

Local Plan and related spatial policy matters update

Report of the Cabinet Member for Economic Growth, Environment & Development Services:
Councillor I. Pritchard



Date: 20th June 2018
Contact Officer: Craig Jordan/ Ashley Baldwin
Tel Number: 01543 308202/ 308147
Email: craig.jordan@lichfielddc.gov.uk/
ashley.baldwin@lichfielddc.gov.uk
Key Decision? YES
Local Ward ALL
Members

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

1. Executive Summary

- 1.1 The Local Plan Allocations document has now been submitted to the Planning Inspectorate. The Examination date has yet to be agreed.
- 1.2 Consultation on the Local Plan Review Scope, Issues and Options concluded on 11 June 2018. Officers are summarising responses. Following this responses will be analysed and a report brought to members in due course.
- 1.3 This report focuses on the issue of the Greater Birmingham Housing Market Area – Strategic Growth Study and its relevance to the Local Plan Review
- 1.4 In respect of Neighbourhood Plan progress this is positive with Alrewas, Armitage with Handsacre and Longdon proceeding to referendum.
- 1.5 Legislative changes mean that the Council’s current Statement of Community Involvement (SCI) requires updating. Officers have reviewed the SCI and have identified the opportunity to make some additional changes. Due to the nature of the changes the SCI will need to be consulted on.

2. Recommendations

- 2.1 That the Committee notes the progress associated with the Local Plan Allocations and Local Plan Review.
- 2.2 That the Committee notes the issues surrounding the Greater Birmingham Housing Market Area Housing Shortfall and the Strategic Growth Study (**APPENDIX A**).
- 2.3 That the Committee notes the proposal to update the Council’s Statement of Community Involvement.
- 2.4 The Committee notes the recent progress in relation to neighbourhood plans within Lichfield District.

3. Background

Local Plan Allocations

- 3.1 In preparing the Local Plan Allocations document, Members will recall that the Council has undertaken a considerable amount of consultation and stakeholder engagement as part of the plan making process

which has helped shape the final version of the document. The following rounds of consultation have taken place:

Table 1: Consultation Timetable

Date	Consultation Stage
August – October 2016	Open Consultation (Regulation 18) on the scope and nature of the Plan.
March – May 2017	Consultation on the publication version of the Plan (Regulation 19).
January – February 2018	Additional ‘Focused Changes’ consultation on the publication version of the Plan (Regulation 19). This was a modified version of the plan that had been consulted upon in 2017.

- 3.2 The Council consulted on the proposed scope and nature of the Local Plan Allocations document between August and October 2016. In total 98 representations were received and those responses alongside the evidence base were used to inform the preparation and site selection for the publication version of the Local Plan Allocations document. The Council undertook consultation on this document between March and May 2017 and in total approximately 5,000 responses (including generic responses and petitions) were received. Officers assessed each of the representations received and reviewed the housing land supply position. As part of this review officers took account of several appeal decisions from the Secretary of State which had a bearing on the land supply position. This analysis identified that from an overall housing land supply perspective there is enough capacity within the District to deliver the 10, 030 dwelling requirement in the adopted Local Plan Strategy without releasing sites from the Green Belt as part of the Local Plan Allocations. This resulted in a further consultation on a revised publication document entitled ‘Focused Changes’ between January and February 2018.
- 3.3 The Local Plan Allocations document has now been submitted to the Secretary of State for an Examination to be held by an Independent Inspector. The Examination will establish whether the submitted version of the Local Plan Allocations complies with the relevant legal requirements and is considered ‘sound’. To be sound the document should be positively prepared, justified, effective and consistent with national planning policy.
- 3.4 The timescales and programme for the examination will be dictated by the Planning Inspectorate and we will know in due course when the examination will take place and for how long.

Local Plan Review

- 3.5 The Local Plan Review presents an opportunity for the Council to consider and comprehensively review its Local Plan in full. This is not to imply that there are deficiencies associated with the current Local Plan Strategy or the emerging Local Plan Allocations document, and the commencement of a Review is without prejudice. The Local Plan Review is required to ensure that policies are relevant and up to date given national guidance and the time that will have elapsed since the current adopted Local Plan was originally formulated. Notwithstanding this, it should be noted that the Government is presently proposing that Local Planning Authorities undertake a review of Plans every five years and as set out in Table 1 below, the proposed timetable for the Local Plan Review would enable Lichfield District Council to meet this timeframe if, as is likely, this requirement is confirmed.

