

# Local Plan Review Update

Report of the Cabinet Member for Investment, Economic Growth & Tourism  
Councillor I. Eadie



Date: 11 March 2020  
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Local Ward Members: All Members

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

## 1. Executive Summary

- 1.1 The consultation on the Local Plan Review Preferred Options closed on the 24<sup>th</sup> January 2020.
- 1.2 Representations were received from approximately 460 individuals or organisations with a further 685 individual members of the public submitting a standard response regarding proposals for Burntwood. The consultation responses are currently being processed.
- 1.3 Whilst a range of supporting evidence has now been completed, further evidence is still required to support the publication (regulation 19) version.
- 1.4 The Local Plan evidence base completed to date is being reviewed internally with additional 'critical friend' support provided externally by a Barrister and Planning Consultancy.
- 1.5 The next version of the Local Plan will be the publication (regulation 19) version. At this formal stage, the document should be the Council's final position on the document with limited scope for further alteration.
- 1.6 It is proposed to amend the current Local Development Scheme programme so that the publication version consultation date changes from May 2020 to July 2020. This will allow sufficient time for the processing of representations to be completed and for the further work to support the evidence base to inform the publication version of the Local Plan. There is sufficient time within the LDS programme for this alteration without change to the timing of the subsequent steps including the submission date of January 2021. Members will recall that there is a commitment in the adopted Lichfield District Local Plan Allocations to submit a review of the Local Plan by no later than the end of December 2021.

## 2. Recommendations

- 2.1 That the Committee notes the progress and next steps associated with the Local Plan Review.
- 2.2 That the Committee recommends that Cabinet approves the revised Local Development Scheme timetable set out in paragraph 3.9 of this report.

## 3. Background

- 3.1 Members will be aware that the Council published the Local Plan Review – Preferred Options for consultation from the 29<sup>th</sup> November 2019 for 8 weeks until the 24<sup>th</sup> January 2020. The Preferred Options version provided additional detail based on fresh evidence and responses received to the previous consultation of the Preferred Options & Policy Directions version held between January and March of 2019. It proposes changing the plan period to 2040 to align better with evidence base time periods. It also includes a revised approach to delivering a potentially achievable level of growth of approximately 11,780 new homes including a shortfall of 4500 contribution towards the Greater Birmingham and Black Country housing Market Area and an additional buffer of housing sites of around 20% – 25 %. It seeks to accommodate this growth whilst causing minimal impact on the Greenbelt. It therefore proposes changes when compared to the previous version of the emerging local plan in respect of how growth could be distributed across the district and its settlements. Most particularly, instead of proposing a distribution pattern allocating sites broadly in line with the settlement hierarchy, it seeks to allocate a significant proportion of the growth through the release of land for development via:
- Growth north of Lichfield City
  - Growth of the sustainable villages of Fradley, Fazeley, Mile Oak & Bonehill and Whittington
  - Sustainable growth of Burntwood
  - Marginal growth of the rural settlements
- 3.2 The plan acknowledges the level of employment need required but recognises that further work is still required at this stage to identify all the possible options for meeting this need. It furthermore, introduces the concept of a new settlement, the location of which would be determined in a future plan review period. The plan whilst seeking to minimise impact on the Green Belt also proposes some changes to it in order to accommodate the level of growth proposed and identifies areas of safeguarded land in which land is removed from the Green Belt for future plan review periods.
- 3.3 The responses to the latest consultation are now being processed. Representations were received from approximately 460 individuals / organisations. A further 685 individual members of the public submitted the same response which had been prepared and circulated by the Burntwood Action Group (BAG). The main themes being identified at the time of writing in respect of the responses reviewed to date are outlined in the bullet points below.
- Concern over the proposed allocations and the delivery of associated infrastructure requirements.
  - The sustainability of the revised strategy
  - Loss of Greenbelt and identification of safeguarded land
  - The consultation process
  - The level of additional housing that can be accommodated in Lichfield District to contribute towards meeting the identified Birmingham and the Black Country's unmet housing need.
  - To allocate sites not identified in the Preferred Options version November 2019
- 3.4 A more comprehensive summary of the key issues identified to date are outlined at Appendix A. This table will be added to when all of the representation responses have been processed. Following the finalisation of the inputting and careful review of all of the responses received, the full list of responses and comments along with a completed list of key issues will be reported back to this committee.

