093 Reference ID: 25-093-20140612 to Paragraph: 103 Reference ID: 25-103-20140612] which states that:</p> <p><b>“When a charging authority introduces the levy, section 106 requirements should be scaled back to those matters that are directly related to a specific site, and are not set out in a regulation 123 list”</b></p> <p>At this point in time, we do not have concerns with the Draft Regulations 123 List, however, as underlined at paragraph 25 of the Inspector’s Report, it is acknowledged that the list “is very much in draft form with a number of gaps and details to be added”. On this note, LDC should ensure the relationship between CIL and Planning Obligations is maintained as is now when amendments are made to the List.</p> <p><b>Conclusion</b></p> <p>Having reviewed the LDC Developer Contributions, we consider that there is merit in further work being undertaken to ensure the appropriate balance of affordable housing rented tenure and that assumptions and calculations are based on an up to date affordable housing viability study. Consideration must be given to paragraph 173 of the National Planning Policy Framework, which underlines that sustainable development requires careful attention to viability, and that sites should not be subject to such a scale of obligations that their ability to be developed viably is threatened. In this instance, the costs of providing affordable housing and its tenure mix, when coupled with normal cost of development and mitigation should provide competitive returns to a willing landowner/developer to enable the development to be deliverable.</p>	<p><b>Response: Rep Para 5</b> Duly Noted. Following comments made in the Report on the Examination of the Draft Lichfield District Council Community Infrastructure Levy Charging Schedule report 24<sup>th</sup> February 2016, amendments to aid clarification have been made to the Draft Reg 123 list, (Appendix A of the Draft Developer Contributions SPD January 2016). The Reg 123 list was adopted by Full Council on the 19<sup>th</sup> April.</p> <p><b>Recommendation</b> No amendments</p> <p><b>Response: Rep Para 6</b> Duly Noted</p> <p><b>Recommendation</b> No amendments</p>
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<p><b>Framptons on behalf of Deanslade Park Consortium</b></p>	<p><b>Chapter 3 Policy Content</b></p> <p>2.1 The Consortium generally supports this section of the SPD. However, it should either be rewritten post April 2016 to make referee to the final version of the Housing and Planning Bill 2016 or include a sentence stating it will be reviewed in light of the Housing and Planning Bill. This is considered necessary as the Bill includes a number of fundamental changes in legislation which will impact on Developer Contributions. These include Starter Homes; Self Build; Social Housing as well as changes to planning procedure and compulsory purchase.</p> <p><b>Chapter 4 Community Infrastructure Levy</b></p> <p>2.2 The Consortium notes the progression of LDC’s CIL programme which is a process they have participated actively in in recent years. It is noted that there is a degree of overlap between infrastructure on the emerging Reg 123 list and those other items of infrastructure that maybe requested via the Developer Contributions route. The Consortium requests that at the application stage the transparency between these two parallel contribution processes follows a logical and easily interpretable route.</p> <p>2.3 The SPD fails to give certainty on how the two processes will be presented. Whilst the Consortium supports the two parallel documents as a framework they would like to put a clear marker down that each site has specific constraints and circumstances that will need to be explored at pre-app and during the application determination. The transparency of any contribution requests therefore needs a robust mechanism for presentation.</p>	<p><b>Response: Rep Para 2.1</b> Duly Noted <b>Recommendation</b> Approval through delegated authority will be sought to enable the Appendices of the Developer Contributions SPD to be amended to reflect accurately the Housing and Planning Bill 2016 following enactment.</p> <p><b>Response: Rep Para 2.2 and 2.3</b> Duly Noted. Following comments made in the Report on the Examination of the Draft Lichfield District Council Community Infrastructure Levy Charging Schedule report 24<sup>th</sup> February 2016, amendments to aid clarification have been made to the Draft Reg 123 list, (Appendix A of the Draft Developer Contributions SPD January 2016). The Reg 123 list was adopted by Full Council on the 19<sup>th</sup> April. <b>Recommendation</b> No amendments</p>
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	<p><b>Chapter 5 Viability</b></p> <p>2.4 The Consortium supports the inclusion of a chapter addressing development viability which can be a material planning consideration. The Consortium submits that this chapter should give more detail over the process of assessing viability to give prospective developers more certainty over how viability concerns needs to be presented, at what point in the development process and give indicative timescales. If for example LDC are proposing to use a specific toolkit (e.g. Three Dragons) this should be explained.</p> <p><b>Chapter 6.1 Affordable Housing</b></p> <p>2.5 The Consortium supports the ‘target’ of 40% affordable housing on qualifying sites stated at para 6.1.3 of the draft SPD. The flexibility of affordable housing is critical to the viable delivery of large scale strategic development sites which have significant infrastructure demands. The affordable housing chapter should again be re-written post April 2016 to make referee to the Housing and Planning Bill 2016 or include a sentence stating it will be reviewed in light of the Housing and Planning Bill. In relation to affordable housing this is considered critical as the Housing and Planning Bill 2016 is anticipated to make changes to</p>	<p><b>Response: Rep Para 2.4</b> Duly Noted <b>Recommendation</b> Included a footnote to clarify 6.6.1. Included an additional para between 5.4 and 5.5 to outline instruction and cost process. Consider viability assessments submitted, but that we will need to instruct an independent suitably qualified person to assess these and that the Council will expect the developer/applicant pay for the cost of the independent assessment. In addition see <b>Internal Housing Strategy LDC rep and recommendation.</b></p> <p><b>Response: Rep Para 2.5</b> Duly Noted <b>Recommendation</b> Approval through delegated authority will be sought to enable the Appendices of the Developer Contributions SPD to be amended to reflect accurately Housing and</p>
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	<p>the definitions of affordable housing and starter homes which will have clear implications for the District. The same comment applies to Appendix D starting on Page 35.</p> <p><b>Chapter 6.2 Transport 2.6</b></p> <p>2.6 The chapter relating to transport is generally broad in scope, but does raise one strategic item of infrastructure that is associated with the land at Deanslade Farm by reason of it needing land in the control of the Consortium to deliver.</p> <p>2.7 The Lichfield Southern Bypass is referred to at para 6.2.1 which is effectively a summary of the Local Plan requirement for this infrastructure to be completed. The Consortium does not object to this aspiration having emphasis in the SPD, however the Consortium does wish to clarify their consistent position with regard to this matter. The Consortium will assist with the delivery of the southern bypass where it is able to do so, however the nature of this assistance is still a discussion that is ongoing with Staffordshire County Council and will be negotiated as part of any future application.</p> <p>2.8 Appendix 9 of the SPD (page 28) lists the draft Reg 123 list which includes reference to the Completion of the Southern Bypass. The same position applies as summarised in para 2.6 above that any contribution and provision of land has yet to be negotiated. The Consortium is presently compiling transportation related evidence in consultation with Staffordshire County Council which will determine what transport infrastructure is necessary to support the application at Deanslade Farm, the findings of this work and the subsequent negotiations will determine what mitigation is needed and any contributions will need to satisfy the tests identified by Reg 122.</p>	<p>Planning Bill 2016 following enactment.</p> <p><b>Response: Rep Para 2.6,2.7,2.8</b> Duly Noted <b>Recommendation</b> No amendment</p>
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	<p>2.9 Para 6.2.3 makes reference to the need for any development to engage with SCC over the S.278 agreement. Whilst this position is a matter of fact the Consortium would request that chapter 6.2 of the SPD include some detail on mechanisms the District Council as LPA will commit to as a means of ensuring timely delivery. If SCC as a partner authority are seeking obligations it is considered reasonable that they give some certainty over timescales and mechanisms to ensure the two processes do not conflict or delay one another and that this would be best detailed in the SPD.</p> <p><b>Chapter 6.3 Education</b></p> <p>2.10 Para 6.3.2 makes specific reference to Local Plan Policy Lichfield 6 concept statement being drawing up and used in the formation of the CIL Reg 123 list. The Consortium has acknowledged that research to date has indicated that there is pressure on places in primary schools, and rather less on secondary places, at present. The County Council (LEA) expects the number of pupils arising from a development of 450 dwellings at Deanslade Farm would be about 142 primary pupils and 122 secondary and sixth form pupils.</p> <p>2.11 Discussions with the LEA suggested there is little or no opportunity for sensibly adding capacity at existing primary schools. The consortium is aware that a new primary school is proposed for St John's (the allocated South Lichfield site next door, which is already the subject of a planning resolution to grant) and that it is proposed this new school could be larger than needed for that development. Therefore throughout its promotion the emerging master plans have shown a 1.09 ha school site and the Consortium accepts it is a material consideration and one which will need exploring at application stage. Provided there is no double counting between CIL and S106 provision the Consortium remains willing to explore a suitable strategy.</p>	<p><b>Response Rep Para 2.9</b> Duly noted</p> <p><b>Recommendation</b> See SCC representation, Transportation suggested amendments.</p> <p><b>Response Rep Para 2.10, 2.11</b> Duly noted</p> <p><b>Recommendation</b> No amendment</p>
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	<p><b>Chapter 6.4 Open Space</b></p> <p>2.12 Deanslade Park has consistently been promoted with the aspirations for the delivery of a circa 16 ha country park to occupy the higher ground to provide elevated views over the skyline of the City of Lichfield. The Consortium therefore supports in principle the inclusion of a chapter in the SPD relating to the issue. The policy would be made sound if it included details of the Council position on over provision of open space and whether this could be offset against other requirements. This is further explored at para 2.11 of this note.</p> <p>2.13 The Consortium has no specific comments to raise concerning the 15km zone as this is for the Council and its partners to justify. The one observation the Consortium would like to raise is that the policy should be sufficiently flexible to recognise opportunities for sites to provide on-site mitigation for alternative natural green space if the particular site is appropriate. In the case of Deanslade Farm the formation of the circa 16 ha Country Park offers an opportunity for such a facility and the policy should facilitate this being investigated. Such an approach would encourage recreation on site and reduce pressure on the SAC destinations.</p>	<p><b>Response Rep Para 2.12</b> Duly noted. There is no provision for offsetting relating to the provision of open space. The negotiation of site specific infrastructure will be made on a site by site basis, compliant with Reg 122</p> <p><b>Recommendation</b> No amendments</p> <p><b>Response Rep Para 2.13</b> Duly noted. Guidance to Mitigate the impact of residential development on the Cannock Chase SAC (March 2015) provides further guidance on the</p> <p><b>Recommendation</b> Cross reference to the Guidance to mitigate the impact of residential development on the Cannock Chase SAC (March 2015) be included at 6.5.5.</p>
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	<p><b>Chapter 6.6 Sustainable Urban Drainage (SuDs)</b></p> <p>2.14 The Consortium notes the aspirations of the draft SPD to ensure sustainable drainage is an integral part of all schemes and supports this aspiration. Whilst it is not specifically relevant to the consultation the Consortium do wish to put a clear marker down that they are not willing to entertain SuDs for Deanslade Farm being part of the restoration of the Lichfield Canal. This position has been consistently adopted by the consortium through the Local Plan promotion.</p> <p>2.15 The Council will be aware that the land required for the restoration of the canal alongside Falkland Road, has already been transferred to Staffordshire County Council pending delivery on the ground by the canal charity. This was done at the time of the southern bypass being constructed and the ground is presently open grassland.</p> <p>2.16 The open space on the Deanslade Park master plan is intended to connect to the canal open space and in this sense it will form part of the wider green infrastructure network. However, to clarify the canal land adjacent to Falkland Road will be outside of any future application red line associated with Deanslade Park.</p> <p><b>2.17 Chapter 6.7 Air Quality Management Areas</b></p> <p>2.18 The Consortium notes that an Air Quality Assessment (AQA) will be required where a development is anticipated to give rise to significant changes in air quality. There may also be the need to assess air quality implications of a development where significant change in relevant exposure is anticipated, such as when residential properties are proposed in an area of existing poor air quality.</p>	<p><b>Response Rep Para 2.14, 2.15, 2.16</b> Duly noted <b>Recommendation</b> No amendments</p> <p><b>Response Rep Para 2.17, 2.18, 2.19</b> Duly noted <b>Recommendation</b> No amendments</p>
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	<p>2.19 In Lichfield District, an AQMA has been declared at Muckley Corner for continued exceedances of the annual mean objective for nitrogen dioxide (NO2), resulting from road traffic emissions. Muckley Corner is located approximately 4km from the Deanslade Farm site. It is considered a material consideration that the application process should investigate and any mitigation discussed as part of the application determination process.</p> <p><b>Conclusion</b></p> <p>3.1 Generally the Consortium, is supportive of the proposed SPD as a policy document to bring together developer contributions to deliver the Local Plan’s Special Strategy alongside CIL. There are clearly topics and contributions listed in the draft which in the Consortium’s opinion require further clarification and many elements that should only be debated at applications stage when full site specific evidence is available. This is because the Local Plan and the IDP which underpins the spatial strategy is broad in nature and applying CIL reg 122’s tests site specifically, along with reasonable viability , are detailed considerations.</p> <p>3.2 Therefore the Consortium seeks to put a clear marker down that they will meet the obligations that are lawfully justified pursuant to the provisions of Section 122 of the Community Infrastructure Levy Regulations (2010 in that contributions are;</p> <p>A, necessary to make the development acceptable in planning terms;  B, directly related to the development; and  C, fairly and reasonably related in scale and kind to the development.</p>	<p><b>Response Rep Para 3.1, 3.2,</b>  Duly noted  <b>Recommendation</b>  No amendments</p>
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<p><b>Health and Safety Executive</b></p>	<p>We have concluded that we have no representation to make at this stage of your local planning process. This is because there is insufficient information in the consultation documents on the location and use class of sites that could be developed. In the absence of this information, HSE is unable to give advice regarding the compatibility of future developments within the consultation zones of major hazard establishments and MAHPS located in the area of your Local Plan.</p>	<p>Duly Noted.</p> <p><b>Recommendation</b></p> <p>No amendments</p>
<p><b>Highways England</b></p>	<p>We have reviewed the Developer Contributions SPD and can confirm that it is largely an informative document which details the Council’s approach to planning obligations and complements the Council’s CIL, which is intended to be implemented in early 2016. The national and local policy context is set out, highlighting the Local Plan Strategy in terms of the key infrastructure expected to be delivered in the District over the Plan period. The SPD provides Planning Obligation Guidance in relation to specific Local Plan Policies under a number of key themes (transport, housing etc.). Of relevance to the SRN, the Transport section sets out the strategic transport infrastructure to be delivered, in addition to an indication of that expected to be delivered in part or full by the CIL. In addition, the Air Quality Management Area section indicates the mitigation process required if an air quality assessment for a proposed development indicates a negative impact on air quality.</p> <p>Its content and information therefore has relevance to Highways England. All significant developments and proposed infrastructure delivery coming forward requires consideration for involvement and review by Highways England in terms of securing Developer Contributions in line with key guidance and regulations. Highways England therefore welcome ongoing consultation on the SPD and Local Plan Strategy in terms of key infrastructure delivery and securing developer contributions.</p>	<p>Duly Noted.</p> <p><b>Recommendation</b></p> <p>No amendments</p>

<p><b>Historic England</b></p>	<p>Historic England is aware that the CIL SPD has been approved by PINS subject to minor modifications. We have now had the opportunity to assess the submission document in relation to the previous comments we made to the CIL consultation and would wish to make the following comments:</p> <p><u>Section 6.5 - Environmental and Biodiversity Improvements and Protection</u> Historic environment contributions via CIL are not specifically stated in that document. As such Historic England recommends that Section 6.5 of the Developer Contributions SPD includes reference to the historic environment to ensure that development proposals, where appropriate, are required to contribute towards the protection, conservation and enhancement of the historic environment and heritage assets and their setting.</p> <p>It is recommended that Core Policy 14: Our Built and Historic Environment is referred to within the list of Local Plan Policies which begin Section 6.5 (either with other core policies or after natural heritage policies but before Policy BE1).</p> <p>The wording contained in the last sentence of part 6.5.3 is welcomed and would provide for mitigation/enhancement in respect of the historic environment and development proposals not liable for CIL.</p>	<p><b>Rep response Para 2</b> Duly Noted <b>Recommendation</b> Core Policy 14: Our Built and Historic Environment is added to the list of policies in section 6.5.</p> <p><b>Rep response para 4</b> Para 6.5.3 of the Developer Contributions SPD relates specifically to SAC's. <b>Recommendation</b> To provide clarification the words "to satisfy Habitat Regulations" to be added to the final sentence.</p>
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	<p>It is recommended that an additional part 6.5.6 is included to read:</p> <p><i>‘Core Policy 14 sets out a commitment to protect and improve the built environment and conserve and enhance the historic environment through positive action and partnership working. This is further emphasised in the Adopted Historic Environment SPD. Opportunities for conservation and enhancement of the historic environment will be sought through development proposals which have an impact on a heritage asset and/or its setting.’ - or similar alternative wording.</i></p> <p>Examples indicating how planning obligations may be used could then be set out below e.g. contribution towards the repair, restoration or maintenance of a heritage asset, contribution towards interpretation, signage etc for heritage assets including any archaeological site or resources resulting from archaeological exploration as part of a development proposal.</p> <p>Contributions for such projects would not conflict with public realm contributions which would be dealt with under CIL. However, since public realm, and natural and historic environment improvements and contributions can be viewed as being synergistic, Historic England would recommend that the opportunity is taken within the Development Contribution SPD to state the historic environment as an individual environmental improvement and protection element. This would ensure that there is opportunity to seek contributions for specific heritage related needs through a development proposal if required.</p>	<p><b>Rep response Para 5 and 6</b></p> <p>Suggested text is duplication of text within the Local Plan Strategy and Historic Environment SPD.</p> <p>In terms of development directly related to a heritage asset para 4.6 and 4.7 of the Developer Contributions SPD outlines clearly the need for development to be in compliance with Reg 122.</p> <p>In terms of heritage assets not directly relating to a planning application site the Infrastructure Development Plan makes no reference to specific heritage assets which require investment in order to deliver the Local Plan Strategy or mitigate against the effects of development.</p> <p>Note, vast majority of Heritage Assets across the District are in private ownership.</p> <p>Note, The District Council has a small capital fund which can be used to target Heritage assets at Risk.</p>
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		<p><b>Recommendation</b>          Para 6.5.6 cross referencing the Historic Environment SPD, and the Sustainable Development SPD.</p>
<p><b>Inland Waterways Association</b></p>	<p>We note the following provision for infrastructure works relating to the restoration of the Lichfield Canal:</p> <p>Appendix C Draft Regulation 123 List – table 9.1 (page 34)          Infrastructure to be funded in whole/part by CIL          Improvements to the public realm and local environment.          This includes access to green space and improvements to landscapes and habituates including the following:</p> <ul style="list-style-type: none"> <li>• Infrastructure works relating to the restoration of the Lichfield and Hatherton Canal, with the exception of any works specifically undertaken in relation to any on – site provision by the developer connected to any of the Couth Lichfield SDA’s.</li> </ul> <p>IWA is pleased to support this provision in the Developer Contributions SPD.</p> <p>WE also note with satisfaction that the updated Infrastructure Delivery Plan (2015) now includes appropriate requirements for the provision of bridges and canal channel works in conjunction with each of the 3 South Lichfield SDA’s</p>	<p>Duly Noted</p> <p><b>Recommendation</b>          No amendments</p>

<p><b>Lichfield Civic Society</b></p>	<ol style="list-style-type: none"> <li>1. The system is unduly complex and the overlap between the two systems of Community Infrastructure Levy and section 106 is unclear, is not transparent and is not likely to be understood by the local communities, despite claims of the contrary.</li>   <li>2. Overall there is concerns that the contributions being sought by Staffordshire County Council to education provision appear excessive in relation to other important elements of infrastructure, and that a more satisfactory balance is required, and</li>   <li>3. There is concern about the likely scale of the infrastructure funding gap in Lichfield District and whether the development proposals of the Local Plan can proceed in these circumstances where funding of supporting infrastructure is inadequate. The recent modification of CIL rates in SDAs recommended by the Examiner makes the funding gap even greater.</li> </ol>	<p><b>Rep response Bullet Point 1</b> Section 3 and 4 of the Developer Contributions SPD provide clarity. <b>Recommendation</b> No amendments</p> <p><b>Rep response Bullet Point 2</b> Section 5 of the Developer Contributions SPD outlines the District Council’s approach to viability. The need to consider viability in development proposals is identified in a number of policies in the Local Plan Strategy including Policy IP1. <b>Recommendation</b> No amendments</p> <p><b>Rep response Bullet Point 3</b> Duly Noted. The CIL Charging Schedule was independently examined on the 28<sup>th</sup> Jan 2016, the report on the Examination of the Draft Lichfield District Council Community Infrastructure Levy Charging Schedule concluded that subject to some recommended modifications, the Charging Schedule provides an appropriate</p>
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		<p>basis for the collection of the levy in the area. The SPD seeks to provide a mechanisms to secure funds for infrastructure and contributes to meeting the gap, it is however not the only tool available to enable delivery.</p> <p><b>Recommendation</b> No amendments</p>
<p><b>National Forest</b></p>	<p>The National Forest Company (NFC) is concerned that no reference is made within the document to the potential for financial contributions to be made towards the creation of The National Forest.</p> <p>Saved Policy EA16 of the 1998 Local Plan expects new development within The National Forest ‘to provide trees and woodland planting to enhance the existing landscape’. This Policy has not been replaced by the Local Plan Strategy but will be addressed through the Allocations document. The National Forest Company will expect that the replacement policy expects new developments within the Forest to comply with the NFC’s Guide for Developers and Planners (<a href="http://www.nationalforest.org/woodlands/woodlandcreation/development/">http://www.nationalforest.org/woodlands/woodlandcreation/development/</a>). This will bring the District in line with the remainder of the Forest where all the adopted or emerging Local Plans expect new developments to comply with this guidance.</p> <p>The Guide for Developers and Planners expects woodland planting and landscaping to be undertaken on-site, but where this cannot be accommodated, a mechanism is included for making a financial contribution in lieu.</p>	<p>Duly Noted</p> <p><b>Recommendation</b> Policy EA.16 to be added to the list of Policies under section 6.5 Environment and Biodiversity Improvements and Protection. Policy EA 16 does not support off site contributions. The subject of offsite contributions in relation to the National Forest will be reviewed at Allocations along with Policy EA.16.</p>

	<p>Given that in the first instance, woodland planting and landscaping is expected to occur on-site, contributions towards the creation of The National Forest have not been sought through the Community Infrastructure Levy. However, there remains the possibility that contributions will be sought from specific developments through a planning obligation where planting cannot be accommodated within the development.</p> <p>The NFC therefore considers that the Developer Contributions SPD should be amended to make reference to this. This could fit within section 6.5 Environmental and Biodiversity Improvements and Protection.</p>	
<b>Natural England</b>	<p>Natural England welcomes the document's reference to the Special Areas of Conservation with the LPA's area or influence i.e. the River Mease SCA and the Cannock Chase SAC. We have no further specific comments on the SPD.</p>	<p>Duly Noted</p> <p><b>Recommendation</b></p> <p>No amendments</p>
<b>Town Planning LNW Network Rail</b>	<p>Network Rail would comment as follows, for the attention of the LPA.</p> <p>Pg 12, "Delivery of an additional parking facility to serve the strategic needs of Lichfield Trent Valley station" 6.2.2 Beyond these strategic infrastructure requirements, the Local Plan policies listed above identify a range of potential improvements to various transport services which may incorporate the need for planning obligations to be sought from development proposals."</p> <p>Consideration should be given to financial contributions from developers towards enhancements at railway station within the LPA area, which may be required as a result of increased footfall as a result of redevelopment/increased number of dwellings in an area. Financial contributions could be from CIL or S106 or unilateral undertaking. As Network Rail is a public body it is not reasonable to expect funding for railway infrastructure mitigation measures as a result of third party commercial developments.</p>	<p>Duly Noted. Information to be used to update the Infrastructure Delivery Plan at next review.</p> <p><b>Recommendation</b></p> <p>No amendments</p>

	<p>Enhancements could include but not be limited to:</p> <ul style="list-style-type: none"> <li>• Heated waiting shelters</li> <li>• CCTV</li> <li>• Customer Information Systems</li> <li>• Help-Points</li> <li>• Car Parking facilities</li> <li>• Access for all</li> </ul> <p>Developer contributions towards enhancements at railway stations should be viewed in the same way as contributions towards highways, or local infrastructure improvements. LPAs and developers are welcome to contact Network Rail prior to the submission of outline planning applications to determine if proposals could impact upon footfall at Railway stations. If there is a potential for impact than a developer contribution towards any necessary enhancements should be included as part of the planning obligation.</p>	
<p><b>Tetlow King Planning on behalf of Rentplus.</b></p>	<p><b>What is Affordable Housing?</b></p> <p>It is important to note that, as set out in the enclosed Statement, rent to buy housing has been endorsed by the Government in its recent consultation on proposed amendments to national policy. Specifically, this has included the broadening of the planning definition of affordable housing to include rent to buy. Whilst we consider the Rentplus model to be consistent with the existing definition of affordable housing, the Government’s proposed amendments act as further endorsement. We note the Council has recognised the introduction of Starter Homes and the Housing and Planning Bill’s proposed statutory duties. It also notes at 10.6 that the Government’s proposed changes seek to <i>“encompass a wider range of products that can support people to access home ownership”</i>. The SPD has not fully recognised the Government’s proposal to broaden the definition of affordable housing to specifically include <i>“innovative</i></p>	<p><b>Rep response: What is Affordable Housing?</b></p> <p>Duly noted</p> <p><b>Recommendation</b> Approval through delegated authority will be sought to enable the Appendices of the Developer Contributions SPD to be amended to reflect accurately the Housing and Planning Bill 2016 following enactment.</p>