3.6 On the 5th December 2017 Cabinet considered and agreed a proposed timetable for the Plan Review, and this was ratified by Full Council on the 19th December 2017. The agreed timetable is identified in Table 2 below.

Table 2: Local Plan Review timetable

Stage	Commencement date
Local Plan Review Scope, Issues & Options consultation	April 2018
Preferred Options	January 2019
Publication	September 2019
Submission to Secretary of State	January 2020
Examination in Public	March 2020
Adoption	December 2020

3.7 The scope of the Local Plan Review is:

3.7.1 Review vision and objectives;

3.7.2 Review policies contained within the adopted Local Plan Strategy;

3.7.3 Meet the requirements of the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) inclusive of any legislative update;

3.7.4 Identify options to assist with delivery of economic growth, inclusive of housing, employment, and commercial development;

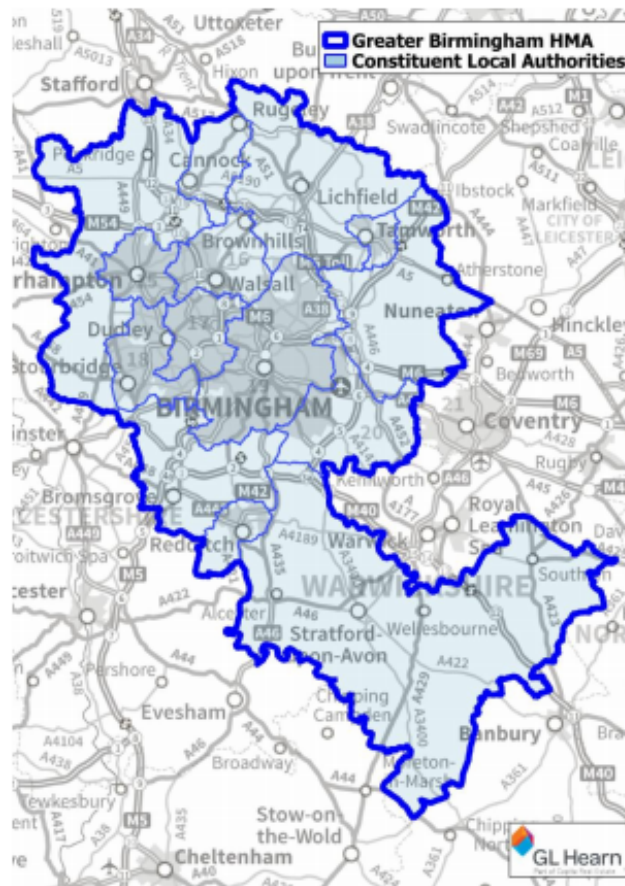
3.7.5 Deal with any identified gaps in the Local Plan framework; and

3.7.6 Review supporting documents such as the Infrastructure Delivery Plan.

Greater Birmingham Housing Market Area Strategic Growth Study

3.8 In 2017 the 14 authorities that make up the Birmingham Housing Market Area commissioned a study which sought to investigate the identified unmet housing need within the area, and consider strategic development options to meet this need. Figure 1 depicts the study area.

Figure 1 – GBHMA study area



- 3.9 A principal trigger in commissioning the work is the Birmingham Development Plan. This was adopted in January 2017. The city of Birmingham will only be able to provide between half – two-thirds of the new homes required (89, 000 in total). As part of the Examination process there was an acceptance by the Inspector that the remaining shortfall would have to be met within the wider GBHMA.
- 3.10 It is important to note that the issue is not a solely a Birmingham issue. There are other Local Authorities within the area that cannot meet their needs. A relevant example in the context of Lichfield District is Tamworth Borough. These other Authorities add to the housing land shortage within the District.
- 3.11 This commission was undertaken in line with the need for local authorities to work together through the Duty to Cooperate. Lichfield District is part of the Greater Birmingham Housing Market Area (GBHMA) as illustrated in Figure 1.

3.12 The study builds upon work previously undertaken by Peter Brett Associates. The principal requirements of the study were:

3.12.1 Review the existing identified supply to consider whether, by positively applying policies that are consistent for each type of site across the HMA, more dwellings could be provided through increased densities.

