

Representation Reference	Consultee/Agent	Modification	Do you wish to support or object to the modification?	Duty to Cooperate	Legally and procedurally Compliant?	Sound? (inclusive of positively prepared, justified, effective and compliance with NPPF)	Comment Summary	Officer Response
ADPMMM1	Severn Trent Water (Jack Robinson)	N/A	N/A	N/A	N/A	N/A	We currently have no specific comments to make.	Representation noted.
ADPMMM2	Mr & Mrs Robert & Janice Roberts	N/A	Object	No	No	No – to all.	Sites of 5 dwellings or less are not shown on the local plan policies map and are classed as windfall. Land at Alderhay, Mill End Lane is classed as a windfall site and is not shown in the Alrewas Housing Land Allocations and is excluded from the allocation for development in the plan period.	The ADPD does not seek to allocate housing sites below a threshold of 5 dwellings. Windfall development by definition are those which come forward having not being allocated with the development plan.
ADPMMM3	National Grid (Lucy Bartley)	N/A	N/A	N/A	N/A	N/A	We have reviewed the consultation document and can confirm that National Grid has no comments to make in response to this consultation.	Representation noted.
ADPMMM4	Shenstone Parish Council (Cllr David Thompson)	MM1, MM2	Object	No	No	No – to all.	<p>The modifications fall short of the Duty to Cooperate for the provision of housing needs. The Strategic Growth Study was published in February 2018 and includes 24 alternative housing supply sites. There is no commitment to cross-compare these sites to the LDC proposed growth options. A cooperative approach needs to evidence the assessment and prioritisation of these alternative growth sites.</p> <p>As the modifications fall short of the Duty to Cooperate for the provision of housing needed they fall short of the legal compliance of the Planning Act 2004.</p> <p>In additional LDC is not meeting its legal obligations as set out in the Planning Policy for Travellers Sites. To date only seven pitches have been identified leaving a shortfall of twelve pitches.</p> <p>MM1 and MM2 are unsound because they are detached from contemporary regional strategic guidance relating to the District.</p>	<p>Representation noted. MM1 and MM2 provide a mechanism relating to the review of the Lichfield District Local Plan. The Local Plan Review process is already underway with consultation taking place on the Preferred Options & Policy Directions between January and March 2019. It is through the Local Plan Review process that options within the Strategic Growth Study will be considered not through the ADPD process.</p> <p>The ADPD proposes to allocate an appropriate site for Gypsy & Traveller provision. The ADPD acknowledges that insufficient sites have been identified to meet the need set out within the Local Plan Strategy. This is substantiated by the Council's evidence. The council will continue to determine planning applications for such uses in line with national and local planning policy.</p>
ADPMMM5	Highways England (Graham Broome)	MM1, MM2	N/A	N/A	N/A	N/A	<p>MM1 and MM2 both provide clarity in relation to ongoing work which is necessary in order to enable the delivery of the planned growth and to ensure policies remain up to date, through joint working and early review processes. It is critical to these processes that infrastructure needs for the District are fully understood, and that Highways England are fully engaged.</p> <p>As such it is requested that policy MM1 includes an additional bullet point with the following text: "An evidence based assessment of highways infrastructure needs, in partnership with the highways authorities."</p> <p>It is also requested that policy MM2 includes a commitment to working with infrastructure providers to agree any necessary interventions to enable planned growth to be delivered.</p>	The Council will continue to engage with the highways authorities through the duty to cooperate on the preparation of development plan documents. There are no objections to the additional wording proposed by Highways England.