	<p><i>rent to buy housing</i>". Evidence given by the Housing and Planning Minister, Brandon Lewis MP, to the CLG Select committee on 24th February 2016 was clear that the Government do not intend to conduct any further consultation on the proposed changes and that changes to the NPPF would be made "<i>over the course of this summer</i>". The definition of affordable housing given at 10.2 and as shown in the table at 10.3 of the SPD will need to be updated to reflect these changes, not only to recognise Starter Homes but also rent to buy affordable housing. We recommend that the definitions of affordable housing tenures at 10.3 be updated once the Government's proposed changes are implemented this summer.</p> <p>In due course the Council's affordable housing policies in the Local Plan will need to be reviewed and fully updated.</p> <p><b>Phasing on Large Sites</b></p> <p>We note the Council's statement at 10.16 that affordable housing is expected to be developed at the same time as market housing on large sites. It is possible that early delivery of Rentplus homes will help accelerate overall delivery due to the significant levels of private funding for the model. This would allow early occupation of affordable housing, and the added benefit of the release of existing affordable housing stock by residents moving to Rentplus homes where this better suits their needs and aspirations.</p> <p>In the case of delivery of Rentplus homes it may not always be suitable or desirable to require full dispersal or pepper-potting of affordable homes across a site. The unique hybrid nature and phased release of Rentplus homes over a 20 year period ensures that a wide range of households on the Council's housing register can be properly accommodated, with the added benefit of creating multitenure and multi-generational communities within large scale</p>	<p><b>Rep response: Phasing on Large Sites</b></p> <p>Duly noted. In relation to comments made against 10.16, para 10.18 addresses these concerns. In regard to the Rent Plus Modal, if the Model is brought forward by a registered providers it will be considered on a site by site basis.</p> <p><b>Recommendation</b> No amendment</p>
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	<p>developments over the first 20 years of its development. The Council should take a flexible approach to large scale developments where this will enable high volumes of affordable housing to come forward.</p> <p><b>Design, Layout and Construction of Affordable Housing</b></p> <p>The Council’s statement at 10.19 is now outdated. The Homes and Communities Agency design and quality standards have been replaced with the national technical standards, most relevantly here relating to internal space and accessibility. If the Council wishes to implement these new standards it must undertake a review of local need, and viability test the impact the introduction of the standards would have on deliverability of housing. Such standards may only be introduced through a Local Plan policy, and so references in this paragraph to housing standards should be removed in its entirety.</p> <p>Should the Council consider it useful, a meeting between relevant planning and housing officers and Rentplus would assist in understanding the implications of introducing Rentplus rent to buy homes as part of the overall housing mix across the District. Such a meeting would enable officers to discuss the practical implications of delivering Rentplus homes in Litchfield, and the use of a Memorandum of Understanding (MoU) to establish a working relationship to provide affordable homes across the Borough.</p>	<p><b>Rep response: Design, Layout and Construction of Affordable Housing</b></p> <p>Duly Noted.</p> <p><b>Recommendation</b>  Para 10.19, second sentence, insert Registered Providers may require affordable housing to conform to any Housing and Communities Agency design and quality standards that are in place at the time.</p>
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<p><b>Shenstone Parish Council</b></p>	<p>The Shenstone NP is still to have its examination completed and the questions below assume it will be approved.</p> <ol style="list-style-type: none"> <li>1. Shenstone Parish Council wants assurances that the proposed development viability formula has safeguards in place in the Lichfield's SPD revisions to ensure that the overarching Community Infrastructure Levy contribution does not exhaust a housing developer's financial capacity to contribute to the specific and reasonable onsite housing mix, affordability and infrastructure requirements. In particular we need assurance that the "viability cushion" can be used to protect the proposed Shenstone NP on site priorities for the recommended housing development site.</li> <li>2. Shenstone Council understand that "if the percentage housing mix target cannot be delivered for reasons of viability, an open book viability appraisal will be required to satisfy the council that the proposed scheme would not be viable if the full amount of affordable housing was provided on-site and to help determine the amount and type of affordable housing provision that would be reasonable." The Parish Council wants clarification that (a) there are limits to the housing mix adjustments that will be tolerated and (b) adjustments to the CIL contribution can also be made to secure the NP percentage housing mix target in a proposed development.</li> </ol>	<p><b>Response Rep Bullet point 1</b> CIL rates for Lichfield District Council were independently examined on the 28<sup>th</sup> Jan 2016. The report concluded that subject to some recommended modifications, the LDC Draft CIL Charging Schedule provided an appropriate basis for the collection of the levy in the area. The Charging Schedule was adopted by Full Council on the 19<sup>th</sup> April 2016.</p> <p><b>Recommendation</b> No amendments</p> <p><b>Response Rep Bullet point 2 (a)</b> The NP once made will form part of the Local Development Plan. Social Housing Relief is governed by the Community Infrastructure Levy Regulations 2010 (as amended), Part 6 section 49, 49A, 49B, 49C, 50, 51.</p> <p><b>Recommendation</b> No amendments</p> <p><b>Response Rep Bullet point 2 (b)</b> CIL rates for Lichfield District Council were independently</p>
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	<p>3. Shenstone Parish Council requests confirmation that for the Shenstone NP when approved the local allocation of 25% of the total levy secured in the Shenstone area can only be spent on the stated off site infrastructure priorities identified in the Shenstone NP when approved.</p>	<p>examined on the 28<sup>th</sup> Jan 2016. The report concluded that subject to some recommended modifications, the LDC Draft CIL Charging Schedule provided an appropriate basis for the collection of the levy in the area. The Charging Schedule was adopted by Full Council on the 19<sup>th</sup> April 2016. Adjustment to CIL payments can only be made using the adopted (19<sup>th</sup> April 2016 Full Council) Exemptions, Relief and Exceptional Circumstances Policy following producers set down in the CIL regulations 2010 (as amended) Part 6 section 44.</p> <p><b>Response Rep bullet point 3</b> Duly noted, the Duty to Pass CIL to local councils is governed by the Community Infrastructure Levy Regulations 2010 (as amended), Part 7 section 59A – 59F.</p> <p><b>Recommendation</b> No amendment</p> <p><b>Response Rep bullet point 4</b></p>
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	<p>4. If and when the Shenstone Neighbourhood Plan is subject to a positive referendum and is subsequently approved by Lichfield District Council will any current and relevant planning applications for development but not yet approved or relevant development applications with approval and not yet commenced be included in the local allocation calculation at 25% level.</p>	<p>Duly noted, when during the planning permission process CIL is liable is governed by Part 12 section 128 Transitional Provision of the Community Infrastructure Levy Regulations 2010 (as amended).</p> <p><b>Recommendation</b> No amendment</p>
<p><b>Sport England</b></p>	<p>Experience, training and legal advice suggests to Sport England that the following three guidelines should apply:</p> <ol style="list-style-type: none"> <li>1. <b>CIL should specifically <u>exclude any mitigation measures</u> required to make a development proposal satisfactory in planning terms, e.g. if housing is proposed on playing field the mitigation for that loss under Par NPPF 74 should be dealt with outside of CIL.</b> This needs to be clarified and encompassed within the SPD.</li> <li>2. <b>CIL 123 lists should only include <u>defined projects</u> and not use generic statements such as ‘open space, sport and recreation’. Our understanding of the legal position is that where a generic statement is used for a facility type then all provision is caught within CIL and therefore none can be delivered via S106 (to avoid double dipping).</b> The table in Appendix C could lead to confusion and contested payments – CIL appears to include all indoor sports facilities and all playing pitches, tennis and bowls provision to accord with the Feasibility Study and PPS BUT does not define those site specific and definable projects. S106 contributions are then expected to include (for outdoor sport only) specific schemes (not identified) in SDAs in 4 named locations (areas but not sites) (the same is the case for open space). Sport England therefore suggests the CIL column is revised to</li> </ol>	<p><b>Rep response Bullet Point 1</b> Duly noted. Para 4.7 of the SPD confirms this. <b>Recommendation</b> No amendment</p> <p><b>Rep response Bullet Point 2</b> Duly Noted. Following comments made in the Report on the Examination of the Draft Lichfield District Council Community Infrastructure Levy Charging Schedule report 24<sup>th</sup> February 2016, amendments to aid clarification have been made to the Draft Reg 123 list, (Appendix A of the Draft Developer Contributions SPD January 2016). The Reg 123 list was adopted by Full Council on the 19<sup>th</sup> April.</p>

	<p>include only specific projects that can reasonably be funded through CIL, and then anything outside those defined projects can still be funded by S106 contributions in accordance with policy/standards? As worded the CIL list can be challenged for indoor sport as it is not project specific, and no S106 contributions can be sought at all for indoor sport. In addition it will be hard to secure S106 funding for any outdoor sport at all as it is captured entirely in the CIL list given the generic reference to the PPS.</p> <p>3. <b>CIL 123 lists should be kept to a list of <u>major key priority projects</u> and not seek to deliver all infrastructure. These projects should be the big ticket items where S106 pooling restrictions prevent S106 agreements being a practical tool and where CIL receipts are sufficient to deliver within a reasonable timescale. The project list should exclude smaller projects/improvement schemes that are simpler/quicker/more enforceable for developers/LAs to deliver on or off site via S106 agreements where delivery can become a planning requirement.</b> It is suggested that the major indoor projects such as at the new pool/leisure centre at Friary School should reasonably be on the CIL list but that all outdoor sports projects (which are generally smaller in nature) should be provided via S106 contributions.</p>	<p><b>Recommendation</b> No amendment</p> <p><b>Rep response Bullet Point 3</b> Duly Noted. Following comments made in the Report on the Examination of the Draft Lichfield District Council Community Infrastructure Levy Charging Schedule report 24<sup>th</sup> February 2016, amendments to aid clarification have been made to the Draft Reg 123 list, (Appendix A of the Draft Developer Contributions SPD January 2016). The Reg 123 list was adopted by Full Council on the 19<sup>th</sup> April.</p> <p><b>Recommendation</b> No amendment</p>
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<p><b>Staffordshire County Council</b></p>	<p><b>Transport</b></p> <p>In the transport section para 6.2.3 is misleading. Planning conditions are used as the mechanism to ensure a developer enters into a S278 agreement for highway works. Also S278 agreements are not the only means by which a developer can deliver works within the public highway; but they are most appropriate for larger scale schemes. It is suggested therefore the text below is used to replace the first two sentences of 6.2.3.</p> <p><i>Where a new development (typically a larger scale scheme) gives rise to a specific <b>Off-site</b> improvement then the Council will utilise Planning Obligations and/or <del>Section 278</del> <b>Highways</b> agreements, as appropriate. Section 278 agreements are specifically related to transport improvements and they are made with Staffordshire County Council. The Highway Authority for Staffordshire or Highways England.</i></p> <p><b>Education</b></p> <p>In relation to education provision there may be instances where we need to deliver identified infrastructure ahead of the development to which it relates to ensure the school places are provided in a timely manner to meet needs. We therefore wish to ensure that there is provision in the SPD to allow for the County to fund infrastructure ahead of the development paying for it then recoup our investment from the developers via S106 as we would have if we'd not delivered the infrastructure.</p> <p>We have sought Counsel Opinion on this matter, which is summarised below along with details of an associated Appeal decision.</p> <p>Would it be possible for the County Council to define projects at a school to mitigate development and then fund those ourselves on the basis that we will</p>	<p><b>Rep Response: Transport</b> Duly Noted <b>Recommendation</b> Proposed amendment to be included in SPD.</p> <p><b>Rep Response: Education</b> Duly Noted. This is not something that the SPD currently supports and is not subject to a recommendation.  Note: governance arrangements for CIL will be subject to a Cabinet and Full Council Report. <b>Recommendation</b> No amendment</p>
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	<p>then recoup money from developers via S106? How could we protect ourselves from developers arguing that the capacity is already there because we have been proactive?</p> <p><i>Douglas Edwards QC advised that he had recently been involved with a case in Cambridge which related to a guided bus service. The local authority had built the infrastructure relating to the service first and then sought to recoup the monies from developers. A developer attempted to argue that the infrastructure had already been built and therefore it could not be deemed necessary to make the development acceptable. The local authority was ultimately successful owing to the fact that the SPD which was in place contained the express intention that the infrastructure would be completed upfront and then the monies recouped.</i></p> <p><i>DE summarised that to robustly defend challenge then a policy basis is needed, with specific reference incorporated into the Local Plan or at least an SPD.</i></p> <p>This approach is reinforced in Appeals related to contributions towards the Cambridge Guided Bus</p> <p>(Appeal Decisions APP/Q0505/A/13/2191482, APP/Q0505/E/13/2191474, APP/Q0505/A/13/2196604, APP/Q0505/E/13/2196639).</p> <p>In his decision the Inspector seemed keen to support the local authority in taking a pro-active rather than reactive approach and it clearly wasn't the case of the LA attempting to retrospectively secure infrastructure costs on a speculative basis, as it was apparent that the LA borrowed the money on the basis that it would recoup costs from developers.</p>	
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	<p>We would wish to seek a similar approach in Lichfield insofar as where we have an identified piece of infrastructure that needs to be delivered ahead of the housing we can invest with certainty that contributions from the housing will still be payable. However, we are mindful that this principle is not solely limited to education infrastructure and therefore would be happy to discuss with you suitable wording for incorporation into the SPD.</p>	
<p><b>Staffordshire Wildlife Trust</b></p>	<p><b>8 Appendix B Key Infrastructure Summary</b></p> <p>In the last section on Cannock Chase AONB (including SAC) it states:</p> <p>'Measures for mitigating impact of development on CCSAC, plus access management measures and Including Gentleshaw Common in line with visitor mitigation strategy. Estimated contribution for Lichfield DC area.'</p> <p>This needs some clarification- as far as we are aware, mitigation of impacts on the Cannock Chase SAC are to be focussed on the SAC itself, and not on alternative green spaces. As now managers of Gentleshaw Common, Staffordshire Wildlife Trust is not aware of any contributions planned to be allocated to the common, or any obligations to manage the site relating to Cannock Chase and visitors.</p> <p>We also note that within the Key Infrastructure Summary there are no green infrastructure or biodiversity projects that have been planned or costed to be delivered. The NPPF requires LPAs to 'Plan for biodiversity at a landscape-scale across local authority boundaries' and 'promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;'</p>	<p><b>Rep Response: 8 Appendix B Key Infrastructure Summary</b></p> <p>Duly Noted. Following comments made in the Report on the Examination of the Draft Lichfield District Council Community Infrastructure Levy Charging Schedule report 24<sup>th</sup> February 2016, amendments to aid clarification have been made to the Draft Reg 123 list, (Appendix A of the Draft Developer Contributions SPD January 2016). The Reg 123 list was adopted by Full Council on the 19<sup>th</sup> April. The Reg 123 list along with the Infrastructure Development Plan provides clarity in regard to the CCSAC and other green infrastructure or biodiversity projects. To clarify Environment and Biodiversity project appear on the Reg 123.</p>

	<p>PPG Paragraph: 008 Reference ID: 8-008-20140306 states that: 'Local planning authorities and neighbourhood planning bodies should therefore seek opportunities to work collaboratively with other partners, including <a href="#">Local Nature Partnerships</a>, to develop and deliver a strategic approach to protecting and improving the natural environment based on local priorities and evidence.'</p> <p>While individual developments can contribute some biodiversity gain, to significantly enhance ecological networks there do need to be planned areas that work and contributions can help deliver, such as new country parks etc.</p> <p><b>11 Appendix E Open Space Standards</b></p> <p>The contribution per person to Natural/semi natural green space (including woodlands, canals, lakes, rivers and other Green infrastructure) is 39p per m2 which equates to nearly £82 per person, compared to £300 per person for SDA Amenity Green Space including parks and gardens. This seems low, unless existing habitats are to be opened up for public access. Creation and management of high quality diverse semi-natural habitats is probably lower in cost than more intensive green spaces, but still needs ongoing, sometimes specialist, management.</p>	<p><b>Recommendation</b></p> <p>To avoid confusion Appendix B will be removed from the Developer Contributions SPD.</p> <p><b>Rep Response: 11 Appendix E Open Space Standards</b></p> <p>Duly noted. The cost per provision has been calculated using actual examples implemented by the District Council.</p> <p><b>Recommendation</b></p> <p>No amendment.</p>
<p><b>Tetlow King Planning on behalf of West Midlands HARP Planning Consortium</b></p>	<p><b>Design, Layout and Construction of Affordable Housing</b></p> <p>The Housing Standards Review which concluded in March 2015 has created a new approach for the setting of technical standards for new housing. The new streamlined system which took effect from 1 October 2015 comprises of national optional Building Regulations and an optional Nationally Described Space Standard. The application of the new optional technical standards in</p>	<p>Duly Noted.</p> <p><b>Recommendation</b></p> <p>Para 10.19, second sentence, insert Registered Providers may require affordable housing to conform to any housing and</p>

	<p>decision-taking and plan making was set out by the Government in the Written Ministerial Statement (WMS) of 25 March 2015. These new standards encompass optional Building Regulations on water and access, and a national standard on internal space on new dwellings, to act alongside existing Building Regulations through the planning system.</p> <p><i>As set out in the WMS, “local planning authorities should not set in their emerging Local Plans, neighbourhood plans or supplementary planning documents, any additional technical standards or requirements relating to the construction, internal layout or performance of new dwellings”.</i></p> <p>Paragraph 002 (Reference ID: 56-002-20150327) under <i>Housing – Optional Technical Standards</i> of the Planning Practice Guidance (PPG), states that if a Council wishes to introduce the optional technical standards <i>“local planning authorities will need to gather <u>evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans</u>”.</i></p> <p>With this in mind, the reference in the SPD to HCA standards is incorrect as these standards can no longer be referred to. Reference should instead now be given to the Nationally Described Space Standard and this can only be referred to through a Local Plan policy, not an SPD.</p> <p>The reference to the HCA standards should therefore be removed along with any other technical standards.</p>	<p>Communities agency design and quality standards that are in place at the time.</p>
<p><b>Woodland Trust</b></p>	<p>We are pleased to support the inclusion of “Woodland and Hedgerow projects” in Appendix C – Draft Regulations 123 List. This complies with the National Policy Planning Framework which clearly states: ‘Local planning authorities should.....set out a strategic approach in their Local Plans, Planning positively for</p>	<p>Duly Noted</p> <p><b>Recommendation</b></p> <p>No amendment</p>

	the creation, protection, enhancement and management of networks of biodiversity and green infrastructure'	
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<b>Late Response</b>		
<p><b>Cannock Chase AONB</b></p>	<p>The Partnership is most concerned with how the document relates to the Infrastructure Delivery Plan (IDP) setting out the key aspects of infrastructure that are considered necessary to deliver the expected development identified in the adopted Local Plan, including measures to protect and enhance the AONB and SAC protection and mitigation . In addition, it is important to consider how it relates to the Local plan policies on Environmental and Biodiversity Improvements and Protection.</p> <p>In Appendix B of the SPD lists Key Infrastructure Projects. The inclusion of “Cannock Chase AONB (including SAC)” is welcomed.</p> <p>The Draft Regulation 123 List (IDP) in Appendix C is also welcomed, especially section which refers (in part and by implication) to the AONB.</p> <p>The details in Appendix G from the adopted local plan on the policy approaches to the Cannock Chase SAC are noted and the clarification provided is important. The AONB Joint Committee supports the approach to SAC protection and mitigation but as infrastructure requirements are defined and implemented, we would like to take the opportunity to reiterate the need to distinguish between the site specific Special Area of Conservation and the wider AONB. It should be noted that the SAC does not include all of the AONB and that it is habitat focused and therefore, does not have the wider coverage of matters related to landscape, scenic beauty and quiet enjoyment. Indeed, it is possible that if they are not carefully considered, SAC mitigation measures could adversely affect the AONB and consultation will be required as projects are developed. CIL will need be deployed to meet the complementary but sometimes separate needs of the SAC and the AONB.</p>	<p>Duly Noted</p> <p><b>Recommendation</b></p> <p>No amendment</p>

<p><b>Lichfield &amp; Hatherton Canals Restoration Trust</b></p>	<p>We refer consultation regarding the Developer Contributions SPD and understand that we are responding after the closing date for the consultation.</p> <p>We wish to record that we welcome the inclusion within the documents, on page 34, of a general intention to support our work within the District to restore the Lichfield Canal by means of Developer Contributions.</p>	<p>Duly Noted</p> <p><b>Recommendation</b></p> <p>No amendment</p>
<p><b>Internal</b></p>		
<p><b>Internal: Development Management LDC</b></p>	<p>Para 6.6.1 the development Management Procedure Order is the '2015' version which superseded the 2010 version.</p>	<p>Duly Noted</p> <p><b>Recommendation</b></p> <p>Amend para 6.6.1</p>
<p><b>Internal Housing Strategy LDC</b></p>	<p>Para 10.6 to be reviewed in light of recent government announcements to ensure the statement is accurate.</p> <p>Para 10.19 Remove reference to HCA design and quality standards, these are no longer enforceable.</p> <p>Para 10.21 is too brief and does not provide enough information for developers/applicants. Para 10.21, amended and further paras 10.22, 10.23 and 10.24 include to provide clarity on how commuted sums will be calculated.</p> <p>10.21 Any alternatives to on-site provision will only be considered in exceptional circumstances and where off-site alternatives are considered to be the best way to achieve the delivery of affordable housing. In such circumstances, when robust evidence is available, the developer is encouraged to enter into early discussions with the council to justify the rationale for either off-site provision or a commuted sum payment. Since delivery via a</p>	<p>Duly Noted</p> <p><b>Recommendation</b></p> <p>Para 10.6 : Starter Homes</p> <p>Para 10.19 accept remove of reference.</p> <p>Amended para 10.21 and include proposed paras 10.22,10.23 and 10.24.</p>

	<p>commuted sum would only be applicable in exceptional circumstances, the exact level of payments will be established on a site-by site basis.</p> <p><b>How a commuted sum will be calculated</b></p> <p>10.22 In accordance with the NPPF any commuted sum payment should be broadly equivalent to the cost to the applicant of on-site provision. The sum for each unit will be based on the difference between the Registered Provider offer price (which is the sales revenue expected for each unit) and its open market value. The total calculation will be based on the equivalent number of affordable dwellings that would normally be required on the development site, for example on a site of 20 units, in line with the dynamic viability model the current affordable housing requirement would be 31%, which would equate to 6 units.</p> <p><b>The calculation will be as follows:</b></p> <p>Commutated sum A= B - C</p> <p>A= Developer contribution per unit</p> <p>B= Open market value of each unit</p> <p>C= Registered Provider purchase price for each unit</p> <p>The Registered Provider purchase price (C) will be the offer price per unit in relation to the specific s106 agreement that is being negotiated. An offer price per unit will be obtained from a minimum of 3 council approved Registered Providers, and where it differs the average offer price will be calculated.</p> <p><b>Tenure split</b></p> <p>10.23 The tenure split of the affordable housing will be agreed in line with policy H2 of the Local Plan Strategy and as a guide the District Council will normally require at least 65% of the affordable housing to be social rented.</p> <p><b>The timing of payments</b></p>	
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	<p>10.24 The calculation is to be made at the point the Section 106 agreement is signed, however the sums due will increase by the same percentage increase in the index specified in the section 106 agreement between the month prior to the signing of the agreement and the month prior to the date of payment. The trigger points for the payments should be consistent with the trigger points for the delivery of on-site affordable housing:</p> <ul style="list-style-type: none"> <li>• 50% of the contribution will be paid when 50% of the market homes on the site have been substantially completed, and</li> <li>• the balance of the contribution will be paid when 85% of the market homes on the site have been substantially completed.</li> </ul> <p>In the event of a dispute, the value of the commuted sum will be calculated by a suitable qualified person to be instructed by the council, with costs for this borne by the developer/applicant.</p>	
<p><b>Spatial Policy and Delivery</b></p>	<p>The document should be amended to reflect the CIL Charging Schedule and Reg 123 listed was adopted by Full Council on the 19<sup>th</sup> April 2016.</p>	<p>Duly Noted</p> <p><b>Recommendation</b></p> <p>Update document to reflect current situation.</p>



# Statement of Community Involvement

Cabinet Member: Councillor I. Pritchard

Date: 21<sup>st</sup> April, 2016

Agenda Item: 6

Contact Officer: Craig Jordan

Tel Number: 01543 308202

Email: Craig.jordan@lichfielddc.gov.uk

Key Decision? NO

Local Ward  
Members



**Special Economic  
Growth, Environment  
and Development  
(Overview and Scrutiny)**

## 1. Executive Summary

- 1.1 A Statement of Community Involvement (SCI) is part of a suite of documents which support the preparation of the development plan and development management functions of this authority. It sets the standards which can be expected by the public and statutory consultees for community involvement in the planning process. The Council is required to produce a SCI and comply with the requirements it establishes when preparing development plan documents. A draft version of the SCI forms Appendix A
- 1.2 Following approval of the Economic Growth, Environment and Development (Overview and Scrutiny) Committee in January 2016 formal consultation on the proposed SCI was undertaken for a 6 week period from 1<sup>st</sup> February 2016 to 14<sup>th</sup> March, 2016.
- 1.3 The representations received have been reviewed and are summarised in a table included as Appendix B to this report, along with a summary of a representation which was received.
- 1.4 Following further consideration a number of changes have been proposed by Development Management and the Neighbourhood Plans Officer and these are summarised later in the report and detailed at Appendix C and Appendix D.
- 1.5 Approval is sought to amend the document to incorporate the changes proposed by Development Management and adopt the amended SCI and then to withdraw the SCI which was adopted in 2006.