3.12.2 Should a shortfall remain following consideration of option (1), consider the potential additional supply on other land outside of the Green Belt that has not previously been considered for housing development, by applying a consistent approach across the HMA. This should take into account the sustainability of the locations for accommodating housing growth, including the need to provide other land uses.

3.12.3 Should a shortfall remain after undertaking tasks (1) and (2) consider the development potential and suitability of any large previously developed sites within the Green Belt that may lie in sustainable locations.

3.12.4 Should a shortfall remain after undertaking tasks (1) to (3), undertake a full strategic review of the Green Belt within the HMA utilising a consistent Green Belt Review methodology, which assesses the Green Belt against its five purposes, followed by consideration of distribution and broad locations, taking into account market capacity to deliver.

3.13 Members will recall that the adopted Local Plan Strategy at paragraph 4.6 commits the Authority to reviewing its Local Plan to assist in addressing the shortfall in the GBHMA. Specifically paragraph 4.6 states:

Following discussions falling under the Duty to Cooperate Lichfield District Council recognises that evidence is emerging to indicate that Birmingham will not be able to accommodate the whole of its new housing requirements for 2011-31 within its administrative boundary and that some provision will need to be made in adjoining areas to meet Birmingham's needs... Lichfield District Council will work collaboratively with Birmingham, Tamworth and other authorities and with the GBSLEP to establish, objectively, the level of long term growth through a joint commissioning of a further housing assessment and work to establish the scale and distribution of any emerging housing shortfall. In the event that the work identifies that further provision is needed in Lichfield District, an early review of the Lichfield District Local Plan will be brought to address this matter...

3.14 GL Hearn and Wood consultancies were commissioned by the HMA Authorities to jointly prepare the study. They followed the following approach:

3.14.1 Assessed the housing need parameters;

3.14.2 Reviewed the potential residential land supply by:

3.14.2.1 Collating existing information held by the Local Planning Authorities;

3.14.2.1 Assessed the potential from increasing development densities.

3.14.3 Identified potential areas of search for strategic development by assessing:

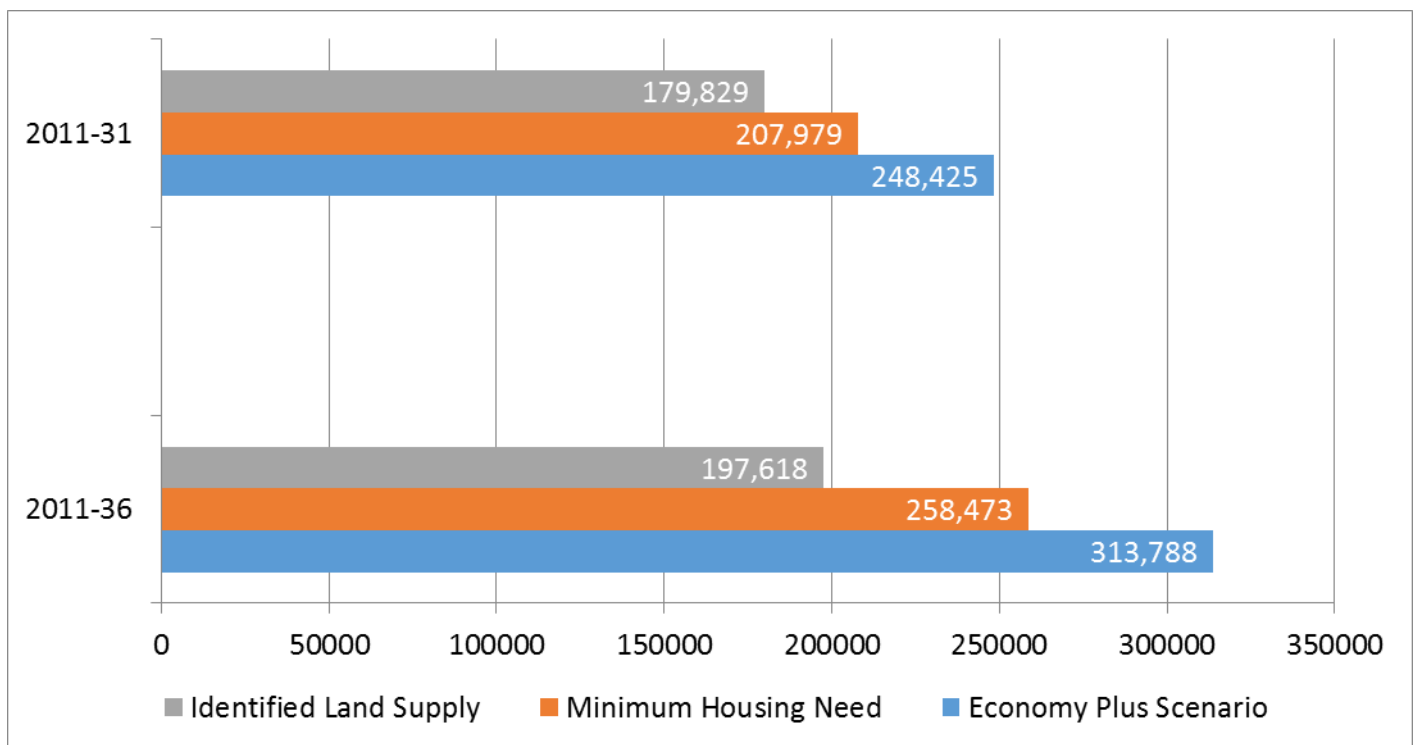
3.14.3.1 Land outside the Green Belt;