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ADPDM6	Burntwood Action Group (BAG) (Vic Chamberlain)	MM1, MM6, MM7	N/A	N/A	N/A	N/A	<p>MM1 Bullet point 5: Burntwood Action Group (BAG) is pleased to note that the review will reconsider the appropriateness of the existing settlement hierarchy. BAG members and a large proportion of Burntwood residents believe that Burntwood has been allowed to sprawl too far into countryside and that further erosion of the Green Belt will result in a worsening of their health and wellbeing. Burntwood's infrastructure does not cater for its current population. Urge LDC to use this opportunity to give greater consideration to proposals for development to the north of Lichfield outside of the Green Belt.</p> <p>MM1 Bullet point 1: Comprehensive Green Belt Review could be a lengthy and costly exercise which is a complete waste of time and money if LDC would decide that no further release of Green Belt was required in light of amount of land outside of the Green Belt.</p> <p>MM6 & MM7: Flexibility in the use of employment land is welcomed.</p>	<p>Representations noted. The District Council considers that the proposed modifications provide clarity as to aspects which will need to be considered through the Local Plan Review including the settlement hierarchy. The District Council considers that the proposed modification correctly identifies a number of elements of the evidence base which will need to be prepared to inform the Local Plan Review, this includes a comprehensive Green Belt Review. Such evidence will need to be prepared and it would not be appropriate at this stage to rule out undertaking such evidence base work.</p>
ADPDM7	Burntwood Town Council Labour Group (Councillor Diane Evans)	N/A	N/A	N/A	N/A	N/A	<p>Appreciate that homes are needed across the UK and acknowledge LDC's duty to cooperate, but strongly urge that Green Belt is not regarded as an easy option for development, especially the Green Belt surrounding Burntwood. Any such move should only be considered as a last resort to meet the District's own affordable housing need.</p> <p>Endorse the need for private and public sector investment in Burntwood. Only by a genuine commitment by LDC to invest in the town will significant private sector funding be leveraged in. In relation to site B13 every effort should be made to press the owner on redeveloping the site. Recognise that sites B16 and B19 are within the Green Belt.</p> <p>Aware of a number of properties that have been built on windfall sites which have made a large contribution to the growth of the town and have been a drain on resources. We would wish for these sites to be taken into consideration.</p>	<p>Representation noted. The ADPD does not propose changes to the Green Belt boundary around Burntwood to accommodate new development. The only change to the Green Belt boundary proposed is to remove the built area of St Matthews from the Green belt as set out within the Local Plan Strategy.</p> <p>All windfall developments completed within Burntwood within the plan period are included within the housing figures as set out at table 4.1 of the ADPD. This is also set out within the evidence base including the Urban Capacity Assessment 2016 and Housing Supply Update 2017.</p>
ADPDM8	Historic England (Rosamund Worrall)	N/A	N/A	N/A	N/A	N/A	<p>Write to advise that the proposed modifications are noted and Historic England has no further comments to make.</p>	<p>Representation noted.</p>
ADPDM9	Birmingham City Council (Waheed Nazir)	N/A	N/A	N/A	N/A	N/A	<p>Birmingham City Council welcome the proposed changes. In particular the addition of Policy LPR: Local Plan Review and its explanatory text in stipulating the need to carry out an early review of the Lichfield Local Plan. Welcome the reference to commit to a comprehensive Green Belt Review.</p>	<p>Representation noted.</p>

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ADPDM10	Greenlight Development Limited (Philip Rawle)	MM6	Object	Yes	Yes	No – not justified, not effective.	<p>Welcome the revised wording to Policy EMP1 and is relatively satisfied with the wording the council has put forward as part of MM6. Do have a couple of comments that will justify the councils proposed wording and in turn make the policy effective in its application.</p> <p>Of the opinion that the need to undertake a marketing exercise and a financial appraisal to demonstrate that a site is not viable for employment uses should not be a dual requirement, but should and an either/or requirement. Representation provides example of wording.</p>	Representation noted. The council considers the wording as proposed through MM6 is appropriate and sound and provides protection to employment areas whilst providing flexibility in appropriate circumstances which is consistent with national planning policy.