## 2. Recommendations

- 2.1 The Committee approves the recommendations listed in Appendix B, C and D which relate to all the representations and amendments received to the SCI.
- 2.2 The Committee recommend to Cabinet the approval and adoption of the amended SCI and the withdrawal of the existing SCI which was adopted in 2006.

## 3. Background

- 3.1 A SCI whilst being statutorily required, recognises the valuable contribution community involvement can have in the planning process and that by engaging with our customers this can assist in the delivery of better quality development that meets the needs of current and future generations. In addition customers will be better informed about the planning system and this may reduce the number of enquiries generated.
- 3.2 The draft SCI incorporated the development management procedures established in the Development Control Department-Customer Charter adopted in September 2011 and other changes in planning regulations. In addition the draft SCI incorporated a section relating to Neighbourhood Plans reflecting

the changes in legislation arising from the Localism Act. Other changes reflect changes in technology and the availability of new methods of consultation such as the use of social media.

3.3 Between the 1<sup>st</sup> February, 2016 and the 14<sup>th</sup> March, 2016 formal consultation was undertaken on the draft SCI, 7 representations were received and 1 was received after the deadline. Whilst it is not necessary to consider representations which have been received after the consultation period has ended the comments have been included in Appendix B as a separate table. The main points raised from the consultation can be summarised as follows:

- Support for early engagement
- Requests to be included when consultations are being undertaken
- A request from Lichfield Civic Society to retain a phrase which encourages developers of major sites to establish appropriate liaison arrangements.

Responses to the representations are summarised in Appendix B along with recommended actions. None of the representations are considered to warrant any amendments to the SCI. However the Committee is asked to consider further amendments to the Development Management Section and Neighbourhood Planning Section of the SCI, these are detailed in a separate table in Appendix C and Appendix D. The changes proposed are largely the correction of factual errors following further interpretation of the Town and Country Planning (Development Management Procedure) Order 2015 (DMPO), Neighbourhood Planning (General) Regulations 2012 and the change in the corporate approach sought through Channel Shift, they seek:

- The updating of a number of hyperlinks within the document to the new website and correction of spelling mistakes and grammatical errors.
- Paragraph 4.10 addition of bullet point advising of the action to be taken upon the receipt of an Examiner’s Report on a neighbourhood plan/Order.
- Add the consultation requirements of planning applications which require an EIA to the table, this is for completeness as the information is already include within the document at para 6.5.
- Clarification at paragraph 6.4 and in the tables on the consultation requirements arising from the regulations for applications which are ‘major’ or ‘subject to an environmental assessment, are a departure from the development plan or affect a public right of way or any application which is required to be publicised **from:** writing to all neighbours who adjoin the site of the proposal **and** provide a site notice **to** writing to all adjoining neighbours or owners **or** site notice for a minimum of 21 days. This reflects current Regulation is therefore considered a factual change.
- Correct the phrasing with regard to ‘what we are required to do’ and the ‘additional actions’ in the table at para 6.6 so they accord with the current Regulations. This reduces the requirement to consult with non-statutory consultees, however the SCI proposes that non-statutory consultees are included in the ‘additional actions’ that the Council will undertake over and above that required by the Regulations thus resulting in no lesser opportunity for the involvement by the non-statutory consultees.
- Correct the phrasing to state that Town or Parish Councils are ‘notified’ of planning applications rather than ‘provided with appropriate details of an application’ this represents no change from how they are advised of planning applications by being sent a weekly list of applications registered and reflects the wording in the DMPO.
- Removal of the leaflets previously included in Appendix B of the SCI and removal of reference to the leaflets within the document. This will enable the information provided by the leaflets to be kept up to date as the information will be available from the website.

Alternative Options	<ol style="list-style-type: none"> <li>1. The adopted SCI is not updated and would not provide the necessary guidance to assist in the preparation of policy and decision making.</li> <li>2. Re consult on the SCI as amended following the comments by Development Management.</li> </ol>
Consultation	<ol style="list-style-type: none"> <li>1. Consultation was undertaken for a six week period from 1<sup>st</sup> February, 2016</li> </ol>

until 14<sup>th</sup> March, 2016 as required by the existing SCI. This included a newspaper advert in the Lichfield Mercury, a press release, the document and an invite for comments was placed on the District Council website, and email alerts were sent to those registered on the consultation system including statutory consultees.

1. Consultation is required as part of the planning process. It is expected the cost of complying with the proposed SCI will give better value than the existing SCI.

1. Supports the priority of a vibrant and prosperous economy as it assists in the delivery of the planning function of the Council. It will assist in the delivery of a strong and adaptive council by providing up to date guidance on consultation.
2. By setting standards for consultation it will assist in the delivery of good customer service which is one of our 3 core values.
3. It encourages our residents to use on-line tools for contacting and engaging with us.

1. None. An equalities impact assessment was considered with the draft document in January 2015.

1. None.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	The adopted SCI is not updated and would not provide the necessary guidance to assist in the preparation of policy and decision making.	Review the SCI	Red
B	The SCI is not prepared in time to operate alongside approved policy leading to delays in the preparation of the Land Allocations DPD and confusion to users.	Proceed to adopt the SCI	Green
C	The changes proposed are challenged.	A further period of consultation is undertaken which incorporates the amendments sought by Development Management.	Green

Background documents: Statement of Community Involvement 2006

Relevant web links: [Equalities Statement 2015](#)

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## 1 Introduction

**1.1** The District Council is required to produce a statement of community involvement by the Planning and Compulsory Purchase Act 2004. This document fulfils that obligation and also reflects the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Localism Act 2011 and the National Planning Policy Framework 2012.

**1.2** A statement of community involvement (SCI) sets the standards which can be expected by our customers for community involvement in the planning process.

**1.3** The SCI covers all aspects of the planning process undertaken by Lichfield District Council. This includes the preparation, alteration and continuing review of all local development plan documents such as the Local Plan Strategy and Local Plan Allocations documents. It also covers other documents such as supplementary planning documents and aspects of the neighbourhood planning process and development management decisions.

**1.4** The SCI is applicable to all our customers and includes not just our residents but governmental bodies, other authorities, investors/developers, business community, parish councils, community groups and the general public. The SCI recognises that some of the issues may also affect residents in our neighbouring authority areas and the SCI includes how we will involve them in our planning processes.

**1.5** The SCI recognises the valuable contribution of community involvement in the planning process and that by engaging with our customers we can help deliver better quality development which meets their needs and those of future generations. In addition our customers will be better informed and this may reduce the number of enquiries generated.

**If you need this in another format, such as large print, please call spatial policy and delivery on 01543 308192 or email [developmentplans@lichfielddc.gov.uk](mailto:developmentplans@lichfielddc.gov.uk)**

## 2 Our Customers

### Customer Profile

**2.1** The SCI is applicable to all who engage with us or are aware of the planning system, however the majority of our customers are residents of our District. In order to establish how best to serve our residents it is necessary to look at the population profile of the district and how this is forecast to change.

### Population profile

**2.2** Lichfield District had a population of 100,654 people in 2011 (Census 2011), and this is expected to increase by up to 5% by 2022<sup>(i)</sup>. The District is comprised of 2 large settlements, these are Lichfield City and Burntwood and smaller villages surrounded by open countryside. Across the district the population profile of the different settlements varies, however generally the District has an ageing population, with a higher percentage of the working age population being economically active and a lower percentage of under 16's, when compared to national averages.

**2.3** Approximately 20% of the District's population is aged over 65 years an increase since 2001 and higher than the England wide average figure which is 16.3%, this figure is expected to continue to rise. In 2012 8.3% of the population was over 75 years, compared to 6.9% in 2001. The number of older people living alone and people with limiting long term illness is statistically greater than England and the West Midlands according to the 2011 Census.

**2.4** The proportion of under 16's living in Lichfield District is lower than the national and regional average at 17.5 % and the percentage of working age population is 62.4 %, which is again lower than for the West Midlands and England. The percentage of the working population which are economically active shows that within Lichfield District 78.5% of the working age population are economically active, compared to 74.2% for the West Midlands.

**2.5** The ethnic make up of Lichfield District differs significantly from the regional and national compositions, with people of white British origin accounting for 94.6% of the population. Only 5% of the resident population District are from Black or minority ethnic backgrounds including White Irish/other, mixed, Asian or Asian British, Black or Black British and Chinese or other ethnic group. This is a significantly lower percentage than either the West Midlands or England average. The number of households who have English as a main language in Lichfield District is 99.3% according to the 2011 Census.

**2.6** Within our District there are those who have a long-term health problem or disability. Currently there are 4.5% of persons claiming Disability Living Allowance in Lichfield District. The majority of claimants are between 60-69 years old (24.4% of all claimants)<sup>(ii)</sup>.

**2.7** Lichfield District has a high employment rate with 77.2% of residents who are economically active being in employment, this compares to 73.2% in Staffordshire and 70.2% in the West Midlands. Residents within Lichfield District commute the furthest of all residents in Staffordshire, and have the fifth longest commute of all other authorities in the West

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i 2012 based Subnational Population Projections for England 29 May 2014

ii ONS Benefit Claimants - Disability Living Allowance - February 2014. Equalities Statement 2015

Midlands, travelling an average 17.5km to work, compared to the rest of the Staffordshire districts' average being between 14.5-16km, and the West Midlands' average being 14.1km<sup>(iii)</sup> The County Council as transport authority calculate that 78% of households within Lichfield District are within 350 metres of a half hourly or better week day public transport service, which provides free bus travel to people of pensionable age, those with a disability (plus their carer) and under 20's travel, anywhere in Staffordshire for just £1.

**2.8** Increase in the availability of Broadband and greater use of the internet has increased the accessibility to information. Initiatives such as Superfast Staffordshire will enable 96% of premises in Staffordshire with speeds of upto 24Mbps.<sup>(iv)</sup> In Lichfield District 91.83% of premises including both residential property and business property will have Superfast access by the end of 2017. Many of the larger rural villages, Lichfield City and Burntwood have faster speeds already.

**2.9** Lichfield District is often considered to be a relatively prosperous area when compared to the West Midlands region and in a national context. However within some of our communities there are pockets of deprivation. These are known to exist in Chasetown and Chadsmead Wards and in several of the rural wards.

## Issues arising through the SCI and engagement

**2.10** Through our previous consultations we have identified that not all of our customers are residents within Lichfield District. Where these are government bodies and other authorities such as Parish Councils there are often established electronic methods of communication which comply with legislative requirements. Other customers who are non-residents include people who work in or visit the District and those looking to invest in the District. Currently Lichfield District currently has the highest business start up rate within Staffordshire so it is important we engage with the business community.

**2.11** Whilst the ability to use high speed broadband is increasing across the District it is recognised that not everyone has access to the internet or the necessary skills to utilise it. Using the internet usually involves a cost to the user and this may exclude some of our customers. Whilst using the internet is becoming cheaper, with the increased use of mobile (smart) phones, all the libraries within Staffordshire currently have free access to the internet and can offer assistance to those wishing to use it.

**2.12** In order to address these issues we will do the following:

### What we will do

**2.13** In order to meet the needs of our customers we will:

- Place all matters for consultation on our website.
- Make a paper copy of our documents available to view at our principal office - District Council House, Frog Lane, Lichfield.

iii Office of National Statistics. Employment rate April 2014-March 2015  
iv megabit per second- a measure of data transfer speed

- Provide for the specialist provision of documents when requested, such as producing a document in a larger print or different language.
- Where possible utilise a sensitive and accessible choice of venue for exhibitions and consultation events, reflecting the needs of our customers.

**2.14** The District Council will not entertain representations which are racist/contain offensive language or are threatening and will consider further action where necessary.

**2.15** It is against the law to discriminate against anyone because of: age, being or becoming a transsexual person, being married or in a civil partnership, being pregnant or having a child, disability, race including colour, nationality, ethnic or national origin, religion, belief or lack of religion/belief, sex, sexual orientation. These are called 'protected characteristics'. Refugees and asylum seekers are not specifically identified although they may come within the above groupings. By law<sup>(v)</sup> we have to be able to show that when developing and delivering services we have taken into account the impact on, and the needs of the whole community. An Equality Impact Assessment helps us make this assessment. To help us work out what impact our documents and the subsequent decisions taken will have on our communities and ensure a fair and equitable approach to all, equality impact assessments will continue to be prepared for each document in accordance with Council policy and legislation.

**2.16** The following sections show how we will engage with our customers on specific areas of our work.



### 3 Development Planning

**3.1** The District Council adopted the Local Plan Strategy in February 2015. This provides the strategic context, allocates strategic sites for residential development and sets local planning policies for the area. It will be followed in due course by the Local Plan Allocations Document, which will provide more localised detail. Both documents will comprise the Lichfield District Local Plan and will be supported by a range of other documents including Supplementary Planning Documents (SPDs) and where applicable Neighbourhood Plans. The District Council is required to produce a programme for the preparation of each of the documents that it intends to prepare over the next three years and set these out in a Local Development Scheme (LDS). This is a requirement of section 15 of the Planning and Compulsory Purchase Act 2004 and as amended by the Localism Act 2011.

**3.2** Lichfield District Council adopted a revised and updated LDS in February 2015 and the majority of consultations relating to development planning will be in association with documents identified in the Local Development Scheme. This SCI sets out how consultation will be undertaken to support those documents and others. The preparation of Development Plan Documents (DPDs) such as the 'Local Plan Allocations document', Supplementary Planning Documents (SPD) and Neighbourhood Plans are subject to specific Regulations and this SCI shows how the Council intends to meet these Regulations and exceed them with 'additional actions' where appropriate to deliver/facilitate better quality development plans.

**3.3** It is especially important to engage early in the preparation of a development plan. Regulations<sup>(vi)</sup> require engagement with specific consultation bodies, general consultation bodies and the general public. The specific consultation bodies are specified in the Regulations<sup>(vii)</sup> and include organisations such as Natural England. The 'general consultation bodies' the Regulations suggest should include voluntary bodies whose activities benefit any part of the District, different racial, ethnic or national groups, different religious groups and bodies who represent the interests of disabled persons or persons carrying on business in the District. The Regulations allow for this to be done electronically and many organisations prefer to be contacted via email. The Regulations require the general public to be made aware through the Council's website, by making the document available at the Council's principal office or the public can make a request to be notified of a consultation event. The Council will therefore maintain a database of our customers who wish to be notified of consultation events and make the appropriate document(s) available in alternative formats such as in a larger print, on request.

**3.4** From our experience utilising a range of techniques at the early stages of the Plan enables greater involvement in the plan preparation and ownership of the document by organisations and members of the public. Techniques used previously include press releases, a 'wrap around' newspaper advert, placing paper copies of the documents in libraries, presenting at Parish Forum, encouraging the creation of action groups for collective representations, use of the Lichfield District Council website, exhibitions, master planning exercises for information collection and the use of outside agencies to facilitate workshops. These have had varying degrees of effectiveness. New opportunities such as the use of

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vi The Town and Country Planning (Local Planning)(England) Regulations 2012

vii The Town and Country Planning (Local Planning)(England) Regulations 2012

e-bulletins/newsletters from umbrella organisations e.g Support Staffordshire /VAST are currently available and the table at **Appendix A** lists a variety of consultation techniques which have been used or which could be used and considers the cost and time involved for each. This will be used to inform the decision of the Development Executive (Spatial Policy and Delivery) on what is appropriate and how we engage with our customers during the preparation of our documents.

**3.5** To ensure we reach a wide audience we will issue a press release, in addition to undertaking the requirements set by the Regulations<sup>(viii)</sup> at each stage of preparation, and consider utilising new technologies such as the use of social media and mobile phone applications as they become available corporately.

**3.6** Where the use of exhibitions is considered appropriate, in order to be cost effective and to prevent people being inundated with requests to attend multiple consultation events, the Council will establish whether any consultations/events are being run at the same time which can be utilised. Where appropriate the Council will seek to maximise efficiency by making the best use of resources to satisfy multiple requirements.

**3.7** The following sections set out the stages of consultation for DPDs, SPDs and SCI. The tables identify the current statutory minimum requirements and what else we will do to engage with our customers, our 'additional actions'.

## Development Plan Documents (DPD)

**3.8** DPDs are more regulated than SPDs or the SCI and a development plan document has different consultation requirements. The following table sets out the various stages in the preparation of a DPD and what our customers can expect from us at these various stages so they are able to engage in the process of preparing the development plan and assist in the promotion of sustainable development. As there are statutory requirements the columns show 'what we are required to do by the current Regulations' at each stage in the preparation of a development plan and a further column - the 'additional actions' column which identifies how we will exceed these minimum requirements.

<b>Development Plan Documents (DPD)</b>		
<b>Stage</b>	<b>What we are required to do by the Regulations</b>	<b>Additional actions</b>
Preparation	No specific requirements	Informal engagement with relevant consultation bodies to identify the key issues and scope of the document.  Issue a press release  See table at <b>Appendix A</b>

viii The Town and Country Planning (Local Planning)(England) Regulations 2012

<b>Development Plan Documents (DPD)</b>		
<b>Stage</b>	<b>What we are required to do by the Regulations</b>	<b>Additional actions</b>
Publication of Draft	<p>Seek views on whether the Local Plan and its accompanying suite of documents are legally compliant and sound.</p> <p>Make the documents available for at least 6 weeks via:</p> <p>the Council's website; and</p> <p>at our principal office – District Council House Frog Lane, Lichfield</p> <p>Make the documents available in alternative formats on request</p>	<p>Issue a press release.</p> <p>Consultation with consultation bodies and community involvement using a range of consultation methods as described in the SCI at <b>Appendix A</b> where appropriate and where resources allow e.g email via the consultation database and providing copies of the documents at the libraries.</p>
Submission	<p>Follow the statutory procedures of: providing a copy of the Local Plan, the Sustainability Appraisal/Strategic Environmental Assessment Report, Policies Map, Statement of representations, Copy of the representations, supporting documents and a statement of fact of where the above documents are available for inspection at and when on:</p> <ul style="list-style-type: none"> <li>- the website</li> <li>- Council's principal office - District Council House, Frog Lane, Lichfield</li> <li>- send to each of the general consultation bodies and specific consultation bodies notification of the documents availability</li> <li>- notify those who wish to be notified that the Plan has been submitted</li> </ul>	<p>Issue a press release</p>

<b>Development Plan Documents (DPD)</b>		
<b>Stage</b>	<b>What we are required to do by the Regulations</b>	<b>Additional actions</b>
Examination with oral Hearings (if necessary)	<p>6 weeks prior to the opening of a Hearing.</p> <p>Notify- any person who has made a representation and not withdrawn it, of the date, time and place at which the Hearing is to be held and the name of the person appointed to carry out the independent Examination.</p> <p>In addition put the notification on the Council's website</p> <p>-advertise it at the Council's principal offices (District Council House, Frog Lane, Lichfield during normal office hours.</p> <p>Undertake other notifications that the Inspector and their Programme Officer request (as they are responsible for how the Examination is run.)</p>	<p>Undertake further notifications/consultation should it be considered appropriate in the local authority area.</p> <p>Publish documents relevant to the Independent Examination on the Council's website.</p> <p>Issue a press release</p>
Modifications (if necessary)	<p>Representations are considered by the Inspector (not the Local Planning Authority)</p> <p>Undertake further consultation as required by the Inspector (including where necessary on the SEA/SA and other supporting documents)</p> <p>Make the document available via the Council's website; and</p> <p>at our principal office – District Council House Frog Lane, Lichfield</p>	<p>If consultation is required by the Inspector the Council will make the documents available.</p> <p>Issue a press release</p>

<b>Development Plan Documents (DPD)</b>		
<b>Stage</b>	<b>What we are required to do by the Regulations</b>	<b>Additional actions</b>
Publication of the Inspectors Report	<p>Make the document available for at least 6 weeks via:</p> <p>the Council's website; and</p> <p>at our principal office – District Council House Frog Lane, Lichfield</p> <p>Make the document available in alternative formats on request</p>	Issue a press release
Adoption and Publication	<p>Once adopted make the Local Plan, adoption statement and environmental report available for 6 weeks and the Local Plan available thereafter (until it is withdrawn) via:</p> <p>the Council's website; and</p> <p>at our principal office – District Council House Frog Lane, Lichfield</p> <p>Make the document available in alternative formats on request</p> <p>Notify any person or body that made a representation or who asked to be notified of the adoption.</p> <p>Notify the Secretary of State.</p>	Issue a press release

Table 3.1 Development Plan Document Consultation Table

**3.9** The adoption statement produced to accompany the Local Plan will be in accordance with the appropriate Regulations, currently this includes provision to apply for a judicial review of the decision to adopt the Local Plan in the High Court. Any application to the High Court has to be made within 6 weeks of the date of adoption.

## Supplementary Planning Documents (SPD) and Statement of Community Involvement (SCI)

**3.10** The LDS states that SPDs will be prepared to accompany the development plan. There are statutory procedures which guide consultation on these documents and they are listed in the table below along with additional options which could be utilised. The details are also applicable to the preparation and review of this SCI.

<b>Statement of Community Involvement, Supplementary Planning Documents</b>		
<b>Stage</b>	<b>What we are required to do</b>	<b>Additional options</b>
Preparation	No specific requirements	<p>Informal engagement with relevant consultation bodies to identify the key issues and scope of the document.</p> <p>Issue a press release</p> <p>(See table at <b>Appendix A</b>)</p>
Publication of Draft	<p>Make the document available for at least 4 weeks but no more than 6 weeks via:</p> <p>the Council's website; and</p> <p>at our principal office – District Council House Frog Lane, Lichfield</p> <p>Make the document available in alternative formats on request</p>	<p>Consultation with consultation bodies and community involvement using a range of consultation methods as described in the SCI at <b>Appendix A</b> where appropriate and where resources allow e.g email via the consultation database</p> <p>Issue a press release</p> <p>Consultation with neighbours if the SPD is site specific</p>

<b>Statement of Community Involvement, Supplementary Planning Documents</b>		
<b>Stage</b>	<b>What we are required to do</b>	<b>Additional options</b>
Adoption and Publication	<p>Consider the representations received through the consultation and make amendments/modifications necessary before adopting.</p> <p>Once adopted, produce an adoption statement, a consultation statement and make the document available for 3 months and thereafter (until the document is withdrawn) via:</p> <p>the Council's website; and</p> <p>at our principal office – District Council House Frog Lane, Lichfield</p> <p>Make the document available in alternative formats on request</p> <p>Notify any person or body that made a representation or who asked to be notified of the adoption.</p>	Issue a press release

**Table 3.2 Statement of Community Involvement, Supplementary Planning Documents Consultation table**

**3.11** Following consultation on either an SPD or SCI we will produce a consultation statement. This will state who has been consulted, summarise the issues they raised and include how their issues have been addressed in the SPD. The adoption statement produced to accompany the SPD will be in accordance with the appropriate Regulations, currently this includes provision to apply for a judicial review of the decision to adopt the SPD in the High Court. Any application to the High Court has to be made within 3 months of the date of adoption.

## 4 Neighbourhood Planning

**4.1** The Localism Act 2011 introduced new rights for communities to enable them to draw up a neighbourhood plan and grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders.

### Neighbourhood Plans

**4.2** A neighbourhood plan is an optional further tier of the statutory development plan which can be led by Parish Councils, which are also referred to as the 'qualifying body' in Parished areas, such as Lichfield District. As it is a 'development plan' there are statutory procedures regarding its preparation and these are set out in the Neighbourhood Planning (General) Regulations 2012<sup>(ix)</sup>. Where a Parish Council exists a neighbourhood plan is prepared by or on behalf of that Parish Council, which includes Lichfield City Council and Burntwood Town Council. As neighbourhood plans are prepared by the community they set out local planning policies in relation to that area, but they still have to be in line with national and local planning policy. Consultation and community involvement are important parts of neighbourhood planning and consultation has to include those consultation bodies which are specified in the Regulations and includes organisations such as Natural England. In addition those preparing a neighbourhood plan should also engage with other public bodies, landowners, the development industry, any voluntary bodies and various other persons with interests in the neighbourhood area who represent the relevant interests identified in the Regulations and whose interests it considers may be affected by the draft neighbourhood plan. A neighbourhood plan is subject to independent examination and if found to be acceptable is then voted upon in a local referendum. If the local community choose to agree the Neighbourhood Plan it can then be 'made' (brought into legal force) by the District Council and become part of the 'development plan' for the area and the policies it contains have to be considered when determining planning applications, unless material circumstances indicate otherwise.

**4.3** It is not compulsory to prepare a Neighbourhood Plan and some areas may choose not to prepare one, the District Council can offer advice on this and there is also advice available via the [Council's website](#) and the national websites [planning portal](#) and [locality](#).

**4.4** The District Council's role in the preparation of Neighbourhood Plans is to support those who are preparing a Neighbourhood Plan through offering advice and guidance and by fulfilling our statutory duties in certain areas of the process, such as making available our evidence base and offering advice on how the neighbourhood plan meets the basic conditions<sup>(x)</sup>. We will not however produce/write a Neighbourhood Plan. These processes are also the same for Neighbourhood Development Orders and Community Right to Build Orders and are outlined in paragraph 4.7 below.