3.14.3.2 Previously developed sites in the Green Belt;

- Strategic review of the Green Belt.

3.15 Figure 2 illustrates the housing supply position following the study's assessment of the housing need parameters. In effect the study identified a minimum shortfall of 28, 000 homes to 2031, and 61, 000 homes to 2036.

Figure 2 – Housing supply position



3.16 The study identified a disparity across the HMA over the use of density assumptions. In some instances Authorities were applying lower than expected assumptions. This inevitably has an impact on the shortfall figure, especially where Authorities are applying low density assumptions and also indicating an inability to meet their own needs. The report recommended benchmarking minimum density levels across the HMA. In effect this has the potential to provide 13, 000 more homes, principally to 2031.

3.17 The study then investigates potential strategic development options to assist with meeting the shortfall. Three specific strategic options were considered:

3.17.1 Urban extensions (with capacity for between 1, 500 – 7, 500 dwellings)

3.17.2 Employment-Led Strategic Development (1, 500 – 7, 500 dwellings)

3.17.3 New Settlements (10, 000+ dwellings)

3.18 In recognition of the National policy context to avoid development in the Green Belt unless exceptional circumstances exist, the study sought to identify those Authorities outside of the urban area with non-Green Belt land. This includes Lichfield District, but also includes:

3.18.1 South Staffordshire;

3.18.2 North Warwickshire;

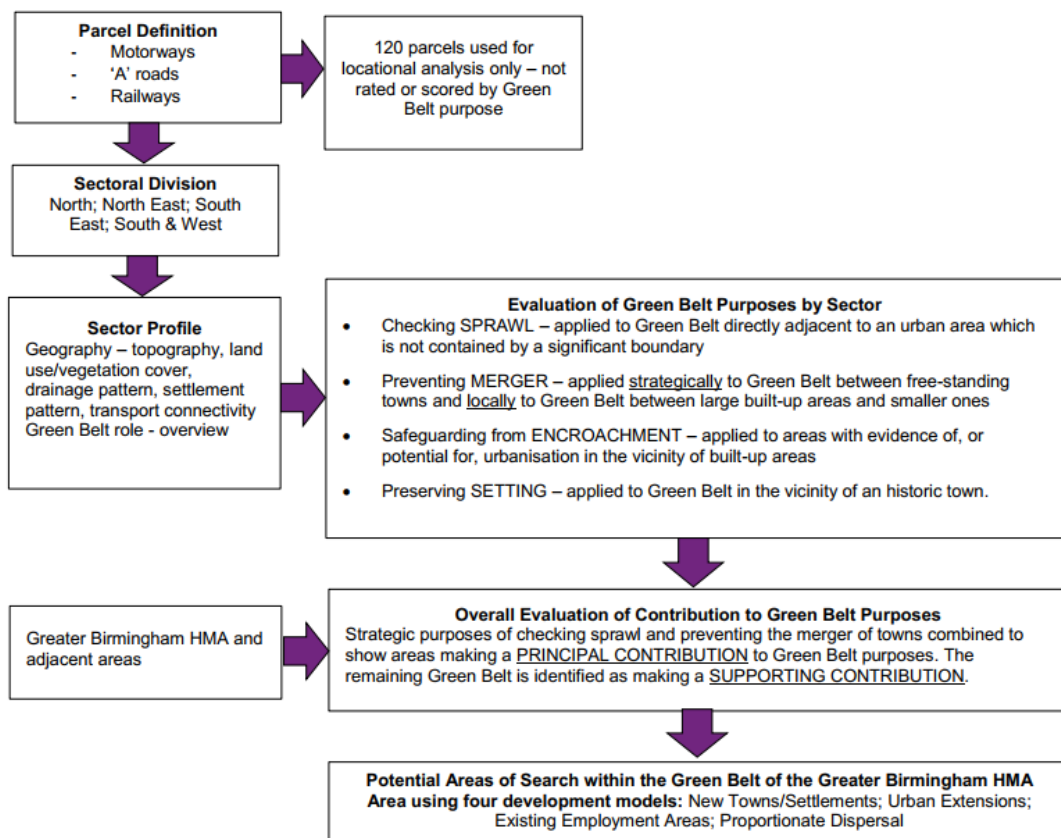
3.18.3 Stratford-on-Avon;