#### *Evidence base*

- 3.5 Whilst a significant amount of evidence has been gathered and completed to date and was published in support of the Preferred Options version of the Local Plan review, a significant amount of further evidence is still required, including evidence that is being prepared in partnership with other authorities where appropriate. It is anticipated that the areas of evidence outlined below will become

available to inform the emerging Local Plan during the April to June of 2020. The areas of evidence include:

- Infrastructure evidence including transport modelling and updated Infrastructure Delivery Plan
- Cannock Chase Special Area of Conservation (SAC)
- Viability Evidence
- Staffordshire Low Carbon Study
- Stage 2 Strategic Flood Risk Assessment (SFRA)
- Open Space and Green Infrastructure Study
- Renewable Energy

- 3.6 In addition to the above areas of evidence required, it is considered prudent to critically review the evidence completed to date. This review is being undertaken internally, but also with additional 'critical friend' assistance from a Planning Barrister and in respect of the Green Belt Review a planning consultancy. Where possible, it will also be appropriate to update the completed evidence to support the publication (regulation 19 version) so that it is based on the most up to position.

#### *Local Development Scheme*

- 3.7 It is important that continued progress is made on the plan because there is a commitment in the adopted Lichfield District Local Plan Allocations to submit the Lichfield District Local Plan Review by no later than the end of December 2021. However, notwithstanding the need to progress, the Council will need to satisfy itself that upon submission of the plan, it is deemed to be 'sound' and legally compliant. The next version of the Local Plan will be the publication (regulation 19) version. At this formal stage, the document should be the Council's final position on the document with limited scope for further alteration before submission.
- 3.8 The current Local Development Scheme proposes the publication (regulation 19) version for consultation in May 2020 and for submission to the Secretary of State in January 2021. It is proposed to now amend the current Local Development Scheme programme so that the publication version consultation date changes from May 2020 to July 2020. This will allow sufficient time for the processing of representations to be completed and for the further work to support the evidence base to inform the publication version of the Local Plan. It is considered there is sufficient time within the LDS programme based on the information currently available to officers for this alteration to be done without change to the timing of the subsequent steps including the submission date of January 2021.

#### *Next steps*

- 3.9 It is proposed to amend the timetable in the Local Development Scheme in order for the publication (regulation 19) version to be published in July instead of May for the reasons outlined in this report. Accordingly, it is anticipated that a further report will be prepared for EGED Overview & Scrutiny in June 2020 that will prepare the way for the publication (regulation 19) version to be considered by Cabinet and then published in July 2020. It will be informed by careful review and response to the representations received to the Preferred Options consultation which closed on the 24<sup>th</sup> January 2020 and the additional evidence gathered. The full response to all of the representations received and all of the evidence subsequently gathered will be reported back to this committee in June 2020.

Alternative Options
1. Lichfield District could seek to publish the publication version of the plan in accordance with the Local Development Scheme timetable, however, there is insufficient time for the plan to be supported by consideration of the

	representations received or for a comprehensive evidence base to be gathered to support the publication version at this stage.
Consultation	<ol style="list-style-type: none"> <li>1. Consultation has been undertaken on the previous stages of the Local Plan Review. The Preferred Options document consultation has now closed and responses are being inputted and reviewed.</li> <li>2. Consultation will be required on future stages of the Local Plan</li> </ol>
Financial Implications	<ol style="list-style-type: none"> <li>1. Officer time will be needed to undertake future consultations on the Local Plan Review.</li> <li>2. The costs of consultation will be met within approved budgets.</li> <li>3. A budget has been established to support the Local Plan Review evidence base.</li> </ol>
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> <li>1. Supports the priority of a vibrant and prosperous economy by identifying needs and opportunities for investment</li> <li>2. Supports the priority of Healthy and Safe communities by ensuring the provision of housing.</li> <li>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.</li> </ol>
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> <li>1. An Equality Impact Assessment accompanies the Local Plan Review document. This will require ongoing update.</li> </ol>
Crime & Safety Issues	<ol style="list-style-type: none"> <li>1. None.</li> </ol>
Environmental Impact	<ol style="list-style-type: none"> <li>1. The Council is required to assess the environmental impacts of any plan which it produces. Accordingly a Sustainability Appraisal Scoping report accompanied the earlier Scope, Issues and Options version of the plan. Subsequent versions of the emerging Local Plan have been accompanied by a Sustainability Appraisal and a Habitat Regulations Assessment. The Preferred Options Local Plan review version published in November 2019 was accompanied by updated versions of the Sustainability Appraisal and Habitat Regulations Assessment which were also subject to the consultation process. These documents form an important part of the supporting evidence to the local plan review and help the council to assess the possible impacts of the plan and its policies and therefore how impacts can be addressed or mitigated against. These processes will continue to be undertaken at each stage of the Local Plan review.</li> </ol>
GDPR/Privacy Impact Assessment	<ol style="list-style-type: none"> <li>1. A privacy impact assessment was completed for the Preferred Options document.</li> </ol>

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	The quantum of comments received means that officers do not meet the deadlines programmed.	It is considered that with the proposed revision to the LDS timetable, officers will be able to ensure efficient upload and turnaround of responses.	Yellow