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ix Neighbourhood Planning (General) Regulations 2012 as amended

x the basic conditions are set out in para 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to the neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004



## **Neighbourhood Development Order (NDO) and Community Right to Build Orders (CRBO)(Orders)**

**4.5** A Neighbourhood Development Order can grant planning permission for specific types for development in a specific neighbourhood area. There is guidance over what types of development it can give permission for, but these include being used to:

- permit building operations e.g structural alterations, construction, demolition or other works carried out by a builder;
- material changes of use of land and buildings; and/or
- engineering operations.

**4.6** It can:

- apply to a specific site, sites or all of the Neighbourhood Plan area,
- grant planning permission for a certain type or types of development
- grant planning permission outright or subject to conditions

**4.7** A Community Right to Build Order (CRBO) can be used for small scale development such as building of homes, shops, affordable housing for rent or sale, community facilities or playgrounds. This enables the community to develop the land. Any resulting asset can only then be disposed of, improved or developed in a manner which the community organisation considers benefits the local community or a section of it. A CRBO may only be prepared by a Parish Council or Town Council and community organisations which meet certain legal requirements.

**4.8** A CRBO and a NDO need to be in conformity with the Local Plan and if applicable the neighbourhood plan. As with neighbourhood plans, a NDO and CRBO is subject to an independent examination and a referendum and the local authority needs to be included in these stages.

### **Consultation**

**4.9** Consultation and community involvement are important elements in the neighbourhood planning process. Those preparing the Neighbourhood Plan/NDO/CRBO are responsible for consultation in the early stages and preparation of the Draft plan/Order. The District Council does however play a significant role in consulting on neighbourhood plans and Orders (NDO/CRBO). The Regulations specify that the Council when required to undertake consultation for neighbourhood planning purposes must publicise the plan or Order, as applicable, on their website and in such a manner as they consider is likely to bring the proposal or Order to the attention of people who live, work or carry on business in the neighbourhood area. The District Council will therefore publicise the neighbourhood plan/Order on our website and prepare and send out a press release as a minimum.

## The District Council's role

**4.10** The District Council has a statutory role in the preparation of a neighbourhood plan/Order as well as elements of consultation and is responsible for much of the process following the 'submission'<sup>(xi)</sup> of the Draft plan/Order. The Council's statutory role is outlined below, along with how we will exceed these requirements:

- We will make available our evidence base
- We will publicise the applications for the designation of the neighbourhood area for no less than 6 weeks on the Council's website, along with details of how to make representations, the date by which representations should be received and a statement that if the designation is made then no other neighbourhood areas will be designated in that area. We will also issue a press release.
- We will publicise the designation of a neighbourhood area on the Council's website, including a map of the area designated, the name of the neighbourhood area and the name of the relevant body who applied for the designation. We will also issue a press release.
- We will check a draft neighbourhood plan/Order if the qualifying body want us to and advise if it meets all the relevant legislation/ regulations and that it generally conforms to the Local Plan.
- For a neighbourhood plan submission we will publicise details of the plan including where and when the neighbourhood plan can be inspected on the Council's website. We will include how representations to the plan can be made or requests to be notified of the decision on the plan and the date by which those representations should be received, this not being less than 6 weeks from the date the plan is first publicised, this is part of the requirements of Regulation 16 of the legislation on neighbourhood planning. We will also issue a press release.
- For an Order (NDO or CRBO) we will publicise details of the Order and where and when the Order can be inspected on the Council's website. We will include how representations to the Order can be made or requests to be notified of the decision on the Order and the date by which those representations should be received, this not being less than 6 weeks from the date the Order is first publicised, this is part of the requirements of Regulation 23 of the legislation on neighbourhood planning. We will publish on our website any accompanying Environmental Statement which may be required in accordance with the Regulations governing Environmental Impact Assessment. We will also issue a press release.
- We will undertake to notify any consultation body referred to in the consultation statement of the neighbourhood plan/Order as required by the Regulations.
- We will arrange for an examination of the neighbourhood plan or Order and appoint an independent examiner in consultation with the Qualifying Body.
- If the neighbourhood plan/Order is considered by the independent examiner as meeting the 'basic conditions' we will prepare and publish the decision statement and send a

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xi receipt of a neighbourhood plan /Order in accordance with Regulation 16 where this relates to a Neighbourhood Plan or Regulation 23 for an Order of the Neighbourhood Planning(General) Regulations 2012 (as amended)

copy to the relevant Parish Council and any person who asked to be notified of the decision. We will also issue a press release.

- Subject to the findings of the decision statement we will arrange a local referendum on the neighbourhood plan/Order. If over 50% vote in favour then as long as the neighbourhood plan/Order is in compliance with the various legal obligations we will publish on our website the neighbourhood development plan/Order stating where and when it may be inspected and notify any person who asked to be notified of the making of the neighbourhood development plan/Order. We will also issue a press release.

## 5 Sustainability Appraisal

**5.1** A Strategic Environmental Assessment (SEA) and a Sustainability Appraisal (SA) can be separate reports as they arise from different pieces of legislation however they can be combined into a single report where appropriate. A SEA provides a high level of protection of the environment and should contribute to the integration of environmental considerations into the preparation and adoption of the plans with a view to promoting sustainable development. A sustainability appraisal has to appraise the environmental, economic and social effects of the Plan and its policies from the outset of the preparation of the process, so that decisions can be made that accord with the objectives of sustainable development. The requirement to undertake SEA/SA is from European Directive 2001/42/EC and currently the Environmental Assessment of Plans and Programmes Regulations 2004.

### Development Plan Documents

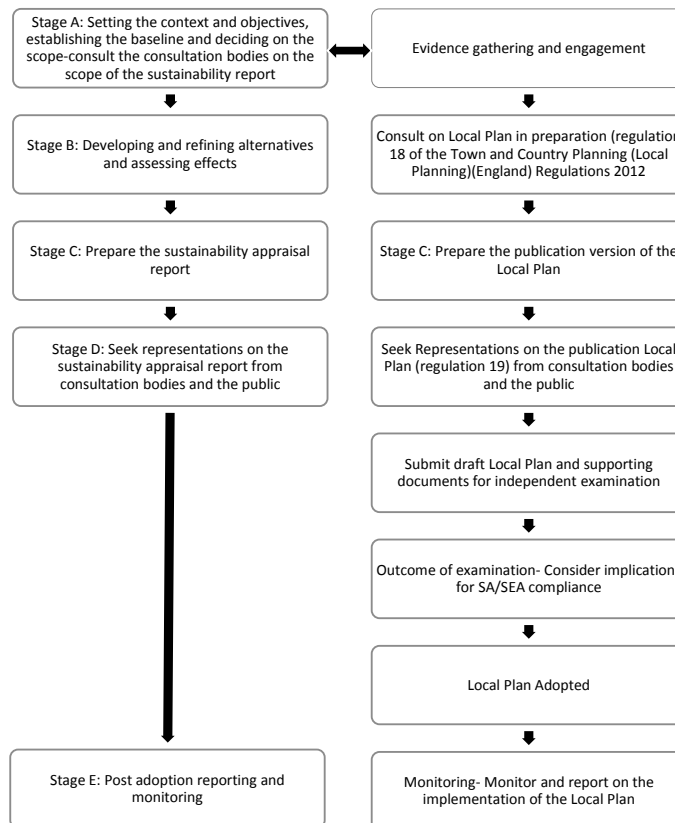
**5.2** The undertaking of Strategic Environmental Assessment (SEA) and a Sustainability Appraisal (SA) are mandatory for a development plan documents, such as a Local Plan, as a requirement of European Directive<sup>(xii)</sup>. Guidance on the content of the SA/SEA reports which need to accompany each stage of the preparation of the Development Plan Document and the requirements to consult are incorporated in the SEA Regulations.<sup>(xiii)</sup> The advice given in these Regulations will be followed by the Council in the preparation of its Development Plan Documents and where appropriate the SA/SEA will be made available alongside the development plan being consulted upon.

**5.3** Below is a useful diagram identifying the stages of the sustainability appraisal process, consultation on the documents produced and how these relate to the preparation of a Local Plan.

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xii European Directive 2001/42/EC

xiii Currently Environmental Assessment of Plans and Programmes Regulations 2004



Picture 5.1 Sustainability appraisal process

## Neighbourhood Planning

**5.4** There is no legal requirement for a neighbourhood plan to undertake a sustainability appraisal (SA). However if a neighbourhood plan allocates sites for development it is likely an environmental assessment (SEA) will be required. It is good practice to assess neighbourhood plan proposals or an Order (CRBO or NDO) to determine whether or not the plan or proposal is likely to have significant environmental effects (SEA) and this will provide evidence for the Examiner to assess if the Plan /Order meets the 'basic conditions'. The Council can assist with this process by providing a screening assessment.

**5.5** The qualifying body must make sure their plan/Order complies with any specific publicity and consultation requirements for SEA and the spatial policy and delivery section can provide advice on this if requested. When the qualifying body are ready to submit their draft plan for consultation as required by Regulation 16, or in the case of an Order (NDO/CRBO) Regulation 23, the District Council is willing to prepare a screening assessment of the draft plan/Order. As part of the preparation of the screening assessment the Council will undertake consultation with the 'statutory environmental bodies' as required by the SA/SEA guidance and incorporate their responses into the screening assessment of the plan/Order. It is worth noting that the statutory environmental bodies are currently entitled to take 21 days to prepare their responses. The Council will send the screening assessment when it is completed to the qualifying body.

**5.6** If the screening assessment finds that there are significant effects likely then it will be necessary for the the next stages of SEA Regulations to be followed, as shown in Stages A to E in Diagram 5.1 above. In the case of a NDO or CRBO the proposal may require an environmental assessment by virtue of the type of development proposed and guidance on this can be found in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended). For a neighbourhood plan it may be possible to modify the neighbourhood plan to remove the requirements for SEA, this can be done by the qualifying body, prior to submission of the draft plan and could also be undertaken by the Examiner who considers the neighbourhood plan. The qualifying body's statement on how it meets the basic conditions should incorporate the screening assessment and should also include how the plan/Order complies with European Regulations. It is important that the neighbourhood plan/Order complies with the EU Regulations as if the plan/Order is not considered as compatible with these EU obligations it will fail in meeting the basic conditions test and not be able to proceed to referendum.

## 6 Development Management

**6.1** Development Management consider the detailed proposals that are submitted to the District Council for consideration and any breaches of planning control. The proposals are submitted to the District Council in a wide variety of applications and are considered against current legislation, national guidance, the Development Plan (currently the Lichfield Local Plan Strategy and the Staffordshire County Council Minerals and Waste Local Plans where appropriate) and relevant SPDs. The involvement of our customers is important and enables them to be better informed which assists us in the delivery of sustainable development.

**6.2** The District Council during the last 3 years has received on average around 900 planning applications per year. This includes applications for listed building consent, advertisement consent, applications for prior notification, certificates of lawfulness. In addition the District Council receives on average 300 planning enforcement enquiries per year.

**6.3** Of the type of application received the vast majority of planning applications, (over 65%) are for 'minor' development with approximately 3% being for 'major' development. Other application types are:

- Listed Building Consent – works affecting a listed building or associated buildings within its curtilage.
- Advertisement Consent – display of certain adverts.
- Applications for Prior notification – confirmation that works comply with the requirements of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) in relation to works involving the erection of agricultural buildings; telecommunications equipment; demolition of buildings; change of use of offices or shops to dwellings and free schools, and agricultural buildings to dwellings, restaurants, offices, hotels, leisure uses, shops, storage uses or solar panels.
- Certificates of Lawful Use of Development – confirmation that an existing or proposed development or land use is lawful.

**6.4** The Government has set out minimum standards for consultation on planning applications in the National Planning Practice Guidance and Article 15 of the Town and Country Planning (Development Management Procedure) Order 2015 (DMPO). There are three categories of application, which require differing levels of publicity:

1. All applications subject to an environmental assessment, all applications which are a departure from the Development Plan and all applications affecting public rights of way are required to be publicised by the display of a notice on the site, and by the placing of an advertisement in a local newspaper.
2. Other applications defined as "major" applications by the DMPO are required to be publicised by the display of a site notice or letters written to adjoining owners/occupiers of land, and by placing an advertisement in a local newspaper. Major applications are those comprising a residential development of more than 10 dwellings, or residential development in outline form on a site of 0.5 hectares or more, or the erection of other buildings creating 1,000 square metres of floor space, or outline applications on sites of 1 hectare or more.

**6.5** Applications for Listed Building Consent, applications affecting the setting of a listed building, or the character or appearance of a conservation area require publicity by way of a site notice and a newspaper advertisement. The requirements for publicity are set out in Regulation 5 and 5A of the Listed Buildings and Conservation Area Regulations 1990 (as amended)

**6.6** The table below illustrates our approach to planning application publicity, it shows what we are required to do to meet the statutory requirements and what actions we will take over and above these statutory requirements.

	Type of development	What we are required to do	Additional actions
Major	<p>For dwellings: where 10 or more are to be constructed (or if no number given, the area is more than 0.5 ha)</p> <p>For all other uses: where the floorspace will be 1000sq.m or more (or site is 1ha or more).</p>	<p>Write to all neighbours who adjoin the site of the proposal.</p> <p>Site notice.</p> <p>Press Notice.</p> <p>Details published on the Council's <a href="#">website</a>.</p> <p>Full details available at the Council's principal office-District Council House, Frog Lane Lichfield.</p> <p>Provide appropriate Town or Parish Council with details of the application.</p> <p>Consult with statutory and non- statutory consultees online.</p>	<p>Advise applicants to consider public meetings exhibitions as appropriate.</p> <p>Advise applicants of the pre- application advice service which is available and encouraged with a Development Team approach and written advice provided. See Council's <a href="#">website</a></p> <p>Consult adjoining local authorities where appropriate.</p> <p>For larger housing schemes applicants will be encouraged to prepare and consult the community on a master plan for the development</p>
Minor	<p>Minor development is development which does not meet the criteria for</p>	<p>Write to all neighbours who adjoin the site of the proposal.</p> <p>Site Notice and press notice if in a conservation area.</p>	<p>Advise applicants of the pre-application advice service which is available and encouraged with written</p>



	Type of development	What we are required to do	Additional actions
	Major Development or the definitions of change of use or householder developments.	<p>Details published on the Council's <a href="#">website</a>.</p> <p>Full details available at the Council's principal office-District Council House, Frog Lane Lichfield.</p> <p>Provide appropriate Town or Parish Council with details of the application.</p> <p>Consult with statutory and non-statutory consultees online.</p>	advice provided. See Council's <a href="#">website</a>
Other	<p>This includes the following categories:</p> <p>Change of Use: Applications that do not concern major development or where no building or engineering work is involved.</p> <p>Householder Development: Defined as those within the curtilage of residential property which require an application for planning permission and are not a change of use</p>	<p>Write to all neighbours who adjoin the site of the proposal.</p> <p>Applications within a conservation area that affect its character are subject to a site notice and /or press notice.</p> <p>Details published on the Council's <a href="#">website</a></p> <p>Full details available at the Council's principal office-District Council House, Frog Lane, Lichfield.</p> <p>Provide appropriate Town or Parish Council with details of the application.</p> <p>Consult with statutory and non-statutory consultees online.</p>	Advise applicants of the pre-application advice which is available and encouraged with written advice provided. See Council's <a href="#">website</a>

Table 6.1 Approach to planning application publicity

**6.7** All consultees and neighbours are given a minimum of 21 days to comment/respond. Where necessary consultees will be given longer to reflect statutory timescales where specified by legislation. Anyone can respond to a consultation. In addition to individuals who might be directly affected, community groups and specific interest groups (national as well as local in some cases) may wish to provide representations.

**6.8** If any significant amendments are received in relation to any of the above categories, we undertake to carry out a further round of consultation. The extent of this re-consultation is dependent upon the scale of the amendments – writing to those (directly) affected and the local Parish Council, if necessary, and allowing 10 days from the date of the consultation letter to respond. However, we are prepared to carry out a full re-consultation process as appropriate.

## **Additional Consultation**

**6.9** In addition to the above applications, we also carry out consultation on the following categories:

Advertisements - We will write to neighbouring occupiers.

Listed Building Consent – We will display a site notice and advertise via a press notice.

Planning applications for demolition in a Conservation Area – We will display a site notice (and a press notice where the character is affected, if necessary).

Certificates of Lawfulness for Existing Development - We will write to neighbouring occupiers and the Parish Council to seek their specific comments.

Applications involving erection or replacement of telecommunication masts - We will write to all occupiers within 100 metres of the site and the relevant Parish Council to seek specific comment.

Wind Turbines – We will write to all occupiers within 500m of the site and the Parish Council to seek their specific comments.

## **Openness and Transparency**

**6.10** We aim to make the planning application process as open and transparent as possible. All planning application documents are available online and only information exempt under the Freedom of Information Act 2000 and the Data Protection Act 1998 is withheld from public view. We also publish a range of advice leaflets intended to guide users of the service through the system – copies of these are available on the Councils [website](#).

**6.11** Applicants are encouraged to discuss proposals in advance and a Duty Officer system is in place during morning office hours to ensure that professional advice is available. Officers are prepared to visit individual occupiers to explain planning applications, if the need arises.

## **Pre-application Discussions**

**6.12** All potential applicants are encouraged to hold informal discussions with Council Officers prior to formally submitting an application. This allows for concerns and issues to be raised and where possible resolved at an early stage in the process. Where appropriate, the views of other professionals (e.g. highway officers) will be sought. As of 2014 the Council started charging for pre-application discussions. Full details of the fees and minimum level of information required are available on the Council's website [http://www.lichfielddc.gov.uk/info/608/development\\_control/1778/protocol](http://www.lichfielddc.gov.uk/info/608/development_control/1778/protocol)

[\\_for\\_pre\\_application\\_discussions\\_on\\_planning\\_applications/2\).](#)

**6.13** In the case of strategic and/or major applications prospective applicant are encouraged to present at a Development Team meeting. This includes relevant officers from the Council and statutory consultees. Local Councillors are encouraged to be involved where necessary. Pre-application discussions are in confidence (subject to the relevant provisions of the Data Protection Act and Freedom of Information Act) although applicants are advised on how to involve Parish/ Town Councils, neighbours and/or the wider community (e.g Civic Society) at an appropriate point.

**6.14** The Council will encourage applicants/developers to undertake appropriate consultation with the local community prior to applications being submitted. Officers will provide further pre-application advice in writing. The Council's Protocol for Pre-application Discussions on Planning Applications sets out the detailed commitment / requirements to this procedure. This can be found on the Council's website ([http://www.lichfielddc.gov.uk/info/608/development\\_control/1778/protocol\\_for\\_pre\\_application\\_discussions\\_on\\_planning\\_applications/2](http://www.lichfielddc.gov.uk/info/608/development_control/1778/protocol_for_pre_application_discussions_on_planning_applications/2))

**6.15** Developers will be encouraged on appropriate major housing development to prepare a master plan. The master plan should include the phasing of development and associated infrastructure, community and recreational facilities, safe routes for cyclists and pedestrians etc. Applicants will be encouraged to consult widely on the master plan with the community, neighbours and residents associations at public meetings and/or exhibitions and to indicate any changes to the plan resulting from the consultation. The Council will only undertake consultation on formal planning applications submitted.

### **How do we involve our customers during the processing of an application?**

**6.16** Any comments, also referred to as representations, which are received on an application are considered by a planning officer, who will weigh these with other related issues (such as the planning policies of the District Council and national planning guidance) in the assessment of the development proposal.

### **How do we involve our customers when the application goes to Committee?**

**6.17** All planning application decisions contain a report on the proposal and this report contains a summary of all representations received from local residents, the Parish Council, relevant consultees etc. All comments are considered in reaching a decision on the application. All reports written by Planning Officers are available on request. The more significant or controversial applications are presented to the Council's Planning Committee for their consideration whilst others are delegated by the District Council to senior officers to determine as they fall within the Council's approved 'Scheme of Delegation'. The Planning Committee meets every third Monday evening in the Council Chamber and is open to members of the public. A report is prepared by the Planning Officer making certain recommendations to the Committee to either approve or refuse the proposal. It is for the Committee to decide to either accept or reject these recommendations, as long as they have good planning reasons to do so. As part of the deliberations of the Committee, members of

the public, applicants or agents can make verbal submissions directly to the Committee and detailed advice on the operations of this process are contained in **Appendix B**. Copies of all reports to the Council's Planning Committee are published on the Council's website.

## **How do we involve our customers after a decision is taken on a planning application?**

**6.18** Once a planning application is determined, the decision is publicised on the Council's website. <http://www.lichfielddc.gov.uk>

**6.19** Often there are conditions attached to any grant of consent and if there are concerns from local residents or others that the development is not being carried out in accordance with those conditions, then by contacting the District Council, investigations can be carried out to ensure that the development is implemented in the correct manner. Decision notices contain detailed reasons for approval or refusal and for all conditions imposed upon any permission. Where developer contributions are available the Council will be open and transparent about the intended use of those monies. Details on how applicants can appeal are contained within all decision notices issued by the Council. There is no third party right of appeal.

## **How do we involve our customers if an appeal is received on a planning application?**

**6.20** If a planning application is refused or conditions are imposed on a permission that an applicant is unhappy with, the applicant has the right of appeal against the Council's decision to the independent Planning Inspectorate. Applicants can choose whether to have their appeal decided through an exchange of correspondence (known as written representations), at an informal hearing or at a more formal Public Inquiry. All domestic Householder appeals and some small scale commercial appeals are exclusively dealt with through a fast track appeal system, in which no further comments at the appeal stage are accepted by the Planning Inspectorate and only comments received by the time the application is determined are taken into consideration by the Planning Inspector. Whichever option is chosen, those who originally commented, and any interested parties, on the planning application are invited to make further representations directly to the Planning Inspectorate. An independent Inspector is then appointed to review the case. If the matter is to be heard by an Inspector at either an informal hearing or a Public Inquiry then the interested parties including local residents and amenity groups will be invited to make verbal submissions directly to the Inspector. The applicant and District Council also appear at the hearing or Inquiry. Whilst the appeal process is an independent process operated by the Planning Inspectorate, some of the administration (notifying people of relevant dates etc.) is undertaken by the District Council.

## **How else do we involve our customers?**

- We attend the Parish Forum on a regular basis;
- We will visit individual's homes, upon request, if residents are disabled or housebound to explain development proposals;
- We provide planning advice and guidance on the Council [website](#);

- We display all planning application details on the Council [website](#); and
- We accept comments on planning applications via the Councils [website](#), email or through letter.

## 7 Monitoring and Review

**7.1** The District Council will monitor the success of community involvement through its Annual Monitoring Report (AMR).

**7.2** The AMR monitors the number of users of the District Council's on line consultation portal and the levels of engagement from members of the public and other stakeholders to public engagement opportunities, such as consultation at the various stages of the Local Plan production. The AMR also tracks the number of visits to our web pages.

**7.3** The AMR is produced annually and a review of the SCI will be considered where there has been a particularly low level of community participation or issues have emerged in terms of its implementation.

**7.4** The Council also has a complaints and compliments procedure to help us improve our services to our customers and this involves an annual report to the Standards Committee.

## 8 Appendix A - Table showing appraisal of options for consultation

Type of consultation	Advantages	Disadvantages	Material cost	Staff time
Website	<p>Statutory requirement</p> <p>Easy to update</p> <p>Lots of information</p> <p>Accessible 24 hours a day so is accessible to those who are short of time</p>	<p>Not targeted</p> <p>Not everyone has access to the internet</p>	Low	Low
Documents at Principal office (District Council House, Frog Lane, Lichfield)	<p>Statutory requirement</p> <p>Location is accessible to the public</p> <p>Access to officers/expertise can be arranged</p>	Restricted opening hours	Low	Low
Libraries and key community offices where appropriate	<p>Established form of consultation utilising existing and established resources</p> <p>Provides a paper copy close to residents</p> <p>Supported access to computers</p> <p>Reaches residents on cross boundary issues</p>	Restricted opening hours	Low	Low/Medium

<b>Type of consultation</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Material cost</b>	<b>Staff time</b>
E mail via Local Plan consultation database	<p>Enables persons to register an interest and be kept informed of all consultation events</p> <p>Allows persons to manage their involvement over the duration of the preparation of the Plan</p>		Low after initial purchase	Medium
Utilise existing networks such as Support Staffordshire, Economic Partnerships etc	<p>Established method for passing of information so it reaches the correct person in an organisation.</p> <p>Up to date.</p>	Relies on others to circulate the information and keep the database up to date	Low	Low
Mobile Phone 'App'	Especially good for engaging with young people and those who are short of time	<p>Limited accessibility to some members of society</p> <p>Not available corporately yet</p> <p>Needs to link to other databases and the website to keep officer time and cost low</p>	Low if done corporately	Low if done corporately
Corporate Social Media Twitter etc	<p>Existing corporate account with followers</p> <p>Lots of businesses use it</p>	Difficulty in the management of comments and their inclusion within the process	Low	Low if done corporately



Type of consultation	Advantages	Disadvantages	Material cost	Staff time
	Moderated corporately	Limited information can be posted		
Council Tax Letter/ Council newsletter-'Intouch'	Reaches all households within the District.	Limited to a certain time of the year  Information is limited and will be generic rather than specific	Low	Low
Business Tax Letter	Reaches lots of businesses	Limited to a certain time of the year  Information is limited and will be generic rather than specific	Low	Low
Exhibitions and attendance at other parallel events where possible	Can be unmanned but can direct access to expertise/officers  Can be in more accessible locations and combined with other events  Meets public expectation	Mixed levels of attendance  Attendance may not be representative of the wider community  Subject to staff availability and resources	Medium	High
Press Release	Can be sent to lots of publications  Can reach lots of properties	Relies on the distribution area of the newspaper so may not cover all District or all properties	Low	Low

Type of consultation	Advantages	Disadvantages	Material cost	Staff time
		Any subsequent article may not be unbiased		
Advert/ Press Notice/ Questionnaire/ Insert or wrap around on the newspaper	Accurate Concise information May be required by certain Regulations	Relies on the distribution area of the newspaper so may not cover all District or all properties  Response often low, needs freepost return address	High	Medium/High
Notice Boards/ Posters/ Partners Newsletters	Reaches local communities  Allows for a targeted approach	Limited information  Relies on others to put up/remove notices  Limited to certain times for circulation  Unknown distribution	Medium	Medium
Focus Groups/ Planning for Real Exercises/ Masterplanning Exercises	Useful for detailed evidence gathering on complex issues  Can be targeted to represent particular groups so can address areas where under representation is required		High	High

<b>Type of consultation</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Material cost</b>	<b>Staff time</b>
Parish Forum	Builds on links to Neighbourhood Plans/Parish Plans etc.	Frequency of meetings and attendance may not always be appropriate	Low	Low
Neighbourhood/ Locality Meetings/Public Meetings/Schools/ Organisations e.g local interest groups	Can be very detailed	Duplicates exhibitions  Sometimes not representative and can be difficult to hear all views  Subject to staff availability and resources	Medium	High

Table 8.1 Appendix A Community Involvement Techniques

**9 Appendix B - Leaflets on the Planning Committee and Speaking at Planning Committee**

issues surrounding each case.