3.18.4 Tamworth;

3.18.5 Redditch.

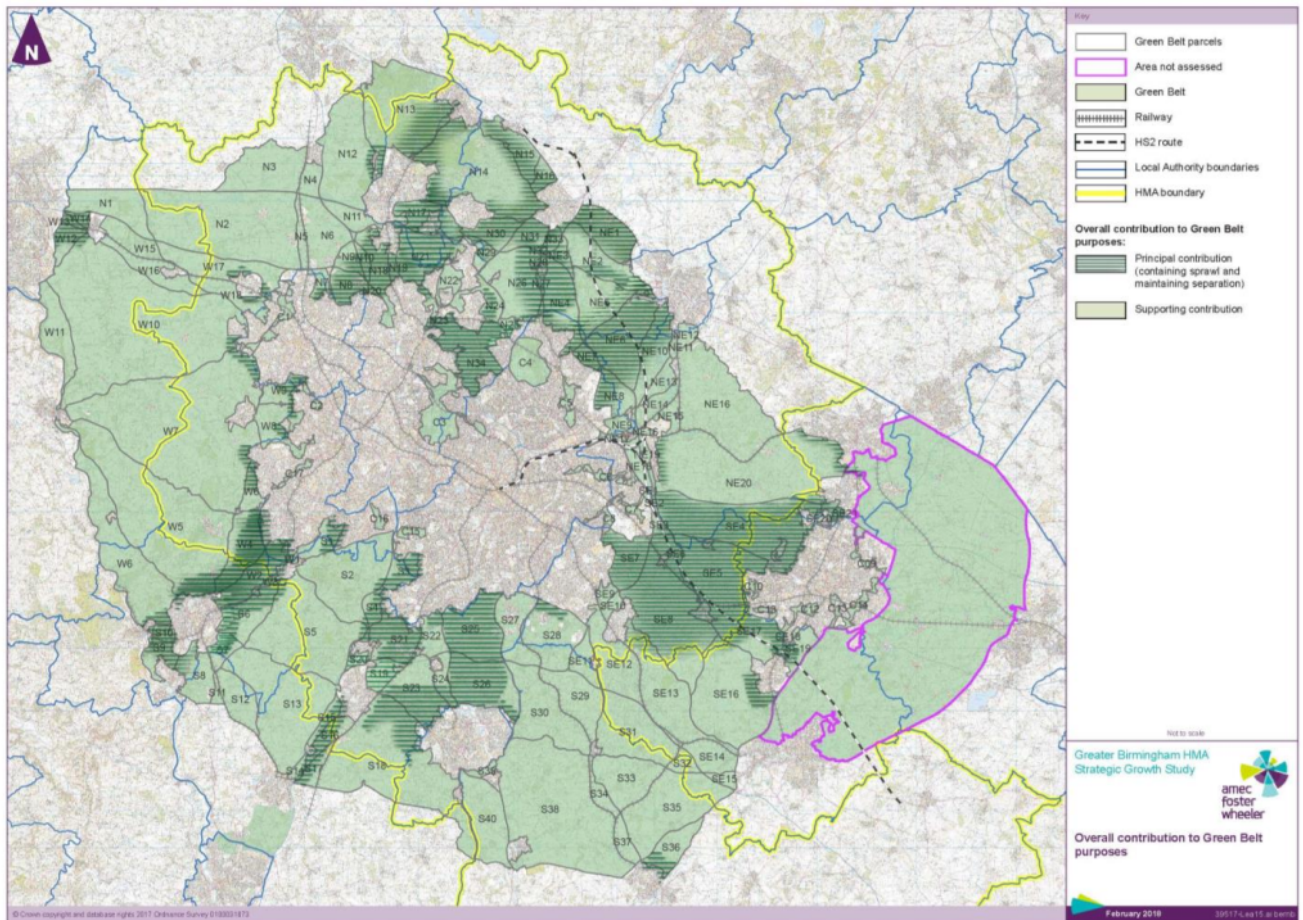
3.19 Notwithstanding the Green Belt constraints the study did also look at opportunities within the Green Belt across the HMA area. To assist with this a high level review of the Green Belt was undertaken focusing on the form and strategic function of the Green Belt. Figure 3 depicts the Green Belt methodology applied within the study