ADPDM11	Lichfield City Council (Sarah Thomas)	MM1, MM6, MM7	N/A	N/A	N/A	N/A	<p>MM1 New Policy The City Council seeks further clarification on the following points;</p> <ul style="list-style-type: none"> • LDC obligation in timing and quantity, to permit additional housing above that needed by the District, arising from: <ol style="list-style-type: none"> a. Greater Birmingham and Black Country Housing Market Area b. Unmet housing need of Tamworth Borough c. Requirements of policy TP48 of the adopted Birmingham Development Plan • LDC potential obligation to meet “wider unmet employment needs” Is this employment land? • Duty to Co – operate (DTC). <ol style="list-style-type: none"> a. An explanation is required and clarification if this is legally binding b. What is the incentive for LDC to Co-operate and is there a penalty for non-co-operation • What is LDC obligation to review any further release of Green Belt land with neighbouring authorities? <p>MM6 – Protection of Employment Land City Council asks for the inclusion of the word additional in line three to read “Where the development proposals clearly demonstrate the potential additional job creation on these sites.” Suggests that marketing a site for 12 months is not realistically long enough and asks that this be changed to 2 years.</p> <p>MM7 – Supporting Text The City Council is concerned about the implication of this supporting text referring to the protection of employment lands especially as much of the employment land in the City has been used for housing.</p>	<p>Representation noted. The District Council has committed through the adopted Local Plan Strategy and the ADPD to review its Local Plan in part to assist neighbouring authorities to meet unmet housing need. The District Council considers that the timescales set out within MM1 are appropriate and provide sufficient certainty and flexibility with regards to the submission of a local plan review.</p> <p>Lichfield District Council through the duty to cooperate will work with its neighbours and assist in meeting unmet developments needs where it is appropriate and able to do so. This would be considered through the Local Plan Review.</p> <p>For clarity for the City Council the Duty to Cooperate is a legal requirement and one of the key tests for a Local Plan. As such the authority must ensure it has discharged its duty as part of the examination process.</p> <p>The District Council considers that the proposed modification correctly identifies a number of elements of the evidence base which will need to be prepared to inform the Local Plan Review, this includes a comprehensive Green Belt Review. Such evidence will need to be prepared and it would not be appropriate at this stage to rule out undertaking such evidence base work.</p> <p>The District Council considers the wording proposed through MM6 and MM7 is appropriate and sound.</p>

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ADPDM12	IM Land (Kathryn Ventham)	MM1, MM2, MM5	N/A	N/A	N/A	N/A	<p>MM1: The proposed modification inserts a new policy requiring an early review of the local plan. The Council is advancing the Local Plan Review and have released a Preferred Options document for consultation until 18th March 2019. Support the modification and the requirement for the Council to submit the Local Plan Review by December 2021. Furthermore the requirement to provide for the unmet need of the wider housing market is welcomed. Indeed the area to the north east of Lichfield is considered to be a suitable and sustainable location and is included within the Preferred Options document.</p> <p>MM2: Welcome the modification and the Council's pro-active approach to providing for growth.</p> <p>MM5: The development of the Watery Lane site is proceeding in line with the approved parameter plans and the modification is generally supported. Consider that the modification should be amended to add in the word 'broadly' to the final sentence. This will ensure the detailed design phase of the development can be design/landscape-led and not overly constrained by inflexible policy demands.</p>	Representation noted. It is correct that the Council has published the second stage of the Local Plan Review – a Preferred Options & policy Directions document – for consultation until 18 th March 2019. The Council considers the proposed wording of MM5 is appropriate and sound.
ADPDM13	Rugeley Power Limited (Savills – Michael Davies)	MM4	N/A	N/A	N/A	N/A	<p>The suggested modification is the same as the amendments proposed for the North of Tamworth (MM3) and Watery Lane (MM5) sites. However, unlike those sites an application has not yet been submitted for the Rugeley Power Station site therefore there is no approved masterplan for the site. Consider that the proposed wording of MM4 should say "the Masterplan to be approved should identify...".</p> <p>Also consider the first paragraph of Policy R1 should be slightly amended as it currently reads 'sites' rather than 'site'.</p>	Representation noted. The District Council consider the wording of MM4 as proposed through the modification is appropriate. If it is considered appropriate to provide clarity to accept the proposed change suggested by the representation, the Council has no objection to this. With regard to Policy R1, this was not subject of the Main Modifications. The Council considers the wording of the policy is appropriate and no such objections were made at the examination prior to this point.