If the Committee seeks to make a decision different to the recommendation, that decision must be based upon proper planning reasons. Should additional information be required, then an application may be deferred until a subsequent meeting in order for that information to be provided.

## Further information

For further information relating to the Planning Committee and when it meets please contact Mike Galvin, Committee Clerk on 01543 308075 or visit [www.lichfielddc.gov.uk](http://www.lichfielddc.gov.uk)

## Planning Committee: useful information

Chairman of Planning Committee

**Councillor Mr D Smedley**

Vice Chairman of Planning Committee

**Councillor Mr T Marshall**

## Contact Address

**Development, Democratic & Legal Services**

Lichfield District Council

District Council House, Frog Lane

Lichfield WS13 6YZ

T: 01543 308000

Email: [devcontrol@lichfielddc.gov.uk](mailto:devcontrol@lichfielddc.gov.uk)

Visit our web site: [www.lichfielddc.gov.uk](http://www.lichfielddc.gov.uk)

## Any views?

If, after having experienced Planning Committee, you have any observations to make over the decision making process then please submit your views in writing to the Development Control Manager using the contact address.



# How it Works

## What is the Planning Committee?

This is the Committee that makes decisions on planning applications in the Lichfield District area. It also considers matters of tree preservation orders, enforcement, building control and listed buildings.

## When does the Committee meet?

It generally meets every three weeks on Monday evenings at 6pm in the Council Chamber at the District Council offices in Frog Lane, Lichfield. Members of the public are able to attend Committee.

## Who is on the Committee?

The Committee is made up of 22 of the elected District Councillors. Councillors receive training in planning and the Chairman and Vice Chairman is appointed annually.

The Committee receives advice from Council Officers, in relation to planning and legal matters.

## Why are some planning applications decided by the Committee and not others?

Senior planning officers have powers delegated to them to determine applications on behalf of The Committee and approximately 95% of applications are determined in this manner.

The applications which are presented to the Planning Committee are normally larger and more significant applications raising a number of planning issues.

## How does the Committee reach its decision?

Five working days before the meeting of the Committee, copies of the agenda containing the full reports of the Planning Officers are circulated to Councillors on the Committee and are also available for public inspection. Agendas may be viewed on the Councils' website.

Each report contains full details of the proposal along with a summary of the history of the site

in question, the relevant policies, summaries of the views of objectors and supporters, and the reasoned judgement of the Planning Officers. It also contains a recommendation from Officers to approve or refuse the application.

At the meeting, where requested, the Officers will provide information on each application and debates will ensue on the cases where Councillors wish to express a view. Members of the public may address the Committee, usually to object or offer support on an application (please see guidance on 'Having your Say'). The Committee will finally make a decision on the application on the basis of the Officers' recommendations, the substance of the discussion and any other information received during the Committee debate. This decision is reached either unanimously, or, where opinion is divided, by a show of hands.

## Does the Committee have to accept the recommendation in the report?

The planning agenda contains recommendations from the Planning Officers. These recommendations are not binding upon the Committee and it is free to make a decision on the basis of the planning merits and other





# Having Your Say

**This leaflet applies to applications which are to be considered by the Planning Committee.**

The committee generally meets every three weeks at the District Council House, Lichfield on a Monday evening, starting at 6pm. **If you are speaking you should arrive by 5.45pm at the latest and make yourself known to the Committee Clerk.**

Members of the public have the right to attend meetings of the Committee and, in certain circumstances, the opportunity to speak either for or against particular planning applications.

## Can I speak at Committee?

If you are the applicant or have written to the District Council either in support or to object to an application, then you potentially have an opportunity to make verbal representations to the Committee. **Only one person may speak on behalf of each group.** This includes one objector, one supporter, in addition to the applicant or their acting agent. In the case of objectors or supporters, if there are more than one, then agreement must be reached on one person to present their case. Failure to reach agreement amongst those registering to speak will result in only the first person registered being called.

## Does the recommendation of the officer affect who may speak at Committee?

The recommendation of the Officers does not determine who may make representations to the Committee. If an application is recommended for refusal, verbal submissions in support of the application may be offered either by the applicant/agent or any other supporter who has made written representations to this effect to the District Council. If an application is recommended for approval an objector to that application may make representations to the committee, but any representations made by objectors will automatically trigger a right of reply by the applicant/agent.

## When does public speaking occur?

The agenda will be considered in chronological order and when an item, against which speakers are registered, is introduced by the planning officer the Chairman will then call upon the speaker/s to make their representations to the Committee. Where different parties wish to speak, they will be heard in the order of objector, supporter and then the applicant/agent.

## How long does each speaker have?

The speaker will be allowed a **maximum of five minutes** within which to present their case and at the end of the five minute period, the speaker will be instructed by the Chairman to cease and no further verbal submissions will be received.

## What can I say?

Representations to the committee must be

- **Relevant to the application**
- **Relate to planning considerations**
- **A statement of fact, or**
- **A statement of personal opinion**

The submissions should focus upon the planning merits of the proposal and any submission outside of these areas may lead to the interjection of the Chairman. No new written or visual information will be accepted at the meeting, except with the prior agreement of the Chairman.

## How can a registration of interest to speak be recorded?

The planning agenda will be released for public viewing five working days prior to the meeting of the Planning Committee. As soon as it is known that a particular application is to be reported to the Committee all those who have



## 10 Glossary

Term	Abbreviation	Meaning
Annual Monitoring Report	<b>AMR</b>	A report prepared annually assessing the progress and effectiveness of the policies in the Local Plan.
Community Right to Build Order	<b>CRBO</b>	An Order prepared by a Parish or Town Council which enables the community to provide small scale developments on a specific site or sites in their neighbourhood area.
Development Planning Document	<b>DPD</b>	A document such as the Lichfield District Local Plan Strategy or the Lichfield Local Plan Allocations document prepared by the local planning authority, Lichfield District Council, and produced under the Planning and Compulsory Purchase Act 2004 (as amended).
Local Development Scheme	<b>LDS</b>	A project plan which sets out the timetable for the preparation of the documents that will form part of the Lichfield District Local Plan.
Local Plan		A document such as the Lichfield District Local Plan Strategy or the Lichfield Local Plan Allocations document. It is a development plan document prepared by the local planning authority, Lichfield District Council, in accordance with the Planning and Compulsory Purchase Act 2004 (as amended).
Neighbourhood Development Order	<b>NDO</b>	An Order which can grant planning permission for specific types of development in a specific neighbourhood area.
Neighbourhood Plan		Is a plan which addresses the use of land and is prepared by a Parish or Town Council. It can be adopted by the Local Planning Authority, Lichfield District Council, and form part of the development plan for the area.
Parish Forum		A constituted body which is a partnership between parish councils and the district council which meets about 5-6 times a year



Term	Abbreviation	Meaning
Statement of Community Involvement	<b>SCI</b>	It is prepared by the local planning authority and sets the standards and processes to be followed when preparing development plans, supplementary planning documents and the varying types of planning applications
Strategic Environmental Assessment/Sustainability Appraisal	<b>SEA/SA</b>	A process which assesses how plans and proposals effect social, environmental and economic issues with a view to promoting sustainable development.
Supplementary Planning Documents	<b>SPD</b>	Provide further guidance on the policies contained in the Local Plan.

## Glossary

## Appendix B

### Statement of Community Involvement 2016 – Summary of Representations

Name	Summary of the Main Issues	How those issues have been addressed
Natural England	Support the principle of meaningful and early engagement with the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications	Noted
Historic England	No comments	Noted
Lichfield Civic Society (LCS)	<p>Suggest addition to section ‘How do we involve our customers after a decision is taken on a planning application?’ to encourage developers of major sites, such as the SDA’s to establish appropriate consultation liaison arrangements, as per the existing SCI .</p> <p>Need to regularise the website and the SCI as the draft SCI says ‘ write to all neighbours who adjoin the site of the proposal’ and the website states ‘we will write to nearby residents and/or put up notices around your development site’ and the existing SCI states ‘write to all neighbours who are likely to be affected by the proposal’</p> <p>For major and minor developments, it states ‘consult with statutory and non-statutory consultees on-line’ as a non-statutory consultee we do not get routinely consulted on all developments? Is this correct? We are not seeking to be notified of all developments.</p>	<p>Whilst it is appreciated some coordination between developers and neighbouring residents would be welcomed and potentially smooth any issues arising during the construction phase. There is no statutory requirement for developers or the LPA to engage with customers/local residents after a planning decision has been made. Therefore it would be difficult to enforce or coordinate. Also there would be resource implications of the council officers in doing this. The website and the existing SCI will be superseded by the SCI 2016 when adopted, and the website will need to be amended accordingly.</p> <p>LCS are consulted on all major applications and applications in Lichfield Conservation Area or affecting a Listed Building. They also receive the weekly list of all applications.</p>
Woodland Trust	The woodland Trust would like to be included as a ‘general consultation body’ for Local Plan documents including DPD and SPD.	The consultation centre has been amended accordingly.

	Para 6.9 add an additional category regarding ancient woodland planning application cases and consult the woodland trust.	Woodland Trust are a non-statutory consultee- but we do consult them if development affects an ancient woodland.
Highways England	An informative document which has a local focus and details the approach for customer consultation within the District on the various planning documentation. Its content and information has minimal consideration for Highways England / the SRN. Given the proximity of the SRN to Lichfield District, Highways England remain important in the ongoing local planning process, with Local Plan documentation clearly being more relevant to the SRN than the detail of the SCI. Highways England therefore welcome ongoing consultation on the Local Development Scheme as it develops over the next three years.	Highways England are a statutory consultee. No changes necessary. Contact details to be checked.
Network Rail	Network Rail are a statutory consultee if an application is situated within 10 metres of relevant railway land. Contact details provided.	Network Rail are a statutory consultee. No changes necessary. Contact details to be checked.
Health and Safety Executive	HSE acknowledges that early consultation can be an effective way of alleviating problems due to incompatible development at the later stages of the planning process, and that we may be able to provide advice on development compatibility as your plan progresses. Therefore, we would like to be consulted further on local plan documents where detailed land allocations and use class proposals are made; e.g. site specific allocations of land in development planning documents. Contact details provided.	No changes necessary. Contact details to be checked.

## Late Representations

Name	Summary of Main Issues	How those issues have been addressed
AONB Partnership	<p>Extend the word 'customers' so it includes specific reference to organisations which have a statutory role in the planning process.</p> <p>In section 3 (4 and 5) list the AONB Joint Committee as one of the other organisations to be consulted on DPD and SPD.</p> <p>In Section 6 identify the AONB Joint Committee as a specific local consultee. Perhaps include an appendix of organisations with which it is intended to consult/engage?</p>	<p>The word customers includes all, by listing those it includes its risks excluding some. No changes proposed.</p> <p>No organisations are listed with which it is intended to consult as the list would be impossible to keep up to date. The AONB Joint Committee are identified on the consultation system as a general consultation body and receive email alerts on all DPD and SPD. No changes proposed.</p> <p>The AONB unit receive the weekly list and ask for consultation if necessary or planning officers do additionally make requests to consult them if pertinent to the proposed development.</p>

## Appendix C

### Neighbourhood Plans Officer and Development Management Comments

Paragraph number	Summary of Main Issues	How those issues have been addressed
Para 4.10	Action to be taken upon the receipt of an Examiner's Report on a neighbourhood plan/Order	<p>Include an additional bullet point advising that the Examiner's Report will be published on the LDC website and provided to the Qualifying Body and a correction to delete 'If the neighbourhood plan/Order is considered by the independent examiner a meeting the 'basic conditions' and replace with ' Following the publication of the Examiner's Report' No Objections change reflects current regulations.</p>

<p>Para 6.4</p>	<p>Amendment to para 2:  <del>Other</del> Applications defined as ‘major’ applications by the DMPO.....Major applications.. or the erection of other buildings creating 1,000sqm or more of floorspace, or outline....’  Add para 3.  ‘3. If an application does not fall in the above categories, then it is required to be publicised by the display of a site notice or by letter to adjoining occupiers/owners.’</p>	<p>No objections. Change reflects current regulations and practice and does not impose greater restriction upon an individual or the Council.</p>
<p>Table at para 6.6</p>	<p>See attached table, changes include:  Clarifying that it is either a site notice or written notification that is required.  Alter the form of words from ‘Provide appropriate’ to ‘Notify’</p> <p>Delete non-statutory consultees from the ‘what we are required to do’ column and include it in the ‘additional actions’ column</p> <p>Minor development add requirements which relate to listed buildings to the table</p> <p>Other development: ‘Householder development: Defined as those works within the curtilage of a residential property..’</p>	<p>No objections. Change reflects current regulations</p> <p>No objections. Change reflects current regulations and practice and does not impose greater restriction upon an individual or the Council.</p> <p>No objections. Change reflects current regulations and practice and does not impose greater restriction upon an individual or the Council.</p> <p>No objections. No objection this duplicates the information in para 6.5.</p> <p>No objections.</p>
<p>Para 6.8</p>	<p>Re phrase sentence: The extent of this re-consultation is dependent upon the scale of the amendments – writing to those (directly) affected and the local Parish/Town Council, if necessary. It is at the discretion of the Local</p>	<p>No objections. Change proposed.</p>

	Planning Authority as to the need and length of re-consultation however we normally allow a minimum <del>and allowing</del> 10 days from the date of the re-consultation letter to respond. However we are prepared to carry out a full re-consultation process as appropriate. , or where it is an EIA application.	
Paragraph Additional consultations	Rename title from 'Additional Consultations' to 'Other consultations'	No objections.
Additional consultations	Advertisements – we will write to neighbouring occupiers/owners.  Delete sentences relating to Listed Building Consent and Planning applications for demolition in a conservation area as these are already referred to in para 6.5	No objections. Change reflects current regulations and practice and does not impose greater restriction upon an individual or the Council. No objection. No new information is proposed as the information is already included at para 6.5. and is proposed to be added to the table at para 6.6.
Openness and Transparency para 6.10	Delete reference to leaflets being available in reception.	No objections. The leaflets become out of date within a year and the information is available online.
6.16	Add to the end of the paragraph 'before reaching a recommendation'	No objections.
6.17	Add non-Committee ward councillors to those who can make verbal submissions directly to the Committee. Delete reference to Appendix B (the leaflets)	No objections. Change reflects current practice and does not therefore impose greater restriction upon an individual or the Council. No objections (see above).

## Appendix D

**Table 6.1 Approach to planning application publicity**

	<b>Type of development</b>	<b>What we are required to do</b>	<b>Additional actions</b>
Major	<p>For dwellings: where 10 or more are to be constructed (or if no number given, the area is more than 0.5 ha)</p> <p>For all other uses: where the floorspace will be 1000sq.m or more (or site is 1ha or more).</p>	<p>Write to all adjoining owners <del>neighbours</del> or occupiers <del>who adjoin the site of the proposal</del>.</p> <p>Or post a sSite notice.</p> <p>Press Notice.</p> <p>Details published on the Council's website.</p> <p>Full details available at the Council's principal office-District Council House, Frog Lane Lichfield.</p> <p><del>Provide appropriate</del> Notify the appropriate Town or Parish Council <del>with details</del> of the application.</p> <p>Consult with statutory <del>and non-statutory</del> consultees online.</p>	<p>Advise applicants to consider public meetings/exhibitions as appropriate.</p> <p>Advise applicants of and encourage engagement with the pre-application advice service <del>which is available and encouraged with a</del> including the-Development Team approach <del>and written advice provided</del>. See Council's website</p> <p>Consult adjoining local authorities where appropriate.</p> <p>For larger housing schemes applicants will be encouraged to prepare and consult the community on a master plan for the development.</p> <p>Consult with non-statutory consultees.</p>
Minor	<p>Minor development is development which does not meet the criteria for Major Development or the definitions of change of use or householder developments.</p>	<p>Write to all adjoining owners <del>neighbours</del> or occupiers <del>who adjoin the site of the proposal</del>.</p> <p>Or post a sSite notice.</p> <p>If affecting the setting of a conservation area also do a <del>and</del> press notice if in a conservation area.</p> <p>Details published on the Council's website.</p> <p>Full details available at the Council's principal office-District Council House, Frog Lane Lichfield.</p> <p><del>Provide appropriate</del> Notify the appropriate Town or Parish Council <del>with details</del> of the application.</p> <p>Consult with statutory <del>and non-statutory</del> consultees online.</p>	<p>Advise applicants of and encourage engagement with the pre-application advice service <del>which is available and encouraged with a</del> including the-Development Team approach <del>and written advice provided</del>. See Council's website.</p> <p>Consult with non-statutory consultees.</p>

Other	<p>This includes the following categories:</p> <p>Change of Use: Applications that do not concern major development or where no building or engineering work is involved.</p> <p>Householder Development: Defined as <del>those</del> works within the curtilage of residential property which require an application for planning permission and are not a change of use</p>	<p>Write to all adjoining owners <del>neighbours</del> or occupiers <del>who adjoin the site of the proposal</del>.</p> <p>Applications within a conservation area that affect its character or affects the setting of a Listed Building are subject to a site notice and <del>/or</del> press notice.</p> <p>Details published on the Council's website Full details available at the Council's principal office-District Council House, Frog Lane, Lichfield. <del>Provide appropriate</del> Notify the appropriate Town or Parish Council <del>with details</del> of the application. Consult with statutory <del>and non-statutory</del> consultees online.</p>	<p>Advise applicants of the pre-application advice which is available and encouraged with written advice provided. See Council's website.</p> <p>Consult with non-statutory consultees.</p>
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## DEVELOPING A FORMAL COUNCIL PARKING STRATEGY

Councillor Mrs Fisher – Cabinet Member for Car Parking & Tourism

Date: 21<sup>st</sup> April 2016

Agenda Item: 7

Contact Officer: John Roobottom

Tel Number: 01543 687546

Email: john.roobottom@lichfielddc.gov.uk

Key Decision? YES

Local Ward Members Lichfield City – Cllrs



Economic Growth,  
Environment &  
Development (O&S)  
Committee

## 1. Executive Summary

- 1.1 To provide an update on progress with the preparation of a parking strategy for Lichfield District following an earlier report to the Committee in February of this year.

## 2. Recommendations

- 2.1 That the Committee:
- notes the results of consultation on the draft Strategy report and proposals for new charging tariffs and recommends to Cabinet that the Strategy be approved; and,
  - recommends to Cabinet approval of tariff increases in-line with the primary proposal previously accepted by this Committee but subject to any revisions thought appropriate in view of the consultation responses.

## 3. Background

- 3.1 As agreed by this Committee at its meeting in January of this year a wide ranging consultation exercise on the conclusions of a parking strategy report has been undertaken. Consultation took the form of a set of meetings between Council officers and specific groups/organisations to elicit comments and views. Meetings took place with the City Council, Lichfield BID, Friends of Beacon Park etc. In addition an online survey was made available for anyone with an interest in the subject matter to respond to. The public consultation attracted 158 responses. Whilst this is a substantial number, as a percentage of the 1.5m plus tickets sold per year it is clearly a limited grouping. A summary of the responses is attached at **Appendix A** to this report
- 3.2 In response to the consultation, no objections were made to the suggestion that the Council should continue in its role as the major public parking provider in Lichfield for the present.
- 3.3 Some members of the public continue to request Pay on Exit operation but the report looks in detail at why conventional, pay on foot systems using barriers are not practical for the circumstances pertaining in Lichfield. Many of the same respondents expressed major misgivings regarding a potential card payment trial despite this being an inherent part of Pay on Exit systems.
- 3.4 As may be expected the parking tariff proposals attracted more comment. The main points are set out below:
- Some of the group and individual responders suggested rounding up of certain charging rates to the nearest £1.00 or 50p.

- The proposed all day rate for the car parks serving Beacon Park was thought excessive by a number of respondents who suggested capping it at the all day rate applicable to other car parks as a maximum.
  - The Lichfield BID group has indicated that it could not support any form of increase in charges due to the impact on businesses, workers and the general economy of Lichfield.
  - Various groups and individuals suggested that discounts should be available for part time workers, students, commuters, shop workers, any town centre workers or in one case any resident of the District.
  - 35% of the total number of responders (55 people) objected to increased tariffs.
  - A further 5 responders thought that hourly rates should be held with any increases coming from other chargeable areas such as evening or Sunday charging.
  - 9 of the responders felt that charges should be rounded up to the nearest pound or fifty pence
  - 3 felt that charges should increase further to discourage car usage.
- 3.5 17% of the public respondents claimed not to use Lichfield car parks presently and a further 20% said that they use them only once per month or less. The main reason cited for not using the Council's car parks was the availability of free but time limited parking at Tesco in Lichfield or in out of town locations such as Ventura Park, Tamworth. Other respondents criticised the retail offer available in Lichfield and several referred to the number of empty shops despite the occupancy rates for Lichfield being consistently above the national average.
- 3.6 In a joint response from officers of SCC a number of issues were raised:
- A concern that the proposals will risk displacing some parking from off to on-street
  - Similarly, that the proposal to introduce Blue Badge parking charges could result in more on street parking with consequential impacts on congestion and traffic flows particularly within the town centre pedestrian area.
  - That objection to the proposed use of a pay on foot system involving barriers in the proposed Friarsgate development and the highway difficulties this would cause is specific to that site and not a policy matter. Other sites would need to be assessed individually.
- 3.7 Whilst individual comments received have challenged certain aspects of the Council's approach toward car parking including its proposed pricing/charging policy, little if any objection has been raised to the intended overall Strategy. This is to be welcomed. In the light of the comments received and the officer responses set out at Appendix A, members will wish to consider the comments that have been made on detailed matters and determine whether in response they wish to see the proposed strategy and/or charging regime amended in anyway. The existing proposals and any suggested changes are set down below:

#### Key proposals –

- That the District Council should continue in its role as the major parking provider for the City at least until the completion of the Friarsgate project.
- That the management and operation of the parking facilities should continue in house but with further work to be done to explore any other options which may be available
- In the interest of customer satisfaction further investigation should continue into alternative payment options
- When considering parking matters the District Council should continue to work closely with partners such as the Lichfield BID and Three Spires

## Proposed new charges

Permits –

Permit type	Current	Proposed
Long stay six months	£200.00	£250.00
Long stay one month	£40.00	£50.00

Hourly tariffs -

	Current	Proposed
<b>Short stay</b>		
One hour	90p	£1.00
Two hours	£1.80	£1.90
Three hours	£2.70	£2.90
Four hours	£3.60	£3.80
All day	£7.00	£8.00
<b>Long Stay</b>		
Four hours	£2.00	£2.10
Six hours	£3.00	£3.20
All day	£4.00	£4.30
<b>Sunday</b>	£1.00	£1.00 (no change)

Car parks serving Beacon Park –

Location key CP1 Bunkers Hill, CP2 Shaw Lane, CP3 Greenhough Road

	Current rate	Location	Proposed	Location
One hour	n/a	All CP's	50p	CP1 and CP2
Two hours	20p	All CP's	50p £1.00	CP3 CP1 and CP2
Three hours	n/a	All CP's	£1.50	CP1 and CP2
Four hours	40p	All CP's	£2.00	All CP's
All day	£3.00	All CP's	£10.00	All CP's

It is expected that these changes would bring an increase in parking income of £215,000.00 (gross and including VAT).