Figure 3 – Green Belt methodology



3.20 Figure 4 depicts the study's findings in relation to the contribution of different areas to Green Belt purposes.

Figure 4 – GBHMA study, Green Belt findings



- 3.21 The study does not make decisions on removing land from the Green Belt, nor does it make any final decisions on any land that is identified as a potential option. This is for each Local Planning Authority to test. Lichfield District Council is testing this through the Local Plan Review work.
- 3.22 In identifying a set of potential options (both within and outside the Green Belt) across the HMA geography the study focused on the following parameters. With further explanation depicted in Figure 5:
 - 3.22.1 The ability to meet housing need;
 - 3.22.2 Impact on the Green Belt;
 - 3.22.3 Sustainability;
 - 3.22.4 Public transport accessibility;
 - 3.22.5 Deliverability having regard to market conditions and capacity of housebuilders.

Figure 5 – GBHMA parameters for options

Rating	Housing Need	Green Belt	Sustainability	Public Transport	Deliverability
Highest	Likely to substantially meet the defined needs of the conurbation	Not in the Green Belt	Significant Positive outcome overall	Adjacent to a train station and short journey time to Birmingham	Highest relative deliverability
High	Likely to meet a significant proportion of the defined needs of the conurbation	Partially within an area making a Supporting Contribution to GB purposes	Positive outcome overall	Within a reasonable distance of a train station and reasonable journey time to Birmingham	High relative deliverability
Moderate	Likely to meet a reasonable proportion of the defined needs of the conurbation	Within an area making Supporting Contribution to GB purposes	Neutral outcome overall	In the broad vicinity of a train station moderate journey time to Birmingham	Average relative deliverability
Low	Likely to meet some of the defined needs of the conurbation	Partially within an area making a Principal Contribution to GB purposes	Negative outcome overall	At some distance from a station and moderate journey time to Birmingham	Notable delivery complexities
Lowest	Likely to meet relatively few of the defined needs of the conurbation	Wholly within an area making a Principal Contribution to GB purposes	Significant Negative outcome overall	No train station or remote from a station and long journey time to Birmingham	Significant delivery complexities

3.23 A series of venn diagrams were used to bring the above factors together for each of the strategic sites. The venn diagrams can be depicted from page 242 of the Strategic Growth Study.

3.24 In total 24 areas of search were identified for the whole of the study area which were then filtered applying the above-described considerations. Out of the 24 locations identified 6 were specifically within Lichfield District and 4 of these recommended for further exploration. These are shown below. A further 7 preferred locations were identified outside of the District in other parts of the study area:

