

Local Plan and related spatial policy matters update

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



Date: 19 March 2019
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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 subject to Main Modifications consultation. The responses received have been submitted to the Planning Inspector for his consideration. The next steps are for the Inspector to finalise his report and submit this to the Council for fact checking. At this stage no timeframe can be provided to Members regarding receipt of the Inspectors report.
- 1.2 Consultation on the Local Plan Review: Preferred Options & Policy Directions closed on the 18th March 2019. Officers will consider the responses received and report these to members in due course.
- 1.3 The Council has consulted upon the draft Statement of Community Involvement (SCI). Officers have analysed the responses received and subject some minor changes it is proposed that the updated SCI should be taken to Cabinet to seek approval for adoption.
- 1.4 In respect of Neighbourhood Plan progress this is positive with Fradley Neighbourhood Plan being formally made in February 2019.

2. Recommendations

- 2.1 That the Committee note the summary of Local Plan Allocations Main Modification responses, and Council responses (**APPENDIX A**)
- 2.2 That the Committee notes the progress associated with the Local Plan Review.
- 2.3 That the Committee recommends that Cabinet approves the summary of comments and officer responses in respect of the Statement of Community Involvement (**APPENDIX B**).
- 2.4 That the Committee recommends that Cabinet approves the updated Statement of Community Involvement for adoption subject to the changes identified (**APPENDIX C**).
- 2.5 The Committee notes the recent progress in relation to neighbourhood plans within Lichfield District.
- 2.6 The Committee notes the minutes of the 19th December 2018 Local Plan Sub Group (**APPENDIX D**)

3. Background

- 3.1 The Council undertook consultation on the Main Modifications from 19th December 2018 to 6th February 2019. These Main Modifications can be [viewed here](#). The purpose of Main Modifications is to enable the Plan to be found sound. In order for the Plan to progress to adoption the Council need to accept the proposed modifications and update the Plan accordingly. The consultation included the schedule of minor modifications previously agreed by the Council in May 2018.
- 3.2 In total 21 respondents commented upon the Main Modifications consultation. The key points arising from these comments are:
- The Council's commitment to the Duty to Cooperate was challenged in several responses.
 - The allocation of Travellers Sites was deemed inefficient and will result in a shortfall of pitches.
 - Modifications MM1 and MM2 were generally supported.
 - It is suggested that modification MM1 needs to specify and justify the timescale for the local plan review.
 - Modification MM2 should include a commitment to working with infrastructure providers.
 - The Green Belt Review was both supported and objected to in responses.
 - In relation to the Green Belt surrounding Burntwood, comments argue against site allocations within the Green Belt. However, other responses acknowledge the District's own affordable housing needs may require development within the Green Belt.
 - Further investment in Burntwood is needed and the growth of the town has put pressure on existing infrastructure.
 - Whilst some respondents were supportive of MM6 and MM7, it was stated that modification MM6 could undermine Lichfield's employment land supply and the viability of town centres in the area.
 - One respondent outlined that the 12 month marketing period in modification MM6 was deemed to be not long enough.
 - One comment suggested that windfall sites should be allocated in the development plan.
- 3.3 The Inspector requested the Council summarise the responses received and provide a Council comment (**APPENDIX A**). These comments were submitted to the Inspector in February 2019. The Inspector will consider the comments made by other parties to the consultation. In addition he will consider the Council's response to these comments. In due course the Inspector will finalise his report (known as the Inspector's report). The report will be submitted to the Planning Inspectorate for quality assurance before submission to Lichfield District Council. There is no timescale identified for receipt of the Inspectors report.
- 3.4 In due course once the Council are in receipt of the Inspectors report there will be an opportunity for fact checking. Once the fact checking process has concluded a report will be presented to Members recommending the next steps. It is at this stage that subject to the Council being content with any changes to the Plan, the Council can move to adoption. The Forward Plan will need to be updated to reflect this.

Local Plan Review

- 3.5 Members will recall that an update on the progress of the Local Plan Review was provided to Economic Growth, Environment and Development (Overview and Scrutiny) (EGED O&S) Committee on 22nd January 2019. At that time consultation was shortly due to commence the Preferred Options and Policy Directions document. Consultation on this document closed on the 18th March 2019.