This is itemised as being made up of -

Permit increases expected to realise an additional £49,000.00

Increased charges at the car parks serving Beacon Park £33,000.00

Increases in hourly tariffs £110,000.00

Charges for Blue Badge users £23,000.00

3.8 Full Council will also be asked to give its approval to the delegation of powers to the relevant Director allowing him or her to change the designation of car parks in order to maintain the balance of parking provision during The Friarsgate build and to ensure the continuing provision of suitable facilities for coach parking. These changes will be in line with the aims stated in the report of delivering a suitable balance between short stay shoppers parking and long term parking aimed at city centre workers and commuters.

- 3.9 A further report on the future operation and management of the Friarsgate car park will come before members in due course.
- 4.0 The main report does consider potential future options for the management and operation of the car parks before concluding that this should remain in house for the time being. In line with the challenge principles embodied in the Fit For the Future principles this will remain under further review and to this end the Council has commissioned consultants to report on management options for the whole of the car parking estate. These considerations are for the long term future of car our parking operation and fall outside of the scope of this report but Councillors will be fully involved in any future decision making process on these matters.

Alternative Options	1. That this Committee requests a further rewriting of the Strategy report in view of the consultation responses.
Consultation	1. Completed and details of the results now provided
Financial Implications	1. It is estimated that the proposed tariff rises – subject to any changes – will generate approximately £200,000 in income and ensure that the costs of the parking operation will be covered in future years.
Contribution to the Delivery of the Strategic Plan	1. By continuing to provide safe and affordable pay and display parking the District Council will be contributing to three of the primary aims laid out in the Council’s Strategic Plan 2016-2020. These aims are:- <ul style="list-style-type: none"> <li>• A vibrant and prosperous economy</li> <li>• Healthy and safe communities</li> <li>• Clean, green and welcoming place to live</li> </ul>
Equality, Diversity and Human Rights Implications	1. It is important that reserved disabled bays within the Council’s car parks be monitored to ensure continued availability to legitimate users.
Crime & Safety Issues	1. The continuing presence of uniformed patrols on the car parks is thought to be useful in bringing about a reduction in the level of crime and disorder and also in the fear of crime.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	That the supply of parking spaces fails to meet future demand	Ongoing capacity counts suggest a surplus in the system at this time and co-operative work with the developers of Friarsgate indicates that future provision should be enough to meet predicted demand	Green
B	Increased parking tariffs lead to a fall in business	Rates are benchmarked against other authorities and it is felt that Lichfield will still have a competitive parking offer with the added benefit of the increased draw from the Friarsgate Development.	Green

Background documents – consultation responses – summarised in Appendix A; Proposed Strategy Appendix B

Relevant web links

## Appendix A – consultation responses

### Summary of responses

Name of consultee	Comments from consultee	Remarks
EGED O&S	Suggested that short stay rates should be rounded to the nearest pound above.	This is a matter for Councillors to decide, the potential impact has been modelled in the full report.
Lichfield City Council	<p>Proposed the introduction of a 50p for thirty minutes rate to encourage short stay parking.</p> <p>Suggested the rounding of rates to the nearest 50p, ie increasing the proposed £3.80 short stay to £4.00 and the £4.30 long stay to £4.50.</p> <p>If Blue Badge charges were introduced suggested that badge holders should receive an extra hour of parking for the same rate.</p>	<p>This has been looked at in the past but was dismissed mainly due to the significant availability of free of charge on street parking to cater for this demand. The income implications of such a change would be impossible to model due to the lack of information on possible impacts on the one hour payments.</p> <p>Stoke on Trent City Council offers thirty minute tariffs but only on car parks in areas with no alternative on street offer.</p> <p>East Staffs. Borough Council and Newcastle Borough Council did offer thirty minute tariffs but have withdrawn these with no apparent customer dissatisfaction.</p> <p>Cannock Chase DC offer thirty minute tariffs which have proven popular in Cannock but not Rugeley due to the availability of free of charge alternatives.</p> <p>This could be done but would clearly constitute a further increase with the potential for dissatisfaction amongst other bodies and car park users.</p> <p>This could be done if Councillors thought appropriate but could be difficult to convey the requirements to customers.</p>

	<p>More publicity should be given to electric vehicle charge points.</p> <p>The current charge period runs to 18:30, this should be reduced to 18:00 in line with on street requirements.</p> <p>Long stay permit availability should be advertised on the car parks.</p>	<p>The charge points are shown both on the LDC website and on the various national websites available to EV users. The national websites also link into most sat nav systems. The very low level of usage for the LDC charge points is thought to be at least partly due to the provision of free charging facilities at the Lichfield Waitrose store.</p> <p>LDC charges previously ran from 07:30 to 19:30, a straight twelve hour period. The one hour reduction was at the initiative of Councillors with the intention of encouraging the night time economy. Most authorities charge for evening parking.</p> <p>Permit availability is shown on the LDC website and on various promotional material relating to the City but some form of signing on the car parks would not be difficult to provide.</p>
<b>Lichfield City Centre Development Partnership</b>	<p>The draft report was presented at the most recent partnership meeting but, despite reminders, no formal response has been made.</p>	
<b>Lichfield BID</b>	<p>Felt that they could not support any increases due to the potential impact on local businesses.</p> <p>Suggested that the increase from £3.00 to £10.00 for all day parking at the car parks serving Beacon Park, if it must be implemented, should be capped to £8.00 in line with the potential short stay rate.</p>	<p>This is a matter for Councillors to consider when making their decision.</p> <p>The £10.00 all day rate was intended to discourage this form of parking at the parks, car parks and as such the income models assume very little would be received from that tariff. As a possible £8.00 rate is almost equally punitive it is assumed that such a change would be cost neutral and unlikely to have any marked effect on usage levels as compared to the £10.00 rate.</p>

	<p>Were concerned that charges at the Beacon Park car parks on Bank Holidays and during school holidays may deter people from visiting the park.</p> <p>Concerned that the increase in permit charges could be detrimental to low paid workers and part timers. Suggested that a part time permit should be introduced for city workers and offered potential funding to achieve this.</p>	<p>Bank Holiday parking is free of charge and there is no proposal to change this. School holiday parking is heavily weather dependent but in peak periods demand substantially exceeds supply. Even with the potential increases any high season reduction is thought unlikely to be significant.</p> <p>Some authorities with extended or 24/7 charge policies do offer reduced rate evening permits but research has not revealed any one offering part time permits of the type proposed. It is difficult to see how this type of permit could be implemented given the substantially varying periods and hours of work that part time workers are employed for. If the BID did feel that a subsidy of this nature was viable presumably there would be nothing to stop them paying this direct to the workers or businesses involved.</p>
<p><b>Friends of Beacon Park</b></p>	<p>The proposed £10.00 all day rate was thought to be excessive and as a maximum this should be capped at the £8.00 proposed for other short stay car parks.</p> <p>Whilst the intention to discourage business or commuter use during the week was accepted it was suggested that a lower rate could apply at weekends to benefit leisure visitors.</p> <p>The group had concerns that increases in general would displace parking onto nearby streets.</p>	<p>The proposed rate is intended to discourage all day parking but any rate in excess of normal long stay charges could have this effect.</p> <p>Sundays are remaining free of charge although other towns are moving towards charging normal rates on a Sunday. A lower Saturday rate would be feasible but this would still carry the risk of attracting displaced retail users.</p>

<p><b>Public consultation – this drew a varied response with some responders (35%) objecting to any tariff increases, others suggesting a changed pricing structure and the remainder accepting the need for increases albeit making clear that they would prefer it if they did not have to be implemented. A minority felt that the increases could be bigger or that Council Tax should be increased instead. The commonest responses are summarised in the next column.</b></p>	<p>Object to paying for parking in principle in and feel that parking should be made free of charge or reduced in cost</p> <p>Feel that any increases would affect the local economy and claim to visit the town centre either seldom or not at all due to lack of draw and number of empty shops</p> <p>Site other towns as being more popular due to lower parking rates with Tamworth and Sutton being singled out</p> <p>Not prepared to pay for parking and only use supermarket or out of town sites</p> <p>Say that LDC car parks are poorly maintained or designed, siting difficulties with narrow bays.</p> <p>Feel that removal of Sunday rates would increase visitor numbers and general prosperity of town</p> <p>Different respondents would like to see discount parking for Lichfield residents, for shop workers, for commuters or for students.</p>	<p>This is a matter for Councillors to decide but would have a major impact on LDC finances</p> <p>Independently audited figures show that Lichfield retail occupancy rates are consistently above the national average</p> <p>Comparative figures appear to show that charges would remain competitive. Press reports suggest that Birmingham CC intend to increase parking rates in Sutton by between 27 and 50% and bring in full rate charging for Sundays</p> <p>The availability of three hours free parking at Tesco does provide an attractive alternative for some users. The offer of free parking at Ventura Park is also a common theme.</p> <p>Only 6% of respondents expressed this view. Considerable sums of money have been spent on continuing car park improvements. All of our car parks meet or exceed national design standards.</p> <p>Sunday charging is common with most operators, many at full rate.</p> <p>Given the wide range of discounts proposed this would greatly limit the pool of customers paying full tariffs. Due to the uncertainty over possible take up rates the income impact is impossible to model but would clearly be substantial</p>
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	<p>Concerned that increased charges at parks would be unfair to commuters or that they would increase parking problems in surrounding streets</p> <p>Would like to see an out of town park and ride</p> <p>Feel that the increase in charges at the parks would discourage park usage.</p> <p>Object to the proposed increase in permit costs due to size of percentage, comparing this to the level of inflation.</p> <p>Proposed that parking costs should be rebated against golf or other park activities.</p>	<p>The charges are designed to discourage commuter use. Resident parking zones could provide an answer to the on street problems.</p> <p>It is not clear that demand would justify this and no suitable site has been identified</p> <p>Other customers hold a contrary opinion as they feel that the spaces are currently occupied by business or other users.</p> <p>The current permit rates are at a substantial discount to payment through the machines, whilst the proposed increases are above inflation permit parking will still be much cheaper than daily payment.</p> <p>This would be a matter for the parks management but could be seen as prejudicial to walkers, picnickers or family users not taking part in paid for activities.</p>
<p><b>Staffordshire County Council.</b></p> <p><b>Both David Walters, the SCC Regulation and Governance Manager and Wayne Mortiboys, the District Commissioning Lead for Lichfield have provided responses. Both are summarised here.</b></p>	<p><b>David Walters –</b></p> <p>On and off street parking strategies should be considered together</p> <p>Reference should be made to local transport plan and District Strategy</p>	<p>Whilst the desire for joined up working in local government is clear the County strategy is believed to be at an early stage of development and District Councils have not been consulted on this matter. Delays to allow for the County to complete their strategy could be substantial.</p>

	<p>Parking strategy should encourage modal shift</p> <p>Pointed out risks of displacement from off to on street sites and cautioned that that RPZ's were not suitable in all circumstances</p> <p>County policy for on street parking is being reviewed but current policy sets charges for on street (when applicable) above those for off.</p> <p>Concerned that Blue Badge charging would cause displacement to on street locations with impact on traffic flow and congestion. Reminded us that SCC approval would be required for any tariff change proposal and that this would be considered in light of their network management duty.</p> <p><b>Wayne Mortiboys –</b></p> <p>Pointed out that there would be a tipping point where increased permit costs moved parking to residential streets</p> <p>Suggested retention of Market Trader permits with availability extended to part time workers requiring parking on certain days only</p> <p>Pointed out that an initial reduction in car park usage could be expected following any increases.</p> <p>Agreed with the comments from David Walters regarding RPZ's</p>	<p>It is assumed that this refers to discouraging car usage, this is not in line with LDC policies</p> <p>We have not been informed of any intention to charge for on street parking in Lichfield at this time.</p> <p>This is a clear risk if Blue Badge charging is implemented. The parking order is made under the Traffic Management Act and this does make Highway Authority approval mandatory.</p> <p>Whilst this is undeniably correct the new permit costs are still substantially below those of daily payment and no further argument is made to support the possibility that we would reach that tipping point.</p> <p>The flexible nature of part time working is likely to make this difficult to implement and we are not aware of any other authority offering this type of permit.</p>
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	<p>Pointed out that the objection to the use of barriers at Friarsgate was specific to that site and not a policy. Other sites would need to be assessed individually.</p> <p>Pointed out that the lack of VMS signing in Lichfield was not due to a lack of funding from SCC, those areas which do have them have been funded through major developments in the locality.</p> <p>Echoed David Walters concerns that Blue Badge charging would displace parking to on street locations and also pointed out the particular effects that this could have in the town centre pedestrian zone.</p> <p>Suggested that Lombard Street car park could be zoned as a tourist/cathedral parking area to relieve pressure on Bird Street car park.</p>	<p>The parking policy document will be amended to reflect this.</p> <p>As above</p> <p>As discussed in the reply to David Walters comments this is a genuine concern</p> <p>It may be overly ambitious to try and implement this at the same time that the Friarsgate redevelopment is likely to be progressing but consideration could be given to this in the longer term as part of the discussions on the future of Bird Street car park.</p>
<p><b>Lichfield and Tamworth Chamber of Trade and Commerce</b></p>	<p>Copies of the strategy report and supporting documents were sent to the Chamber but despite reminders no formal response was made by them.</p>	

# GBSLEP – Delivering a more effective and consistent planning system

Cabinet Member: Councillor I Pritchard

Date: 21<sup>st</sup> April 2016

Agenda Item: 8

Contact Officer: Sean Coghlan

Tel Number: 01543 308199

Email: Sean.coghlan@lichfielddc.gov.uk

Key Decision? No

Local Ward Members All Ward Members



**ECONOMIC GROWTH,  
ENVIRONMENT AND  
DEVELOPMENT (OVERVIEW  
AND SCRUTINY) COMMITTEE**

## 1. Executive Summary

1.1 The purpose of this report is to seek this Committee's views on the proposed planning guidance notes produced by the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP), and to make a recommendation of whether to adopt to the Planning Committee.

## 2. Recommendations

2.1 That the Committee notes the contents of the GBSLEP planning guidance and recommends to the Planning Committee that:

a) The planning guidance notes be adopted by Lichfield District Council, subject to the following amendments:

- the threshold for Member engagement on pre-application discussions be determined locally;
- the content and delivery of 4 Member planning training sessions a year be determined locally;
- the content and frequency of Member post-development site visits to be determined locally;
- A 'right to reply' protocol for applicants/objectors at Planning Committee to be produced locally;
- the content and frequency of planning policy and legislative updates to elected Members be determined locally;
- Lichfield District Council to liaise with the County Council to secure quicker delivery of Section 106 legal agreements.

b) Subject to the above amendments, delegated authority be given to the Cabinet Member to approve the final wording of the guidance notes.

c) A review of the effectiveness of the guidance notes be considered after one year's operation.

## 3. Background

3.1 On 2<sup>nd</sup> April 2012, the Planning Committee signed up to the GBSLEP Planning Charter to help create a consistent 'business friendly' approach across the LEP area – helping facilitate inward investment and planned economic growth.

3.2 As part of this process, the GBSLEP set up a working party of Members and officers of the constituent Councils, together with representatives from Government agencies (statutory consultees) and the private sector, to discuss ways in which Councils could deliver a more consistent and effective planning system. Planning Committee Chairmen were invited to attend along with Heads of Planning. Councillor Marshall (Planning Committee Vice-Chairman) represented Lichfield District Council. Through this group it was considered that a series of best practice guidance notes should be produced across the LEP area. The objective was to seek the adoption and implementation of the guidance by all constituent Councils. The guidance covered:

- Member Involvement in the Planning Application Process
- The Pre-Application Process
- Planning Conditions
- Planning Obligations

3.3 The guidance notes have been produced by the Member/officer sub-groups, with Lichfield District Council leading on Member Involvement. The four guidance notes are attached at Appendix 1.

3.4 This work has been shared with Lord Taylor of Goss Moor, who chaired the group that led to the introduction of the on-line National Planning Practice Guidance. Lord Taylor was supportive of the approach and stated:

*“These guidance notes are an innovative collaboration between local authorities and the LEP to support better, quicker planning. ‘Joined up thinking’ is easy to say but too often not delivered in practice – but this approach helps deliver just that, with a best practice agenda in which both planners and developers are signing up to play their part. I thoroughly commend it.”*

3.5 A brief analysis of each note is set out below.

3.6 Member Involvement in the Planning Application Process. Councillor Marshall chaired this working group and a number of its recommendations’ reflect the Council’s current working practice. The first recommendation proposes a member engagement protocol for pre-application discussions. The Council has successfully operated a similar scheme for the last two years. The GBSLEP guidance proposes that all Committee applications should be subject to Member pre-app advice. Whilst a good idea in principle, this would be very resource hungry and disproportionate to the benefits. The Council recently lowered its threshold to 25+ dwellings or ‘locally significant’ schemes. This is considered proportionate and will be reviewed by the Council within the year. Subject to retaining control of this threshold, no objections are raised.

3.7 A second recommendation proposes 4 training sessions a year. The Council currently reflects this approach - delivered by a mixture of internal and external trainers. The guidance states these sessions should ‘ideally be facilitated by an outside body.’ Whilst this approach has merit, the ability to secure four external trainers significantly raises costs. It is recommended that the Council’s current approach is retained as it delivers on both cost and quality.

3.8 A third recommendation proposes the setting-up of annual post development site visits for Members. Again, whilst fully supportive of the principle, the Council has concerns of the potential cost and the ability to maintain the quality of these visits, year on year, in a relatively small District Council. The recommendation is to support, but again allow the frequency of these visits to be determined locally.

3.9 Additional recommendations regarding a ‘right to reply’ protocol for applicants/objectors at Planning Committee and regular policy/legislative updates are proposed. Again these recommendations are supported, subject to precise details being agreed locally.

- 3.10 The Pre-Application Process guidance recommends 6 key tasks – all of which are adopted by the Council in its current practice.
- 3.11 The Planning Conditions guidance recommends 6 key tasks which follow the National Planning Practice Guidance. The Council already reflects this guidance in the imposition and ordering of its planning conditions.
- 3.12 The Planning Obligations guidance recommends 4 key tasks. The Council is supportive of three, but feels the removal of the County Council from the S106 process (i.e. bi-lateral agreements only), would be counterproductive and damaging to the delivery of key infrastructure in the long term. An alternative approach would be to positively engage with the County Council on this matter (with the support of the GBSLEP), to help speed up the delivery of S106 agreements.
- 3.13 In conclusion, it is recommended that all 4 guidance notes be adopted, subject to a number of amendments to allow the precise details of service delivery to be determined locally. Through adopting and implementing this guidance, the Council will be collaborating with its LEP partners to ensure a more consistent and effective planning system across the LEP area – helping inward investment and planned economic growth.

Alternative Options	1. The Council could operate in isolation and continue to implement its own practice and procedures. However, this would run counter to the collaborative ethos of the LEP and potentially miss those opportunities that shared best practice would bring for inward investment and economic growth.
Consultation	1. None.
Financial Implications	1. Subject to agreeing the amendments on local determination, the costs of service delivery can be met within existing budgets.
Contribution to the Delivery of the Strategic Plan	1. The provision of a consistent and effective planning system ensures inward investment and planned economic growth is positively encouraged and delivered in accordance with the Local Plan Strategy and the aspirations of the Council's Strategic Plan - delivering a vibrant and prosperous economy.
Equality, Diversity and Human Rights Implications	1. None.
Crime & Safety Issues	1. None.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Failure to adopt and implement this LEP guidance could isolate the Council from its LEP partners (different planning regime) and this could impact upon opportunities to secure inward investment and planned economic growth.	Ensure the guidance is adopted and implemented to suit our local circumstances.	Green

## Background documents

1. Economic Growth, Environment & Development (Overview and Scrutiny) Committee – GBSLEP Planning Charter - 7 March 2012
2. Planning Committee - GBSLEP Planning Charter - 2 April 2012
3. Economic Growth, Environment & Development (Overview and Scrutiny) Committee – Review of the Effectiveness of the Protocol for Member Engagement in Pre-Application Planning Discussions – 13 March 2015
4. Planning Committee – Review of the Effectiveness of the Protocol for Member Engagement in Pre-Application Planning Discussions – 11 January 2016

## Relevant web links

## **Planning Guidance Note**

### **Member Involvement in the Planning Application Process**

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#### **Policy/ Legislative Overview**

The 2011 Localism Act makes it clear that it is proper for councillors to play an active part in local discussions, and that they should not be liable to legal challenge as a result.

#### **The Benefits of Effective Member Involvement in the Planning Application Process**

The effective involvement of members in the planning application process helps them better represent their constituents and enrich local democratic debate. People can therefore elect their councillor confident in the knowledge that they will be able to act on the issues they care about and have campaigned on.

With regard to pre-application discussions, Members bring their local knowledge and expertise, along with an understanding of community views. Involving councillors can therefore help identify issues early on and reduce the likelihood that issues come to light for the first time at committee that may slow down the determination of an application or lead to its refusal.

The following key principles can help maximise the contribution that members can make to the planning application process

#### **Key Tasks for Local Planning Authorities**

1. Planning Committee Members and the relevant ward members should be involved in pre-application discussions for any proposal that is likely to be presented to the Planning Committee for determination. The level of involvement should ensure that members are fully aware of any such proposals and their comments can be taken into account when the application is being prepared.
2. There should be at least four training sessions per year for all planning committee members to ensure that they are conversant with all relevant planning legislation, policies, case law and other relevant information. Training Sessions should ideally be facilitated by an outside body to ensure a fresh perspective is given on planning matters. This would also help ensure that interpretations of planning legislation and practice that are no longer up to date do not become entrenched. New members must receive training before they are able to sit on the planning committee. Such training could be organised on a regional wide basis to share costs and resources between the local planning authorities and ensure a level of consistency with the advice given.



3. Regular (for example, on an annual basis) site visits to recently permitted developments should be arranged for Planning Committee members and Officers to enable them to see first-hand their impact and then use this knowledge to inform future decisions. Such site visits do not necessarily need to be within their own particular authority area, particularly if there are examples of good, innovative development outside their area.
4. Planning Committees should consider introducing a 'right to reply' whereby committee members have the ability to question the applicant or objector/ supporter to clarify points of fact that they have raised. This can help reduce the need to defer an application or avoid it being determined on the basis of a misunderstanding that could lead to future challenges or unnecessary appeals.
5. Planning Committee members should be issued with regular papers that update them on any relevant changes in legislation, policy or case law. Again, this could be done on a region wide basis to share costs and resources between the local planning authorities and ensure consistent advice given.

### **Key Task for Applicants**

1. When appropriate, for example on larger schemes or schemes that will be determined by the Planning Committee, applicants should engage properly with local members prior to submitting a planning application. This will ensure that when the application is determined members are fully aware of the proposal and their comments have been taken into account when the application was prepared.

# Planning Guidance Note

## The Pre-Application Process

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### Policy Overview

Government policy within the National Planning Policy Framework (NPPF) states that Local Planning Authorities (LPA) should approach decision-making in a positive way, they should look for solutions and not problems and that they should encourage applicants to engage with them through voluntary pre-application discussions. This obligation also extends to statutory planning consultees.

### What are the Benefits of an Effective Pre-Application Process?

Paragraph 188 of the NPPF states that:-

*“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.”*

For the applicant / developer pre-application advice should enable the following:

1. To obtain as much information as possible about likely LPA requests such as technical requirements or Section 106 expectations and community issues. This is especially helpful in revealing potential costs and local concerns
2. To obtain an indication re whether a proposal is likely to be favourably received or not or whether there are extremely significant challenges to overcome. This is useful in aiding a developer to decide whether or not to continue to incur further costs on more supporting work and agent/ specialist fees. However the purpose of the Pre app process is not to (and cannot) pre judge an application
3. To establish a positive working relationship with the Local Planning Authority.
4. To help smaller builders/ developers avoid and resolve issues without the need for access to specialist professional expertise.

For the LPA it has the following benefits:

1. It identifies issues early on in the process which the developer can then address to enable the formal application process to be a more positive and a simpler / quicker process.
2. It can help avoid conflict further down the line with applications which really should not have been pursued or could have been presented in a more acceptable form.
3. It can provide the LPA with an indication of the scale and type of developer interest in a particular site.

## Key Tasks

In order to ensure that the pre-application process works as effectively as possible, applicants and the Local Planning Authority should adopt the following principles:-

### Key Tasks for the Local Planning Authority

1. The planning application process should adopt a strong customer focus, where the client can expect a quality service. It should be welcoming – with an ‘open for business’ approach.
2. The pre-application procedure should form an essential and integral part of the ‘end to end’ planning application ‘pipeline’ designed to save time and cut red tape.
3. Larger and more complex applications should have access to an Application Panel comprising consultees and specialist staff where the progress towards submitting an application is steered by the case officer. This could either be a bespoke session for a specific project or a monthly ‘speed dating’ (surgery type) session where developers are able to meet the panel, by appointment, to discuss their schemes.
4. LPA’s should encourage the use of Design Review Panels for sensitive schemes which can improve the output of planning applications, raise standards and add value.
5. Planning Officers should be clear about the positive approach to pre-application engagement and be fully aware of the protocol for achieving a customer focus, with terms of reference to explain the purpose of a pre-application advice and what to expect.
6. LPA’s should provide a simple ‘information service’ on-line to provide easily accessible help on procedures; and contact points for key consultees, local authority departments and Planning Aid.

### Key Tasks for the Applicant

7. Applicants should make use of the pre-application process if they wish to expedite the decision making process, particularly for more complex planning applications.
8. Applicants should ensure that the maximum amount of information is submitted at the pre-application stage in order to ensure that the LPA can offer well informed advice.
9. Applicants should ensure that all advice given at the pre-application stage is reflected in the resultant planning application and all necessary information is submitted to ensure that it can be validated and determined without the need for further information.