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ADPDM14	Grasscroft Homes & Property Ltd (Avison Young – Stephen Gill)	MM1, MM2	N/A	N/A	N/A	N/A	<p>MM1: Support the proposed new policy which related to the Local plan Review as advocated in previous representations by Grasscroft properties. Fully supports the proposed insertion of a specific timescale for reviewing the Local Plan and submitting it for examination. Notwithstanding this consider that the timescales associated with submission should be shortened to no later than the end of December 2020.</p> <p>In relation to the seventh bullet point with regard to the need to undertake a Green Belt Review the timescales associated with this should be made more concise. The Green Belt Review is a major piece of work and should be commenced now. Suggest comprehensive Green Belt Review should be carried out no later than the end of December 2019 and this should be added to the modification.</p> <p>MM2: Notwithstanding the support given to MM2, the policy explanation states that a comprehensive Green Belt Review will be prepared. As stated in regards of MM1 consider this should include a timescale for completion.</p>	<p>The District Council considers that the timescales set out within MM1 are appropriate and provide sufficient certainty and flexibility with regards to the submission of a local plan review. With regards to the Green Belt Review, this is a piece of evidence and it is not considered appropriate to add timescales associated to this within the proposed policy wording. The Local Plan Review Preferred Options & Policy Directions document sets out the anticipated dates for the production of evidence base documents.</p>
ADPDM15	Bovis Homes (Turley – Tom Armfield)	MM1, MM2	N/A	N/A	N/A	N/A	<p>Bovis Homes is concerned that Tamworth's residual shortfall of 825 dwellings remains unaddressed. This is despite the mechanism for doing so through the ADPD by virtue of paragraph 4.6 of the Local Plan Strategy. Notwithstanding this are aware that the Local Plan Review is progressing. As set out in the supporting text to MM1 the Local Plan Review is considering Tamworth's shortfall as part of the wider GBHMA shortfall.</p> <p>It is welcomed that MM1 proposes a review policy to review the local plan which largely reflects the wording used by South Staffordshire. The proposed modification suggests a timescale for the submission of the local plan review no later than December 2021. There is no justification provided as to why the policy allows for an almost two year delay when compared to the Councils LDS.</p> <p>Do not agree with MM2's reference to the GBHMA shortfall being lower than established within the Birmingham Development Plan.</p>	<p>The Strategic Growth Study makes clear that the shortfall in Tamworth is part of the wider shortfall within the GBHMA, as such it is considered appropriate to consider through this the Local Plan Review. The District Council considers that the timescales set out within MM1 are appropriate and provide sufficient certainty and flexibility with regards to the submission of a local plan review.</p> <p>Ongoing work through the duty to cooperate has demonstrated that the GBHMA shortfall may be less than set out within the Birmingham Development Plan. This evidence is more up to date than that which was before the examination of the Birmingham Development Plan. The wording of MM2 is considered to provide flexibility should evidence, and Local Plan progress demonstrate that the level of unmet need has changed.</p>

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ADPDM16	Walsall Council (Mike Smith)	MM6	Object	No	No	No – to all.	<p>Supply of employment land in Lichfield is not currently expected to contribute to meeting the needs of Walsall or vice versa. However the proposed modification could undermine Lichfield's land supply position with consequential effects on the need for land in neighbouring areas. Allowing development of main town centre uses (including office, retail and leisure) on employment sites without ensuring proper regard is had to the sequential approach and to the viability and vitality of other centres including in Walsall.</p> <p>Whilst Core Policy 7 would allow ancillary retail, etc. uses on isolated industrial estates (but not industrial estates in general), the proposed wording by MM6 para 5 would appear to go beyond this so would not be in conformity with the tier one plan.</p> <p>Consider the modification is unsound. All paragraphs of the Policy EMP2 refer to existing and allocated employment sites. The proposed text fails to recognise that main town centre uses, including retail, leisure and office should be directed toward town centres. It is not considered sufficient to state that policies should be read alongside other relevant development policies.