3.24.1 North East of Lichfield (urban extension) – preferred;

3.24.2 North of Penkridge (urban extension) – preferred;

3.24.3 North of Tamworth (urban extension) – preferred;

3.24.4 West of Tamworth (urban extension) – not preferred;

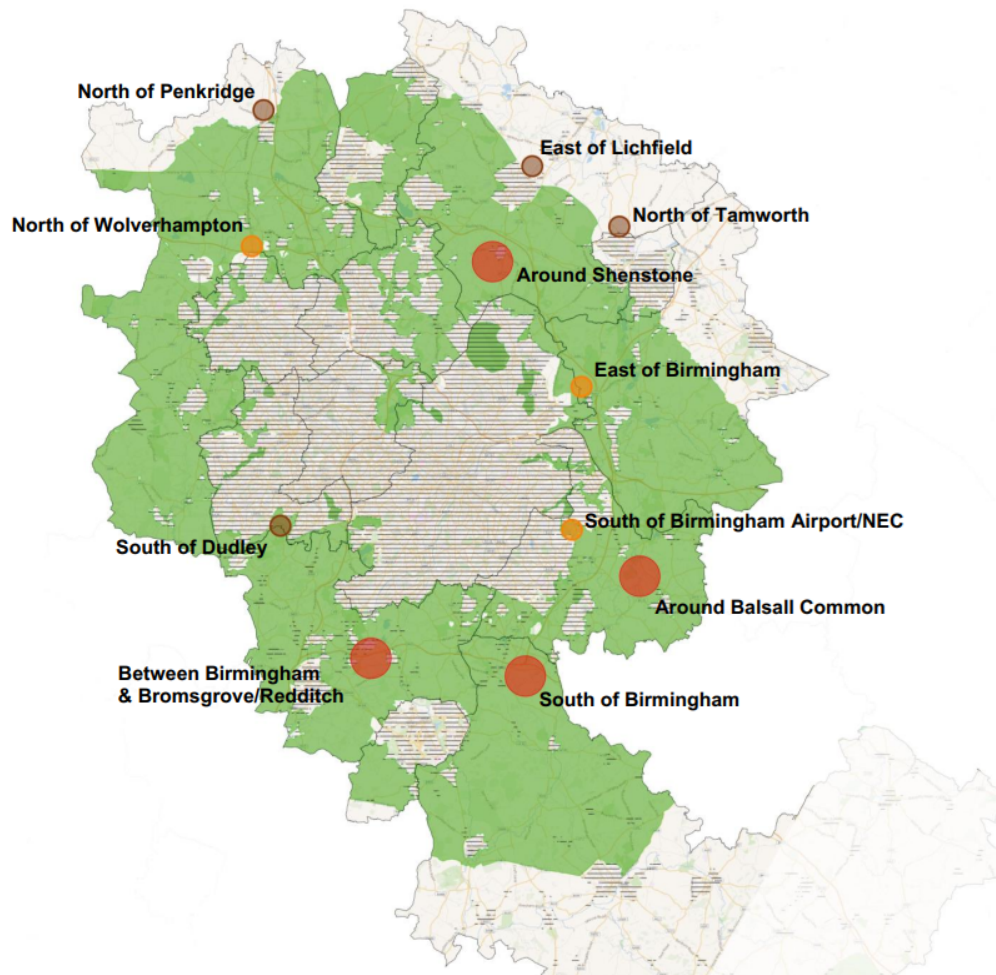
3.24.5 Shenstone (New settlement) – preferred;

3.24.6 Land at Fradley and Alrewas – not preferred.

3.25 In conclusion the study recommended the areas identified in Figure 6 to be the areas of search. Members will be aware that the Local Plan Review includes additional areas of search beyond those identified for the District by the Strategic Growth Study.

Figure 6 – GBHMA recommended areas of search

Figure 41: Recommended Areas of Search for Strategic Development



3.26 Authorities within the HMA continue to engage in Duty to Cooperate discussions. It will be necessary for dialogue to continue to ensure that the unmet need across the housing market area is addressed.

3.27 The Local Plan Review is the Council's opportunity to consider the outputs arising from this study. Members will be aware that the consultation undertaken (April – June 2018) tested the options arising from the reports, as well as other potential options.

- 3.28 No commitment was made the Authority to commit to a specific number, nor a specific location. Officers are now in the process of testing the options to meet housing needs. This testing will consider the opportunities, such as enhancing infrastructure, along with considering the challenges of bringing development forward across the District.

Neighbourhood Plans

- 3.29 There is continued progress with a number of neighbourhood plans within the District. Both Lichfield City and Whittington & Fisherwick neighbourhood plans have been made. The Alrewas, Armitage with Handsacre and Longdon plans have successfully proceeded through independent examination where it was recommended that all plans, subject to modifications, proceed to a referendum within their respective neighbourhood areas.
- 3.30 The District Council will continue to work with communities providing advice and guidance throughout the neighbourhood plan process. This includes providing detailed comments and representations on drafts of the neighbourhood plans when requested by the Parish Councils.