# Planning Guidance Note

## Planning Conditions

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### Policy Overview

Government guidance on the use of planning conditions is contained within the National Planning Policy Framework (NPPF) and the Planning Practice Guidance.

Paragraph 206 of the NPPF states planning conditions should only be imposed where they meet the following six tests:

1. necessary;
2. relevant to planning and;
3. to the development to be permitted;
4. enforceable;
5. precise and;
6. reasonable in all other respects.

### The Benefits of Effective Planning Conditions

If used properly, conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development.

### Key Tasks for the Local Planning Authority to Ensure the Use of Effective Conditions

1. The following six tests are taken directly from the Government's on-line Planning Practice Guidance ([www.planningguidance.communities.gov.uk/](http://www.planningguidance.communities.gov.uk/)) and must be applied by the Local Authority in drawing up/approving conditions:
  - a. *A condition must not be imposed unless there is a definite planning reason for it, i.e. it is needed to make the development acceptable in planning terms. If a condition is wider in scope than is necessary to achieve the desired objective it will fail the test of necessity.*
  - b. *A condition must not be used to control matters that are subject to specific control elsewhere in planning legislation (for example, advertisement control, listed building consents, or tree preservation). Specific controls outside planning legislation may provide an alternative means of managing certain matters (for example, works on public highways often require highways' consent).*
  - c. *It is not sufficient that a condition is related to planning objectives: it must also be justified by the nature/impact of the development. A condition cannot be imposed to remedy a pre-existing problem or issue not created by the proposed development.*



# Planning Guidance Note

## Planning Obligations

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### Policy Overview

The National Planning Policy Framework states that planning obligations should only be used when it is not possible to address unacceptable impacts through a planning condition and they should only be used when all the following tests are met:-

- It is necessary to make the development acceptable in planning terms;
- It is directly related to the development; and
- It is fairly and reasonably related in scale and kind to the development.

### The Benefits of Effective Planning Obligations

A simple and effective approach to delivering planning obligations ensures that the momentum created by improving the front end of the planning application process is maintained through to the end of the process when the decision notice is issued. The following key principles help to ensure that this can be achieved.

### Key Tasks for the Local Planning Authority

1. Pre-application discussions should identify likely areas of contribution that will be required, and explore the possibility of avoiding the need for a planning obligation by the use of compliance Conditions.
2. Following the conclusion of the 21 day consultation period or an agreed timescale and assuming there are no in-principle objections to the application, the planning officer should begin negotiations to agree the form and contents of the planning obligation in accordance with an agreed programme which includes a deadline for engrossment.
3. To reduce delays tripartite S106 Agreements should be avoided where possible. Instead, the planning obligation should either be between the applicant and the local planning authority or completed by the applicant alone (a unilateral undertaking).
4. Local Planning Authorities within the Greater Birmingham and Solihull LEP should consider working together to produce and maintain a library of 'standard' draft planning obligations. This should speed up the decision making process, ensure a consistent approach and save resources currently spent preparing new planning obligations for each individual planning application.

### Key Tasks for the Applicant

1. The applicant should submit a draft planning obligation with the planning application or at the least detailed Heads of Terms identifying anticipated parties, contributions in name if not actual figures and trigger dates for payments together with an agreement that commits the applicant to paying the costs of preparing the obligation.



# Lichfield District Council Draft Economic Development Strategy – Response to Consultation and the Local Business Survey



CLLr Ian Pritchard – Portfolio Holder

Date: 21<sup>st</sup> April 2016  
Agenda Item: 9  
Contact Officer: Craig Jordan  
Tel Number: 01543 308202  
Email: craig.jordan@lichfielddc.gov.uk  
Key Decision? YES NO (delete as appropriate)  
Local Ward Members All

**ECONOMIC GROWTH,  
DEVELOPMENT AND  
ENVIRONMENT  
(OVERVIEW AND  
SCRUTINY) COMMITTEE**

## 1. Executive Summary

- 1.1 To report the outcome of consultation on a draft Economic Development Strategy and the findings and conclusions from a Local Business Survey, and recommend a revised version of the Strategy taking account of the aforementioned.

## 2. Recommendations

- 2.1 That the Committee:
- notes the results of the consultation exercise on the draft Economic Development Strategy and the key issues arising out of the Local Business Survey and agrees the changes to the Strategy and related Action Plan as set out in Appendix A to this report;
  - recommends to Cabinet that the draft Economic Development Strategy and associated Action Plan as proposed to be amended are formally approved;
  - agrees that further work complementing the Strategy and crucial to its implementation is carried out including process mapping Council services involved in delivering economic development related services, reporting back to business the results of the Local Business Survey together with proposed actions, and putting in place arrangements for on-going business engagement; and,
  - requests that in due course and following approval of the Strategy, reports are presented to it on economic development performance in the District and the effects of the Strategy.

## 3. Background

- 3.1 Members will recall receiving a report in January of this year on work emerging as a result of the Fit for the Future Review of Economic Development Services. In particular the aforementioned review was considering how economic development services are delivered now having regard to stated objectives and looking forward how they should be delivered in the future in the context of the Council's new Strategic Plan. Associated with this, a draft Economic Development Strategy had been prepared together with a linked Action Plan. Members were asked to approve the draft Strategy for the purposes of consultation which it duly did.



- 3.2 A formal consultation exercise commenced on 5<sup>th</sup> February with the draft Strategy being circulated to a range of bodies and organisations either involved or interested in economic development matters. The consultation was also widely advertised allowing any interested party to comment. Consultation concluded on 4<sup>th</sup> March.
- 3.3 Perhaps surprisingly the consultation elicited only 8 No. responses however in most cases those responding raised a number of detailed matters. In addition to the formal consultation, separate comments on the draft Strategy and the work of the FFF Economic Development Services Review Project team have been received from other parties together with the interim results of a local business survey all of which have helped inform this report and its recommendations.
- 3.4 In the main the comments received to the Strategy have been complimentary and raised matters of detail rather than questioned the overall approach or direction of the proposed Strategy. In many cases the comments made seek clarification or suggest the inclusion of additional detail to enhance a point already made. Generally, those responding agree with the Strategy and support the Council's stated aims. That said some respondents have flagged up concerns as to whether the Strategy is overly ambitious having regard to the number of objectives, priorities and actions – do we have the capacity and resources available to deliver and should we look at reducing down the number of priorities?
- 3.5 One or two respondents indicate that the Strategy and the work undertaken to produce it and the related Action Plan are a good start but should form the basis for further work. It is suggested that on the back of the local business survey (see below) the Council should be examining in more detail service-business mapping to see the various interactions which occur and identify how these could provide for further added value. In addition, the Authority should be seeking to develop its relationships with local business to understand better issues facing businesses and from this determine where the Council and its partners could intervene to remove barriers to growth. The aforementioned comments are accepted and in proposing a way forward members are asked to agree that such work takes place in the context of an agreed approach.
- 3.6 The need to communicate properly any final Strategy so that all parties understand what is intended, who will deliver and by when was highlighted by consultees and this will be looked at with the possibility of a short, concise summary document under consideration. Also it will be important to agree a set of performance indicators to sit alongside the Strategy and Action Plan to measure the effectiveness of the overall Strategy but in particular the effect the input of Council services has had in supporting economic prosperity. A summary of the comments received on the draft Economic Development Strategy and a suggested response including proposed changes to the Strategy and Action Plan is attached at **Appendix A**.

### ***Local Business Survey***

- 3.7 At the same time that a draft Economic Strategy has been prepared and consulted upon, the Council had jointly commissioned a survey of local businesses in Lichfield and Tamworth as part of work on understanding better the structure and nature of the local economy and future growth prospects. A high-profile public launch of the survey took place in late 2015 with businesses encouraged to fill in an on-line questionnaire. The survey has now concluded and the results have been appraised in detail. The key headlines are outlined below together with matters thought relevant to be captured in the final Strategy. Detailed feedback on the survey will also be provided to the business community in due course along with associated proposed actions.
- 3.8 The survey questionnaire posed a series of questions relating to the current health of local businesses and by implication the local economy and having regard to respective growth plans (jobs, investment etc) the prospects for improved prosperity in the future. The survey also considered the barriers to growth that businesses come across, the support services they access (and their quality based on experiences) and are likely to need/access in the future.

### 3.9 Key headlines include:

- Based on levels of turnover and expectations for the future the local economy is in general good health. There is strong business confidence with a large number of businesses predicting positive futures and having growth plans in place. Opportunities for job growth are more constrained however companies overall are not predicting any major job losses.
- In terms of growth, a large percentage of respondents (72%) are expecting to be expanding their local market coverage whilst over 50% are aiming to expand their markets at a national level. Nearly 20% of businesses wish to expand overseas.
- In the next 12 months the main area of spend for respondents is likely to be on sales and marketing, followed by capital equipment and premises.
- In nearly all areas of planned growth businesses will be relying mostly on profits/existing cashflow to meet costs with other sources including bank loans and grant aid. Over 50% of respondents considered that accessing funding will be relatively easy.
- The main barriers to growth are seen as cashflow, competition, access to finance, uncertainty and the weak state of the UK Economy. Other barriers referred to included skills shortages, regulatory issues and availability of suitable premises.
- In terms of existing premises and the potential for growth in these locations the main barriers include costs, lack of space and poor ICT.
- As might be expected a significant number of respondents were aware of a wide range of business advice and support organisations including the Chambers of Commerce and Federation of Small Businesses. The Lichfield Tourism Association figured highly too. Each of the aforementioned had been accessed by a large number of businesses over the last 12 months and are likely to be again in the next 12 month period.
- Interestingly, engagement with the respective local authorities (LDC and TBC) by respondents was low, both being around 10% in the last 12 months. Of those respondents seeking advice in connection with their business activities specific information was sought on sales and marketing, access to finance, broadband/digital technology and apprenticeships. Engagement with other Council services was greater with respondents enquiring about business rate relief, planning matters, food safety/licensing, building control, development and land amongst other things. Looking forward it is expected that the same services will be accessed too. Overall experiences of engagement with the named service areas was good though there were variances across services and some levels of provision were considered poor.

3.10 The above represents the key headlines from the survey however there is much more detail which will help enable the two Council's and partners to understand better the needs of business and importantly identify where in providing services and seeking to improve economic conditions locally, the Council's can make a positive difference. Taking the results of the survey it is possible to see clear synergies with the the proposed Strategy:

- The results confirm that the Council(s) has an important role to play in providing a range of services which support local businesses or signposting businesses to access these through other providers. This accords with priority actions 6.16, 6.21, 6.23, 6.24 and 6.26 of the Strategy.
- The Council and its partners have an important role to play in promoting and marketing the District to business people, investors and tourist visitors. This accords with priority action 6.17 in the Strategy
- The Council can help to explain the role and function of organisations involved in encouraging and assisting in delivering growth, can access services and funding through these organisations

and also help local businesses to access the same. This accords with priority action 6.13, 6.15, 6.23 and 6.24 of the Strategy.

- The Council should consider carefully the needs of existing businesses in deciding on the nature of potential interventions alongside those aimed at attracting new businesses. The business survey identifies a number of areas which are deemed to be important to existing businesses and crucial to their growth. Some of these are already contained within the Strategy eg. availability of land and premises (priority action 6.12), provision of business support information and advice & signposting of potential finance (6.24). Access to grants and financial aid is seen as an issue for businesses looking to expand and grow. The Strategy as currently drafted does not propose that the Council itself provides financial support to aid business.
- The Council needs to fully understand how each of its service areas engages with business to ensure that where necessary service standards and practices can be improved. For certain services it is especially important that this takes place eg. business rate relief, planning/regulation etc. Appendix 1 of the Strategy details a mapping exercise carried out to show the extent to which the Council engages with/supports business and the local economy. The business survey is suggesting that as a next step we need to examine further the nature of service engagement to see how processes and procedures can be streamlined and to determine how overall outputs and outcomes can be improved. It is proposed that this work be undertaken in parallel with the agreement of the Strategy and Action Plan and commencement of implementing the latter.

- 3.11 Based on the results of the consultation and business survey and the outcome of further debate within the Fit for the Future Economic Development Services Review Project team, a revised version of the Strategy has been prepared. This together with an amended version of the complementary Action Plan can be viewed at <https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/EconomicGrowthEnvironmentDevelopmentOverviewScrutinyCommittee/2016/04/21/Reports/DRAFT-LDC-Economic-Development-Strategy-4-April-2016.pdf>
- 3.12 It will be noted that the revised Strategy includes further detail about how it is proposed to monitor the effectiveness of the priority actions contained within it and specifically how the Council's own services will operate to support delivery of the stated objectives. This will require some Key Performance Indicators to be established to use as the basis for measuring achievements. A set of suggested KPI's has been prepared and are attached at **Appendix B**.
- 3.13 With Cabinet approval for the Strategy and Action Plan the intention is that publicity is undertaken to promote the Strategy and announce the launch of the implementation phase. The Council's Communications team will be engaged to assist with this and will include the issuing of press releases, final published versions of the Strategy and summary documentation.
- 3.14 It is important that the Strategy is capable of being delivered. It is recognised that as drafted the Strategy is ambitious but it is linked to the Strategic Plan and reflects the importance that the Council attaches to improving the prosperity of the District and its residents. In terms of resources, much of the Strategy will be delivered using existing resources including a reliance on the Council's shared economic development service arrangement with Tamworth Borough Council. As mentioned elsewhere in this report detailed assessment will take place of all the Council's services which engage with and help support business and the local economy, this may provide for more efficient use of resources and even free up resources. However, to fully realise the benefits of the Strategy it is considered that there is requirement for additional resources to be employed over and above that existing and available to the Authority. This resource it is suggested would represent a 1 FTE post which would be based in the District Council and work alongside and complement the shared service provision employed by Tamworth Borough Council. During the LGA Peer Review it was recognised that the Economic Development Service was 'punching above its weight' and was not sustainable in the long term. The need for the post was previously recognised and the cost for the post has already been built into the budget.

3.15 Throughout the development of the Strategy and the work of the FFF Service Review the focus has been on ensuring that the review and its outputs were driven by the need to capture the economic priorities of the District. Care has been taken to produce a Strategy which is relevant to Lichfield, identifies the key work streams and importantly clarifies what the Council can do and what other service providers will be required/expected to do to deliver the stated aims. The work has been carried out at a time when changes are occurring in the national economy and government policy is impacting upon the public and private sectors. In taking the Strategy forward and seeking to implement its provisions, it will be important to assess risks associated with future changes in policy, economic circumstances and other factors. This will mean constantly reviewing the effectiveness of the Strategy and any implications arising from its implementation.

Alternative Options	<ol style="list-style-type: none"> <li>1. Whilst the District Council has for a long time undertaken duties and responsibilities linked to economic development and growth and in doing so been successful, it has not had a single clear set of strategic economic objectives nor been able to determine the appropriate resource inputs. It could continue without a Strategy and Action Plan but there is no guarantee that this would deliver the aims set out in the Council's new strategic plan.</li> </ol>
Consultation	<ol style="list-style-type: none"> <li>1. Consultation on a draft Economic Development Strategy took place between the 5<sup>th</sup> February 2016 and the 4<sup>th</sup> March. This was both a targeted and open public consultation. In addition to the consultation a separate local business survey has been carried out on behalf of the Lichfield and Tamworth shared economic development service as part of an initiative to better engage with local businesses and understand the local economy. The initial results of this survey have helped inform this report and its recommendations.</li> </ol>
Financial Implications	<ol style="list-style-type: none"> <li>1. It is envisaged that the District Council will continue its current arrangement with Tamworth Borough Council to deliver specific economic development activities on behalf of Lichfield District. For this the District Council pays an agreed annual fee charge plus it makes a contribution toward operational budgets. In 2015/16 the cost to the District Council was £47,000 (being a fee of £22,000 and contribution towards operational budgets of £25,000) The Strategy, if it is approved, will be implemented using existing resources where possible but a need for additional resource has been identified as part of the Service Review. The additional costs have already been approved.</li> <li>2. The Service Review has identified scope for more efficient ways of working across the Council's services.</li> </ol>
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> <li>1. Agreement and subsequent approval of the Strategy and related Action Plan will when implementation has commenced assist in the delivery of a key priority within the Council's Strategic Plan – Providing for a vibrant and prosperous economy.</li> </ol>
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> <li>1. The Strategy is intended to deliver economic benefits to the District as a whole providing for job opportunities as well as increased levels of income and investment to be spent on services, facilities and supporting infrastructure. Overall enhanced prosperity should impact positively on all areas of the District. A EIA checklist has been completed for the Strategy and is attached at <b>Appendix C</b>.</li> </ol>
Crime & Safety Issues	<ol style="list-style-type: none"> <li>1. None.</li> </ol>

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	That the Strategy is over ambitious or not ambitious enough	The Strategy has been informed by discussions with various parties internal and external to the Council. It is also influenced by the Council's new Strategic Plan and the objectives contained within it particularly as regards providing for a vibrant and prosperous economy. The Council will actively monitor the implementation of the Strategy and related Action Plan to ensure that it is serving to meet the Council's stated aims.	Green
B	That sufficient resources are not available to deliver the Strategy	Resources have been considered in drawing up the Strategy. The need for additional resource has been identified as part of this process.	Green

Background documents: Minutes of Economic Development Service FFF Project team meetings; Local Business Survey questionnaire and results 2016

Relevant web links

## Responses to consultation on the draft Economic Development Strategy

Respondent	Summary of Response	Comment	Proposed Change to the Strategy or Action Plan
1. Lichfield District Labour Group	<p>The Group agree with the overall tenor of the draft report, but would emphasise that in Burntwood all parties including the District Council need to work in conjunction with the Burntwood Community Strategy and the Neighbourhood Plan, if we are successful.</p> <p>Executive Summary: The absence of a proper living wage does not support this statement.</p> <p>P 2 1.3. Is LDC supporting us remaining in the EU and are the LEP's doing likewise?</p> <p>P 7 5.1 and 5.3. If LDC is a major employer, why are we not paying a proper living wage, as an example to other employers?</p> <p>P 8 6.1. Deliver a proper living wage</p>	<p>Noted and agree with the need for joint action.</p> <p>This is not a matter for the Economic Development Strategy</p> <p>This is not a matter for the Economic Development Strategy</p> <p>This is not a matter for the Economic Development Strategy</p> <p>This is not a matter for the</p>	<p>None.</p> <p>None.</p> <p>None.</p> <p>None.</p> <p>None.</p>

	<p>to all our employees who are below that figure.</p> <p>P 10 6.11.1. Burntwood Town Centre: Have other major projects eg Friarsgate relied on private investment? What about EU funding?</p> <p>P 11 Long term up to 2029: this is too long to wait for these improvements. The Economic Strategy is 2015-2020.</p> <p>P 10 In Burntwood we need adequate health facilities both now and in the future.</p>	<p>Economic Development Strategy</p> <p>Major private sector funding is being invested in the Friarsgate scheme alongside public monies input by both the GBSLEP and SSLEP. Where private sector funding is not available to meet the whole costs of a development at Burntwood and there is a case for public sector intervention then the Council will seek to explore such avenues.</p> <p>The improvement schemes listed reflect those set out in the approved Local Transport Plans. If there is an opportunity and funding available to bring schemes forward earlier in any programme these will be explored.</p> <p>It is recognised that Burntwood requires a range of services and facilities to support its resident population and business including improved health provision. This aspect is subject of on-going discussions between the relevant parties. Depending on the outcome</p>	<p>None.</p> <p>None.</p> <p>None.</p>
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	<p>P 4/5 3.3 Work with Chase Terrace Technology College who are going to provide engineering courses in the Vocational Centre they are taking over in September, allowing young people to remain in Burntwood, rather than moving elsewhere.</p> <p>Ensure there are suitable employment opportunities in all areas and for all ages, to allow residents to live and work locally.</p> <p>P7 5.5 and P10 Look towards the need to develop a Burntwood Bid and a Town Deal.</p>	<p>of such discussions there may well be scope to incorporate new health facilities into a new town centre proposal.</p> <p>This is a good example of linking training opportunities to those of work. By providing this training the local college will assist Burntwood residents attain the necessary skills to apply for posts in engineering based companies. The availability of a skilled workforce may also attract companies to establish themselves locally.</p> <p>A key strand of the Economic Development Strategy is to provide a better population –jobs balance within the District where possible. Broadening the employment base will help in this respect.</p> <p>Discussions are on-going between key public and private stakeholders with regards to facilitating investment and improvements in Burntwood. A possible town deal has been debated. The case for a BID depends on the area of coverage, the nature of the land</p>	<p>None.</p> <p>None.</p> <p>None.</p>
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		uses that will be expected to contribute resources and the exact purpose of the BID itself.	
	P 8 6.4 Provide suitable lower cost accommodation to encourage young people to remain in the area or return if they have gone away to participate in further or higher education.	The need to provide for a suitable range of housing and tenure mix including affordable housing is recognised in the Local Plan. The Council working with private sector developers and registered providers aims to ensure that where proposals for development come forward housing needs are duly taken into account.	None.
	P 8 6.3 and P 15 Develop leisure and tourism together with partners eg Chasewater, Gentleshaw Common. Leisure activities should provide facilities for all ages.	It is important that alongside housing and jobs the communities within the District are served by appropriate access to leisure and recreational opportunities. Likewise providing tourism opportunities can attract visitors and help support the local economy. The Strategy acknowledges both of these aspects.	None.
	P 10 6.11.1 Improved public transport - more routes and bus stops around the town and adequate parking for all, including	Noted. The Strategy acknowledges the need for enhanced public transport facilities to serve the requirements of Burntwood	None.