</p> <p>Where the policy refers to a 12 month marketing period it is not considered this is anywhere near long enough. Walsall's view is that the modification is contrary to the policy aim of delivering employment land as set out in Core Policy 7, and consider the approach sets a dangerous precedent to employment locations elsewhere.</p>	<p>Core Policy 8 of the Local Plan Strategy recognises the need for sequential testing where appropriate and also recognises the need to consider other centres, including those beyond the District. The ADPD forms part of the development plan along with the Local Plan Strategy, it is not considered necessary to repeat wording from the Local Plan Strategy within the ADPD.</p> <p>It is considered that the proposed modification is sound and consistent with national guidance.</p>
ADPDM17	Environment Agency (Jane Field)	N/A	N/A	N/A	N/A	N/A	<p>The Environment Agency has no objections to the proposed modifications on the basis of soundness. No concerns regarding the associated Sustainability Appraisal (Focused Changes 2018).</p>	<p>Representations noted.</p>
ADPDM18	First City (Chontell Buchanan)	MM1	N/A	Yes	N/A	N/A	<p>Support the inclusion of a policy which includes the timeline for when the Local Plan Review will be submitted to the secretary of state for examination. Local Authorities within the GBHMA should align with the Birmingham Development Plan Policy T48. This has the date of January 2020. Considered the Council should be working toward submitting the Local Plan Review as close to this date as possible. By doing so the plan fully complies within the duty to cooperate, be legally compliant and align with the programme set out in the Local Development Scheme.</p>	<p>The District Council considers that the timescales set out within MM1 are appropriate and provide sufficient certainty and flexibility with regards to the submission of a local plan review.</p>

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ADPDM19	Lichfield Civic Society (John Thompson)	MM2	Support	Yes	Yes	Yes	<p>The modifications are based upon the inspector’s consideration of the evidence and there is no information that indicates the District Council has not complied with the Duty to Cooperate. The key issues of housing numbers are matters to be properly addressed in the Local Plan Review.</p> <p>Lichfield Civic Society considers that overall the proposed amendments conform to the legal requirements and are sound. The stipulation of a date for submission of the Plan to the Secretary of State no later than December 2021 needs to be qualified by an acceptance that the timescale could be impacted by factors outside the control.</p> <p>On page 34 in table 9.1 and on page 54 it is proposed that the name of site L26 ‘Friarsgate Birmingham Road’ is changed to ‘Land at Birmingham Road’. However, there are other references to Friarsgate in the Plan that are not proposed to be amended. For consistency they should all be changed, or the matter dealt with in the Local Plan glossary.</p>	Representation noted. The schedule of modifications includes minor modifications to correct any factual or typographical errors. This includes modification which seek to change ‘Friarsgate’ to ‘Land at Birmingham Road’. Should further occurrences of this be within the document it is supported that they are corrected through minor modifications.
ADODMM20	First City (Chontell Buchanan)	MM2	Object	No	No	No – not positively prepared, not effective.	<p>Consider the supporting text which makes reference to a lower need being established since the adoption of the Birmingham Development Plan requires amendment. The figure of 37,900 should be the starting point. It is also important to include the Black Country Authorities also have an unmet housing need of 22,000 dwellings. Reference to a lower shortfall should be removed from paragraph 2.5.</p>	Representation noted. Ongoing work through the duty to cooperate has demonstrated that the GBHMA shortfall may be less than set out within the Birmingham Development Plan. This evidence is more up to date than that which was before the examination of the Birmingham Development Plan. The wording of MM2 is considered to provide flexibility should evidence, and Local Plan progress demonstrate that the level of unmet need has changed.
<p>The following representations were received following the close of the Main Modifications consultation.</p>								
ADPDM21	Natural England (Hazel McDowall)	N\A	N/A	N/A	N/A	N/A	<p>No specific comments to make on the modifications. Have reviewed the updated Sustainability Appraisal and have no further comments. Have reviewed the updated habitat regulations assessment and agree with the conclusions and have no further comments to make.</p>	Representations noted.