- 3.6 The next step is for officers to consider the representations submitted and report these to Members. That report will also provide a recommendation regarding the next steps.
- 3.7 In addition to reviewing the responses officers are working on the Council's evidence base to support the review. This evidence base is important in shaping the Plan and will assist in providing recommendations regarding the development of policy. The evidence base currently consists of:
- Biodiversity mapping
 - Cannock Chase Special Area of Conservation update on the impacts of residential growth – joint study with the Cannock Chase Special Area of Conservation Partnership
 - Ecological Assessment
 - Employment Land Availability Assessment
 - Green Belt Review
 - Green Infrastructure
 - Gypsy and Traveller Accommodation Assessment – joint with Tamworth Borough Council
 - Habitat Regulation Assessment
 - Health Impact Assessment
 - Housing and Economic Development Needs Assessment – joint with Tamworth Borough Council
 - Infrastructure capacity assessment – joint with Tamworth Borough Council
 - Infrastructure Delivery Plan
 - Landscape Assessment
 - Open Space Needs Assessment
 - Playing Pitch Strategy
 - Strategic Flood Risk Assessment – joint across Staffordshire
 - Strategic Housing Land Availability Assessment
 - Sustainability Appraisal
 - Urban Capacity Assessment
 - Viability assessment
- 3.8 In addition to this officers are working with internal and external colleague in considering whether other evidence is required. This will need to take account of the revised National Planning Policy Framework and its accompanying guidance.

Statement of Community Involvement

- 3.9 Members will recall the Statement of Community Involvement (SCI) sets out the standards that can be expected by the public, statutory consultees, developers, landowners and interested parties when engaging with the planning process. Legislative changes have provided the necessity and opportunity to review the existing SCI which was adopted in 2016.
- 3.10 The existing SCI was reviewed and was found to need only minor updating. This update was subject to public consultation between 2nd January and 1st February, 2019.
- 3.11 In total 11 representations were received. A summary of the representations along with an officer response has been produced (**APPENDIX B**). Fundamentally the consultation indicates the need for a small number of changes to the document, however these mainly relate to typographical corrections.

Neighbourhood Plans

- 3.12 Since the last report to EGED O&S Committee (January 2019) the Fradley Neighbourhood Plan was subject to referendum on 31st January 2019. This resulted in a majority yes vote (87.6% with a turnout of 21.5%) and the Plan was made in February 2019.
- 3.13 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.

Local Plans Sub Group

- 3.14 The Local Plan sub group met on the 19th December and received presentations on the Call for Sites Schedule 2019, Duty to Cooperate Statement 2018 and the Settlement Sustainability Study 2018. Minutes from the meeting are attached at **Appendix D**.

Alternative Options	<ol style="list-style-type: none">1. The Committee could suggest alternative responses to those put forward by officers in respect of the Statement of Community Involvement.2. The Committee could request officers to revise the Statement of Community Involvement further before presenting the document to Cabinet. Any further changes to the Statement of Community Involvement should be reflective of comments submitted to the Council.
Consultation	<ol style="list-style-type: none">1. Consultation has been completed on the Local Plan Allocations Main Modifications.2. Consultation has been completed on the Consultation on the Preferred Options and Policy Directions document.3. Consultation has been completed on the revised SCI.
Financial Implications	<ol style="list-style-type: none">1. Officer time will be needed to undertake future consultations on the Local Plan Review.2. The costs of consultation will be met within approved budgets.3. A budget has been established to support the Local Plan Review evidence base.
Contribution to the Delivery of the Strategic Plan	<ol 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	<ol 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 accompanies the SCI
Crime & Safety Issues	<ol style="list-style-type: none"> 1. None.
GDPR/Privacy Impact Assessment	<ol style="list-style-type: none"> 1. A privacy impact assessment was completed for the Preferred Options and Policy Directions document.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	The Inspectors report into the ADPD results in the Plan being found unsound or subject to significant change that the Authority were not amenable to.	Officers will review any report from the Inspector and if necessary challenge any matters they consider unjustified.	Yellow
B	Clarity over the GBHMA shortfall is not achieved and the Council are unable to effectively progress with the Local Plan Review.	Officers continue dialogue with neighbouring authorities on this matter.	Yellow
C	Other Local Planning Authorities across the GBHMA do not adequately address the housing shortfall. This would result in additional pressure being placed on Lichfield District.	Officers continue to review neighbouring authority consultations. Where appropriate officers will recommend the Council respond to these consultations citing concern over the approach taken by the relevant Authority. This has been the case in Bromsgrove and Solihull's recent consultation documents.	Amber
D	Those parties responding the Statement of Community Involvement consultation are aggrieved by the suggested approach to updating the document.	Officers would review any further feedback received.	Green

Background documents:

Local Plan Allocations suggested main modifications
 Schedule of Main modifications and other modifications
 Local Plan Strategy 2015
 Local Plan Review: Preferred Options & Policy Directions
 Draft Statement of Community Involvement 2018
 Local Development Scheme

Relevant web links:

[Local Plan Allocations suggested main modifications](#)
[Local Plan Allocations examination and main modifications](#)
[Local Plan Strategy 2015](#)
[Local Plan Review](#)
[Statement of Community Involvement](#)
[Local Development Scheme](#)