	<p>commuters.</p> <p>P 11 Improved cycle routes and long term looking at re-opening rail line at Hammerwich, which is probably just a dream.</p> <p>P 11 Work with partners to develop a Heritage Trail/Sculpture trail, recognition of The Hoard etc, for residents and tourists.</p> <p>P 11 More single storey dwellings across the spectrum, developers, housing associations etc, to cater</p>	<p>residents. Car Parking provision will depend very much on the proposals formulated for the town centre.</p> <p>Improved cycle routes across the District are captured within the existing Local Transport Plan. The Strategy reflecting the adopted Local Plan also identifies more aspirational goals such as the re-opening of rail lines, new walkways etc. New cycle routes can be explored in the context of the ED Strategy perhaps linked to new development proposals in Burntwood. If there is a good case, including economically, for re-opening additional rail lines these can be considered and would not be in conflict with the overall Strategy.</p> <p>Proposals of the kind identified could well enhance the quality of services and facilities available to residents of Burntwood and visitors to the District.</p> <p>See earlier response regarding housing needs. Across the District there are a range of differing</p>	<p>None.</p> <p>None. No changes to the Strategy as worded but the ideas proposed will be passed onto the relevant Council services and partners for consideration.</p> <p>None.</p>
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	<p>for an ageing population and disabled people. Also suitable properties for people who wish to downsize.</p> <p>P 12 6.16.1 Improved broadband and mobile network facilities.</p> <p>P 19 Work to ensure we have a cleaner environment in Burntwood - litter, fly tipping, dog fouling etc.</p>	<p>housing needs which require to be met. The Local Plan provides a detailed analysis of these needs together with a spatial policy framework intended to ensure that provision where possible links to those needs</p> <p>The need for better, faster broadband infrastructure to serve the Districts communities, particularly rural areas, is identified in the Strategy at Page 13 Para. 6.16. It is recognised however that the issue is applicable to the larger settlements as it is the rural ones. In respect of mobile services the quality of coverage is an issue with great variations between network operators.</p> <p>A major focus of the Strategy is on job creation in and investment into the District's communities. It is acknowledged that economic prosperity is supported by and goes alongside social equity and quality environment. In terms of the environment it is vital that residents, tourists and potential investors are served by clean, well</p>	<p>Amend the Strategy to reflect the needs for better broadband services to serve larger settlements as well as rural areas. Also highlight the requirements for improved levels of mobile coverage.</p> <p>None.</p>
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	<p>The Labour Group in Burntwood look forward to long term investment here, by LDC, BTC and outside agencies as soon as possible.</p>	<p>maintained areas of public realm complementing well-ordered private property. To this end the Council and its partners will be committed to ensuring that standards of maintenance are maintained or where necessary enhanced.</p> <p>Noted. The Economic Strategy recognises that to achieve the stated objectives will require inputs from a range of bodies. Where known these are listed in the Strategy and the related Action Plan.</p>	<p>None.</p>
<p>2. Shenstone Parish Council</p>	<p>Under Developing Our Strategic Objectives reference should also be made to the role of Neighbourhood Plans in providing for economic growth.</p> <p>In the associated Action Plan the section relating to broadband provision needs strengthening. Access to high quality broadband is of vital importance to rural</p>	<p>Noted. Where taken forward by local communities and adopted by the District Council as part of the statutory development plan policies and proposals in Neighbourhood Plans may contribute to economic prosperity.</p> <p>Noted. Agree that access to high quality superfast broadband is essential for all sections of the community.</p>	<p>Add in reference to Neighbourhood Plans</p> <p>Amend the Strategy and Action Plan to strengthen the commitments to delivering high quality superfast broadband to serve all communities in the District.</p>

	<p>communities where people particularly may work from home. The commitments in the Action Plan should be enhanced and reflect at the minimum the Superfast Staffordshire targets.</p> <p>Optimising Assets – the Strategy refers to ‘community/public sector buildings’ being used as resources to help support entrepreneurs/innovators. The Parish Council is keen to see the local library perform such a function and is considering this as part of plans to serve wider users. The Parish Council believes libraries should be specifically referenced as a resource to support local economic development activity and for these to be formally registered on the Local Asset Register.</p> <p>Sustainable Employment Land – The Action Plan refers to a suitable scale and mix of employment sites and property to meet the needs of industry. The Shenstone NP has considered the needs of industry and concluded that local needs could be served by the Shenstone Business Park and that there is a</p>	<p>Noted. The types of community/public sector buildings and/or services capable of assisting potential business people or new starters are not specifically defined as the needs of individuals and businesses will vary. However, Libraries could well meet a need. It will be for the relevant local authority owner of such existing uses to determine how libraries are used in consultation with local communities.</p> <p>Noted. The outcome of the Neighbourhood Plan process will help address the issue of the status of the stated employment sites and the scope for alternative uses as will the outputs of the Council’s Employment Land Review and Site Allocations Plan work. In this context however it is acknowledged</p>	<p>None.</p> <p>As above, amend the Strategy to recognise the role of Neighbourhood Plans in determining the future use of land and property.</p>
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	<p>case as such for changing the use of Birchbrook Industrial Estate to housing. The NP is currently at examination however the Parish Council would wish for the ED Strategy to recognise the role of NP's in informing policies and decisions and seeking to balance the needs for employment and housing in an area.</p> <p>Sustainable Employment Land – The commitment to an Employment Land Review is important but should include reference to intended outcomes. This should include a consideration for the use of monies to assist business relocations to better sites; the scope to allow for smaller rural employment sites to serve as locations for B1 uses (offices, research and development, light industry) rather than B2-B8 (industrial processes and distribution centres); and, promoting micro-science parks to potentially include land within Birchbrook Industrial Estate or Shenstone Business Park.</p>	<p>that Neighbourhood Plans in general could help determine the balance between housing and employment provision in a locality.</p> <p>The Employment Land Review is intended to be a detailed thorough exercise in appraising the quality of employment stock within Lichfield District and helping to inform policies and plans. As evidence it will assist in appraising the suitability of sites to meet different employment needs, it will also help identify any shortfalls of supply in terms of both quality and quantity. Where land is deemed not to be appropriate for employment use alternative uses will be appraised as part of the normal plan making and/or decision taking processes. The scope to serve alternative employment uses will also be considered.</p>	<p>None.</p>
3. LDC Land and Property	Need to update some of the information relating to the Lichfield	Noted. The current schemes has evolved since its original inception	Amend the Strategy to include updated details relating to the

	<p>City Centre Friarsgate scheme to reflect changes at the design stage and the likely consequences if permission is duly granted and implementation takes place.</p> <p>On a more wider note, having reviewed the strategy there is a concern at the proposed objective to reduce the number of highly skilled people commuting out of the district. Wouldn't a better objective to be increase job opportunities in the district and give focus on attracting businesses that require highly skilled people to work there? This could be done through increasing opportunities for local people to have access to institutions to increase their skills and qualifications. It would be useful if the strategy could reference what companies/industry sectors operate in the district currently and what the council would like to do to attract more/different types of business and sectors. Ditto access to skills and higher education opportunities. It would then be for the strategy to set out how the</p>	<p>and therefore the Strategy needs to take account of this.</p> <p>This is one and same thing, there is no difference in the long term objective which is to secure more highly skilled workers living and working in high value jobs in Lichfield District. It is acknowledged that given the District's scale and nature and its employment base, a high proportion of people will travel to jobs in Solihull or Birmingham. However there is a scope to be more sustainable and self-sufficient as a District and by securing a wider range of growth sectors, attract more people to work in the area.</p>	<p>Friarsgate scheme (P.10 Para. 6.8).</p> <p>None.</p>
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	council could support this investment – whether this is via marketing, land supply or business support etc.		
4. Staffordshire County Council	In paragraph 6.4 it states <i>“Almost one in three of the District’s working residents commute into Birmingham and the conurbation, just some 30 minutes by train on the Cross City Line.”</i> Is this statistic correct?	Yes, figures from the 2011 Census indicate that some 27% residents commute into Bham and Solihull with a higher figure if you factor in the Black Country.	None.
5. Lichfield Chamber of Trade	6.13 transport Infrastructure ‘Route signage Lichfield to Tamworth’  What is this signage? Will there be signage ‘Tamworth to Lichfield’?	Route signage is part of the Local Transport Plan for the District, the details of which will follow in due course. In terms of signing the references in the Strategy relate to that which will direct people specifically travelling to the District or who might want to visit to particular areas, destinations etc. This will include signing both within the District and outside on strategic transport routes including within Tamworth Borough. In this context and for the purposes of clarity, the wording in the Strategy should read	Amend Para. 6.13.1 to read ‘Route signage from Lichfield to Tamworth’



	<p>6.17 Place Marketing</p> <p>This shows Lichfield BID as a partner. Although the BID will have a marketing strategy will it fit within the overarching strategy for the LDC/ City Centre Development Partnership?</p>	<p>words '.....from Tamworth to Lichfield'</p> <p>It is the intention that the District Council working through its Economic Development service and with partners will produce the marketing materials to help sell the benefits of developing business and investing in the District. This material will hopefully be informed and supported by bodies such as the Lichfield BID. In the same vein it would be expected that any marketing undertaken by the BID will help support initiatives such as the Lichfield City Centre Development Partnership and associated Strategy.</p>	<p>None.</p>
	<p>6.26 Optimising Assets</p> <p>Will 'absent landlords' be robustly encouraged to market their vacant properties in the city centre i.e. Feria on Bore St &amp; Kwik save on Tamworth St both of which are eyesores within the otherwise attractive centre</p>	<p>Where individual properties are seen as having a detrimental impact on the overall attractiveness of an area or having the potential to enhance the quality of a place, the District Council and partners will seek to take the necessary action. Where possible this will involve entering into open and supportive</p>	<p>None.</p>

		<p>dialogue encouraging owners and managing landlords to realise the personal and wider benefits that would accrue from maintaining buildings and making good use of them. Alternatively, the Authority will consider using its CPO powers if it feels that this would be justifiable in the circumstances. A Task Group is also being established to look at this issue under the umbrella of the Lichfield City Centre Development Partnership.</p>	
6. LDC Development Services	<p><b>Economic Profile.</b></p> <p><b>Para. 2.3</b></p> <p>Suggest including data to show net out commuting rate and residents jobs by type. Would be beneficial to indicate council’s approach to meeting the needs of the local economy</p> <p><b>Economic and Delivery Challenges</b></p> <p><b>3.3 SWOT analysis</b></p> <p>Suggested re-wording under the Weakness heading the entry “Business leadership and management skills issues” is changed to ‘We recognise that the local business skills base is</p>	<p>Noted. The inclusion of this additional information would be helpful and link with the suggested approach set out in the Strategy.</p> <p>Noted. However it is felt that the current wording reflects the situation.</p>	<p>Add into the Strategy document information relating to commuting patterns and jobs.</p> <p>None.</p>

	<p>constantly changing’.</p> <p>Suggest including “Adaptability to economic changes” (opportunities).</p> <p>Under weakness: “Limited number of incubation units and support” suggest adding “in progressing from starter to established business. This would involve supporting the provision of another type of transitional accommodation.”</p> <p><b>Working with Partners 5.4</b></p> <p>Should there be a reference to Growth Hubs here?</p> <p><b>Para 5.5</b></p> <p>How does this strategy fit with the BEP Strategic Plan 2014-2018?</p>	<p>Agree. The District has shown that overall it is resilient to changing economic circumstances and as such is adaptable.</p> <p>Agree, this would provide helpful clarification.</p> <p>The Growth Hub is an initiative involving partners and not in itself a partner.</p> <p>The BEP Strategy was prepared by the Lichfield and Tamworth Business and Economic Partnership to reflect the ambitions of the Partnership over the period 2014-2018. Although a change of approach has resulted in the formal</p>	<p>Amend the SWOT analysis at Para. 3.3 to include ‘Adaptability to economic changes’ under the Opportunities heading</p> <p>In Para. 3.3 under the heading of Weaknesses add the words “in progressing from starter to established business. This would involve supporting the provision of another type of transitional accommodation.” After ‘...Limited number of incubation units and support”</p> <p>None.</p> <p>None.</p>
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	<p><b>Para. 5.7</b> Suggest a diagram/ visual to depict how different partners all fit together</p> <p><b>Para. 6.13.1</b> Re SLTP – should we reference where the accountability is for these projects?</p> <p><b>Sustainable housing 6.14.2</b> What is being referred to here? May be useful to include references to the specific sites in question</p>	<p>partnership no longer existing, the economic development ambitions across the two adjoining areas remain valid.</p> <p>Agree, it would be helpful to the reader to clearly see the relationship between partners involved in the economic development agenda.</p> <p>Noted. Schemes will either be provided by the County Transport/Highway Authority or via the development process</p> <p>The initiative is aimed at supporting developers of housing sites overcome issues which are preventing sites coming forward. The scheme provides for potential loan, grant or equity funding to meet the costs of necessary work.</p>	<p>Amend the Strategy to include a diagram showing the partners and how they play into the Strategy.</p> <p>Add in text to Para. 6.13.1 to explain who will be accountable for providing transport and highway infrastructure improvements.</p> <p>None.</p>
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	<p><b>Business Support 6.23</b> Consider including Growth Hubs, Chamber &amp; FSB as Strategic Partners</p> <p><b>People – priorities 6.30- 6.34.1</b> Consider revising- Not clear how this is relevant to issues of out commuting.</p> <p><b>Action Plan</b> Will this remain a live document or are the timescales more flexible?</p> <p>Re. Friarsgate/ Lichfield City BID. Important to indicate what is in the</p>	<p>Qualifying sites will be identified through the application of the scheme.</p> <p>Agree that the Chamber of Commerce and FSB are strategic partners.</p> <p>It is considered that the District has the potential to stimulate growth in new businesses created by individuals or small numbers of people. Creating the right conditions to allow for business ideas to be discussed and enabling those ideas to be taken forward is seen as critical.</p> <p>Yes, the Action Plan will be a live document open to continual monitoring and review.</p> <p>Noted however not necessary to go into this level of detail in the Action Plan. A project plan is maintained</p>	<p>Add Chamber of Commerce and FSB to list of strategic partners in Para. 6.23.1.</p> <p>None.</p> <p>None.</p> <p>None.</p>
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	<p>control of the council and what is external. How will it be possible to measure success where it depends largely on outside factors e.g economic climate.</p> <p>Sustainable Employment Land. The action is quite broad in its scope. Consider making more focussed and measurable.</p> <p>Engagement with Strategic Partners 3) “Develop strong links with the emerging growth hubs” – consider making this more focused?</p>	<p>by the Council and should be referred to in this respect. Measures of success will be developed alongside the Action Plan</p> <p>The Employment Land Review is intended to be a detailed thorough exercise in appraising the quality of employment stock within Lichfield District and helping to inform policies and plans. As evidence it will assist in appraising the suitability of sites to meet different employment needs, it will also help identify any shortfalls of supply in terms of both quality and quantity. Where land is deemed not to be appropriate for employment use alternative uses will be appraised as part of the normal plan making and/or decision taking processes. The scope to serve alternative employment uses will also be considered.</p> <p>Agree.</p>	<p>None.</p> <p>Add to the existing text to show where and how engagement with the Growth Hubs will bring about benefits to the District.</p>
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	<p>Entrepreneurial Culture: Measure of success should include an increase in business survival rates over the 2015-2020 period.</p> <p><b>Editorial comments</b></p> <p><b>Exec Summary</b></p> <p>Suggest removing “we believe” at start of second para. Long sentence at end - consider revising</p> <p><b>Para. 6.5</b></p> <p>Suggest rewording to “there is pressure...”</p> <p><b>Action Plan p30</b></p> <p>Local Delivery Programme. Needs correction “These has”</p>	<p>Noted. Key Performance Indicators will be developed alongside the Action Plan</p> <p>Noted. However, it is considered the text suitably reflects the strengths and assets of the District and how these could be used to provide for jobs and attract investment.</p> <p>Agree</p> <p>Noted. Grammatical error</p>	<p>None.</p> <p>None.</p> <p>Amend <b>Para. 6.5</b> to read ‘There is pressure...’</p> <p>Amend to read ‘These <u>have</u>...’</p>
7. Longdon Parish Council	<p>Public Transport – being a rural area, there is a need for public transport to assist residents to access employment. With the</p>	<p>It is important that residents within the District, wherever they live, are able to access employment opportunities as well as other key</p>	<p>Amend Para. 6.13 to include reference to bus, rail services alongside infrastructure.</p>

	<p>removal of the bus service in the parish, this is proving difficult for local residents. The parish council would like to see that in order to access employment opportunities, LDC seek to support the reinstatement of a public bus service in and around the parish.</p> <p>Tourism – there are many public footpaths and bridleways which criss-cross the parish. We see large numbers of ramblers accessing the routes. The parish council would like to see mention made in the strategy of the need to maintain and improve the public footpaths in the parish.</p>	<p>services and facilities. It is for bus operators to determine the provision of services based on levels of demand and commercial viability. Where possible and appropriate the District Council and partners will work to encourage provision to be made to serve communities such as Longdon.</p> <p>Encouraging people to visit Lichfield District and enjoy the facilities available is a key aspect of the Economic Development Strategy. The need to maintain and where possible improve public footpaths is noted. The District Council will work with partners including the County Council and landowners to ensure that footpaths are kept in good condition and allow for their suitable use.</p>	None.
8. Beverley Smith (Mansfield DC Chief Executive and member of 2014 LDC LGA Peer Review Team)	<p>The work carried out to date provides an excellent evidence base to inform the Strategy.</p> <p>Further work can build upon this eg. process mapping of Council services and engagement with business and further continued dialogue with the</p>	<p>Noted.</p> <p>The named actions will be undertaken alongside the next stages of agreeing the Strategy and commencing its implementation.</p>	<p>None.</p> <p>Review Action Plan to ensure that process mapping is incorporated and a commitment is made to continual business engagement.</p>



	<p>business community</p> <p>The Strategy is as drafted ambitious and it is important that the Council consider the resourcing issues associated with it. It will be important to prioritise elements of the Strategy.</p> <p>A summary document to sit alongside the Strategy would be helpful.</p> <p>Look at your KPI's and ensure these are focused and highlight the differences the Strategy and the partners involved in its delivery are making. Link this to satisfaction</p>	<p>Noted. It is accepted that the Strategy is ambitious in its breadth however its key objectives and the drivers are linked to the Council's Strategic Objectives as set in the new Strategic Plan. A number of activities identified in the Strategy relate to on-going work which is essential to inform any strategy and help deliver on the key priorities.</p> <p>The resource implications of the Strategy have been considered by the Council and are addressed in proposals to members.</p> <p>Agree.</p> <p>Agree. A set of KPI's have been produced to assist in measuring the effectiveness of the Strategy and its implementation.</p>	<p>Add text into the Strategy to explain more fully the links between the key priorities in the Strategy and the objectives set out in the Council's Strategic Plan as regards providing for a vibrant and prosperous economy.</p> <p>None.</p> <p>None but prepare a short summary document to circulate/make available alongside the final Strategy and Action Plan document.</p> <p>None.</p>
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	<p>levels of business.</p> <p>A communication strategy needs to be put in place to promote the Strategy and implementation and ensure that there is 'buy-in' from all relevant parties.</p>	<p>Agree. A communication strategy will be prepared to launch the implementation of the final Strategy and Action Plan.</p>	<p>None.</p>
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## Economic Development Strategy and Action Plan

### Assessing Performance

Alongside the Economic Development Strategy an Action Plan has been prepared setting out how the Strategy is intended to be delivered and objectives achieved. It is important that the Action Plan is monitored to judge the effectiveness of the actions undertaken and assess the overall impact on the local economy and prosperity of the District.

Below are set out suggested Key Performance Indicators which will be used to determine the success or otherwise of the Strategy and Action Plan. These KPI's will be monitored on a regular basis and reported to the Council's Senior Management Team and the Economic Growth, Environment and Development (Overview and Scrutiny) Committee. The KPI's will complement and sit alongside those that have been agreed in relation to the Council's Strategic Plan and in particular achieving a Vibrant and Prosperous Economy<sup>i</sup>.

**Overall: Job growth, unemployment rate**

**Business: Enquiries handled, businesses assisted, business start-ups and survival rates, customer satisfaction**

**Inward Investment: Enquiries handled, investment levels, jobs created/safeguarded, customer satisfaction**

**Land/Premises & Infrastructure: Hectares of employment land developed; jobs supported/created, extent of broadband/High Speed Broadband coverage, customer satisfaction**

**Training and Employment: Workplace skill and wage levels, customer satisfaction**

**Town Centres/Regeneration: Retail vacancy rates, footfall**

It should be noted that whilst the District Council and its own activities will have a direct impact on performance as measured against the above KPI's, in some areas the impact will be less/negligible as it will be the actions of other partners that will be judged reflecting respective duties and responsibilities.

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<sup>i</sup> The Council's Strategic Plan for 2016-2020 includes a specific objective to deliver a Vibrant and Prosperous Economy. By 2020 the Council seeks to deliver more local jobs and more people in employment, more new businesses in the District, more successful businesses, more visitors and greater visitor spend and, a regenerated Lichfield City Centre & new retail offer in Burntwood.

# equality impact assessment

## stage 1 quick check

### questionnaire



If you are planning on making a change to an existing service or policy, or launching something new, fill out this quick questionnaire to find out if you need to complete a full equality impact assessment. You can also use this form to check your current services or policies.

To find out more about the legal background to equality impact assessments, or for advice on which of your current services should be assessed, read our equality impact assessment help notes.

### Section 1: About you and your service area

<b>Your name:</b>	Craig Jordan
<b>Your service area:</b>	Spatial Policy and Delivery
<b>Your director/line manager:</b>	Richard King
<b>Your cabinet member:</b>	CLlr I. Pritchard

### Section 2: About your plans

<b>Name of service/policy you are assessing:</b>	Draft Economic Development Strategy and Action Plan
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<b>Is it?</b> (please delete as appropriate)
<ul style="list-style-type: none"> <li>A new policy/planned service – Economic Development Strategy and its implementation</li> </ul>

<b>Who are the main users of your service/policy?</b> (please delete any that are not appropriate)
<ul style="list-style-type: none"> <li>All residents</li> <li>Visitors to the district</li> <li>Mixture of residents and visitors</li> <li>Users of a specific service (e.g. leisure centre customers)</li> <li>Internal (employees)</li> <li>Disability specific groups</li> <li>Race specific groups</li> <li>Gender specific groups</li> <li>Religious groups</li> <li>Sexual orientation groups</li> <li>Older people</li> <li>Young people</li> <li>Other (please specify)</li> </ul>

<b>Please briefly describe why you are creating a new service/changing an existing service or reviewing current policy/service</b> (where appropriate, include sources of evidence such as customer feedback):
To provide a strategy and policy framework for the sustainable economic growth of Lichfield District providing for jobs, wealth creation and overall enhanced quality of life for residents. The strategy will build upon existing policy and practice but also introduce new objectives and seek to utilise additional resources.

<sup>1</sup> For help or guidance contact Colin Cooke on 01543 308121 or Alison Bowen on 01543 308129 or email [colin.cooke@lichfielddc.gov.uk](mailto:colin.cooke@lichfielddc.gov.uk) or [alison.bowen@lichfielddc.gov.uk](mailto:alison.bowen@lichfielddc.gov.uk)

## Section 3: Will your plans impact on any particular groups?

**3a:**  Please fill in all boxes that apply in the table below. If any boxes don't apply, please leave blank.

**Hints & tips** Think about who will benefit from or be affected by your plans/policy. Will any particular group be negatively affected, or not able to use the service? For further guidance please see Section 3 of the help notes.

Impact of plans <b>Groups of users</b>	<b>Will your plans have a positive impact on this group?</b> If so please explain why?	<b>Will your plans have a negative impact?</b> If so please explain why? <input checked="" type="checkbox"/> <b>If there is a negative impact on any group(s), please complete section 4 for each group.</b>
<b>Age ranges (indicate range/ranges)</b>	Yes. The Strategy and its implementation via a set of stated actions is intended to support sustainable economic growth which benefits all age ranges within the District. It will provide job opportunities, investment in the local economy and improvements in services and facilities which support the needs of the local population.	No
<b>Disability (physical, sensory or learning)</b>	Yes, the Strategy and its implementation via a set of stated actions is intended to support sustainable economic growth which benefits all people within the District whether disabled or able-bodied. It will provide job opportunities, investment in the local economy and improvements in services and facilities which support the needs of the local population.	No
<b>Gender/sex</b>	Yes, the Strategy and its implementation via a set of stated actions is intended to support sustainable economic growth which benefits all people within the District whatever the gender/sex of a person(s). It will provide job opportunities, investment in the local economy and improvements in services and facilities which support the needs of the local population.	No
<b>Transgender/gender reassignment</b>	Yes, the Strategy and its implementation via a set of stated actions is intended to support sustainable economic growth which benefits all people within the District whatever the gender/sex of a person(s). It will provide job	No

	opportunities, investment in the local economy and improvements in services and facilities which support the needs of the local population.	
<b>Race (includes ethnic or national origins, colour or nationality)</b>	Yes, the Strategy and its implementation via a set of stated actions is intended to support sustainable economic growth which benefits all people within the District whatever the race of a person(s). It will provide job opportunities, investment in the local economy and improvements in services and facilities which support the needs of the local population.	No
<b>Gypsies and travellers</b>	Yes, the Strategy and its implementation via a set of stated actions is intended to support sustainable economic growth which benefits all people within the District including gypsies and travellers. It will provide job opportunities, investment in the local economy and improvements in services and facilities which support the needs of the local population.	No
<b>Refugees / asylum seekers</b>	Yes, the Strategy and its implementation via a set of stated actions is intended to support sustainable economic growth which benefits all people within the District refugees/asylum seekers. It will provide job opportunities, investment in the local economy and improvements in services and facilities which support the needs of the local population.	No
<b>Sexual orientation</b>	Yes, the Strategy and its implementation via a set of stated actions is intended to support sustainable economic growth which benefits all people within the District whatever sexual orientation a person(s) has. It will provide job opportunities, investment in the local economy and improvements in services and facilities which support the needs of the local population.	No
<b>Religion or belief (includes lack of belief)</b>	Yes, the Strategy and its implementation via a set of stated actions is intended to support sustainable economic growth which benefits all people within the District whatever religion or religious beliefs a	No

	person(s) follows or has. It will provide job opportunities, investment in the local economy and improvements in services and facilities which support the needs of the local population.	
<b>Other (please specify)</b>	None.	

### 3b: Further details

<b>Please use this space to provide further details if necessary</b>



## Section 4: Can you justify and evidence, or lessen any impact?

**4a:**  If you have identified a negative impact(s) on any group(s) please complete the below table for each affected each group. If any boxes don't apply, please leave blank. If you didn't identify any negative impact(s) on the previous page, skip to section 6.

**Hints & tips** Is there something you can do to reduce or alter any negative impact you have identified? *For example when we changed waste and recycling collections to kerbside collections, we offered disabled/less able people assisted collections.* Please list all the evidence you have gathered to support your decision(s) – this could include customer feedback, statistics, comparable policies, consultation results. If you don't have any evidence, please carry out appropriate studies and research to gather the evidence you need to support your decision(s). If you have no/insufficient evidence or cannot gather any, you will need to complete a full EIA. For further guidance, see Section 4 of the help notes.

Actions you need to take	We will make the following change(s) to the service/policy to reduce the negative impact. Explain the change(s) and the evidence you have to support your decision? <input checked="" type="checkbox"/> Use section 4b below if you want to give more details.	We won't make changes as we can justify our decision and there are sound reasons behind our decision. Justify why and detail the evidence you have gathered to support your decision. <input checked="" type="checkbox"/> Use section 4c below if you want to give more details.	There is a negative impact, and we cannot justify it and/or have no, or insufficient, evidence to support our decision.  <input checked="" type="checkbox"/> You will need complete a full equality impact assessment. See the help notes for more details.
Groups of users			
Age ranges (indicate range/ranges)			
Disability (physical, sensory or learning)			
Gender / sex			
Transgender / gender reassignment			
Race (includes ethnic or national origins, colour or nationality)			
Gypsies and travellers			
Refugees / asylum seekers			
Sexual orientation			
Religion or belief (includes lack of belief)			
Pregnancy and maternity			
Carers or the people cared for (dependants)			
Other (please specify)			

### 4b: Further details on changes

Please use the space below to give more details on the changes you will make, if necessary:

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### 4c: Further details on justification

Please use the space below to give more details on the justification/evidence you have gathered, if necessary:

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## Section 5: Your action plan

**Help notes** If, as a result of this assessment, you are going to adapt your plans or policy, please include details below. Please include a quick action plan and key dates that will show how you will review your decisions and when. Please include responsibility and expected outcomes. For full guidance on how to complete this section, please refer to the help notes.

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## Section 6: Record your actions (delete as appropriate)

I have sent this to Policy and Performance for publication on the intranet and on <a href="http://www.lichfielddc.gov.uk">www.lichfielddc.gov.uk</a>	No	Yes
Date completed:		