Statement of Community Involvement

- 3.31 A Statement of Community Involvement (SCI) is a statutory requirement and sets out how the Local Planning Authority will consult when undertaking its statutory planning functions such as the preparation of a Local Plan and determination of planning applications.
- 3.32 Our current SCI was adopted in 2016. Since this time there have been a number of legislative changes which need to be considered and reflected in an amended SCI to keep it up to date and easy to use. Officers are currently reviewing the existing SCI and this work will need to take account of any future guidance to be released by Government.
- 3.33 The following changes are proposed (primarily due to changes in legislation) to the SCI:
- 3.33.1 Development Plan Documents;
 - 3.33.2 How we prepare the Local Development Scheme;
 - 3.33.3 How we publish evidence and supporting documents;
 - 3.33.4 Neighbourhood Planning;
 - 3.33.4.1 Removing the need to publicise applications for the designation of a neighbourhood area, and aligned to this there is no requirement to seek public comment on potential designations;
 - 3.33.4.2 Introduce flexibility for modifying neighbourhood plans that are in force to keep them up to date;
 - 3.33.4.3 Facilitate the modification of a neighbourhood area and provide for what will happen to a made Neighbourhood Plan that is already in force in that area.

3.33.5 Development Management

- 3.33.5.1 Adding neighbourhood planning qualifying bodies to those that are identified within the SCI and being notified of planning applications;
- 3.33.5.2 Noting that planning consultation timescales should include extra days where bank holidays occur;
- 3.33.5.3 Note that in relation to Permission in Principle, consultation will be undertaken in accordance with the Regulations.

3.34 The SCI will be drafted in line with the above. A report requesting consultation on the SCI will then be presented to Cabinet. This will be followed by analysis of responses, and subject to the necessary changes a final draft will be developed which will require further reporting to Members, ultimately requiring Cabinet approval.

Alternative Options	1. None.
Consultation	<ul style="list-style-type: none"> 1. Consultation will be required on non-legislative changes to the Statement on Community Involvement. 2. Consultation is required on the Local Plan Review.
Financial Implications	<ul style="list-style-type: none"> 1. Officer time will be needed to run the consultation on the Local Plan Review. 2. The costs of consultation will be met within approved budgets. 3. The cost of any future Examination in Public has been estimated along with the need to seek Counsel support, this is reflected in the MTFS as follows: <ul style="list-style-type: none"> a. Local Plan Allocations Examination in Public costs 2018/19 £60,000 4. Earmarked Reserves to cover legal fees and consultancy support £30,000. 5. There will be a need to commission evidence associated with the Local Plan Review.
Contribution to the Delivery of the Strategic Plan	<ul style="list-style-type: none"> 1. Supports the priority of a vibrant and prosperous economy as it assists in the delivery of the planning function of the Council. 2. Supports the priority of Healthy and Safe communities by ensuring the provision of housing. 3. Supports the priority of clean, green and welcoming places to live by assisting in allocating land for affordable housing, as well as supporting the delivery of residential and commercial developments.
Equality, Diversity and Human Rights Implications	<ul style="list-style-type: none"> 1. An Equality Impact Assessment accompanies the Local Plan Allocations. 2. An Equality Impact Assessment accompanies the Local Plan Review 3. An Equality Impact Assessment will accompany the SCI
Crime & Safety Issues	1. None.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Clarity over the GBHMA shortfall is	Officers continue dialogue with	Yellow

	not achieved and the Council are unable to effectively progress with the Local Plan Review.	neighbouring authorities on this matter.	
B	Evidence required to support the Local Plan Review has a detrimental impact on the proposed timescales and allocated budget.	Consideration of evidence base requirements is an iterative process. Officers will continue engagement with stakeholders involved in shaping evidence base requirements to ensure the initial scope is clear. Project management practices are followed in the preparation and delivery of evidence base. New requirements arising from external factors such as future consultations will be considered by officers.	Yellow
C	Modification requirements are proposed by the Local Plan Allocations Inspector which detrimentally impacts the timetable for adoption.	Officers will consider Inspector findings and if modifications are required an updated timetable will be presented to Members.	Yellow

Background documents:

Local Plan Strategy 2015
Local Plan Allocations Regulation 19 (Focused Changes)
Local Plan Review April – June 2018 consultation document
Statement of Community Involvement
Local Development Scheme

Relevant web links:

[Local Plan Strategy 2015](#)
[Local Plan Allocations Regulation 19 \(Focused Changes\)](#)
[Local Plan review April – June 2018 consultation document](#)
[Statement of Community Involvement](#)
[Local Development Scheme](#)