B	Evidence base requirements emerge that were unforeseen.	Officers will need to continue to assess the need for evidence. It is considered that a delay in the timing of the publication version in the Local Development Scheme to July 2020 is required in order for the evidence base to be comprehensive.	Yellow
C	Evidence base being undertaken now identifies a risk to the Plan being sound.	Officers will need to continue to monitor emerging evidence base outputs. Where the risk of soundness is identified officers will need to consider all aspects of this risk before recommending an alternative Plan.	Yellow

## Background documents

[Local Plan Review Preferred Options](#)

## Relevant web links

[Local Plan Review](#)

[Local Plan Review Preferred Options](#)

[Evidence Base](#)

[Neighbourhood Plans](#)

## Appendix A: Summary of key Issues to date\*

Key Issues	Officer response
<p>Objection and concern at the consultation process undertaken by the Council. Suggestion that not enough was done to promote the consultation, particularly in those areas where strategic development is proposed.</p>	<p>The approach taken for the consultation was reported to members prior to the beginning of the consultation (Cabinet 12/11/2019). The consultation was conducted in accordance with the Council's adopted Statement of Community Involvement (SCI) which sets out how the Council will undertake consultations. The approach to consultation (set out below) was in excess of the requirements of the adopted SCI.</p> <p>The consultation lasted for eight weeks (extended from six weeks to account for the Christmas and New Year period) during which;</p> <ul style="list-style-type: none"> <li>• Letters (approx.3,200) and emails (approx. 2,400) were sent to all registered stakeholders on the Councils 'planning policy portal' to advise of the consultation;</li> <li>• Nine 'drop-in' events/exhibitions were held at venues across the District, including in those communities where development was proposed, these were attended by at least three members of the Spatial policy &amp; Delivery Team where exhibition materials and copies of all relevant documentation were available;</li> <li>• 'Un-manned' exhibition was set up in Burntwood Library and posters advertising the consultation were placed in Lichfield Library;</li> <li>• Consultation was advertised in the local press and online via the Council's website and social media platforms;</li> <li>• Members of the team were made available each day throughout the consultation for queries over the phone and in person at District Council House.</li> </ul>
<p>The proposed allocations and strategy within the preferred options document has moved away from the settlement hierarchy and approach set out within the previous consultation document (Preferred Options &amp; Policy Directions 2019). Such an approach does not appear to be based upon the supporting evidence and results in development being directed away from certain settlements identified as sustainable within both the evidence and earlier consultation documents. In</p>	<p>Preferred options document includes four strategic development allocations and further allocated housing requirements to settlements within the settlement hierarchy. Locations identified for growth and the associated supporting evidence will be considered as the Local Plan progresses and the additional evidence work is completed.</p>

Key Issues	Officer response
<p>particular, some representors make the case that Burntwood should be allocated a greater level of growth given its location within the settlement hierarchy and that other settlements considered to be 'less sustainable' within the evidence and settlement hierarchy are receiving a higher level of growth.</p>	
<p>There is a lack of clarity/justification as to how the allocations and housing requirements for settlements have been arrived at.</p>	<p>A site selection paper discusses the approach to identification of proposed strategic sites. A Suite of evidence is used in forming a planning judgement as to the appropriate distribution and location of growth to meet requirements. The location of proposals will be considered as the Local Plan progresses and the additional evidence work is completed.</p>
<p>Consideration should be given to the distribution of housing in particular wider distribution to 'service villages' identified within the settlement hierarchy. Plan as written only allows for allocated sites, development within village settlement boundaries or as rural exception sites. Where settlements are allocated a housing number the presence of a neighbourhood plan or neighbourhood area designation does not necessarily mean sites will be allocated.</p>	<p>Preferred options document includes four strategic development allocations and further allocated housing requirements to settlements within the settlement hierarchy. Where neighbourhood plans do not progress and/or do not seek to allocate to meeting housing requirements such issues will be addressed through a local plan allocations document.</p>
<p>The Council should provide less homes to meet the unmet needs arising from within the wider housing market area and that the contribution within the preferred options document has not been justified.</p>	<p>The previous consultation document suggested the Council consider testing a contribution of between 3,000 and 4,500 homes to meet unmet needs. The preferred options document refines this and suggests a contribution of 4,500 homes could be accommodated and be deliverable within the plan period. LDC is working with other authorities in the wider Housing Market Area through the duty to cooperate.</p>
<p>The Council should provide more homes to meet the unmet needs arising from within the wider housing market area and that the contribution within the preferred options document has not been justified.</p>	<p>The previous consultation document suggested the Council consider testing a contribution of between 3,000 and 4,500 homes to meet unmet needs. The preferred options document refines this and suggests a contribution of 4,500 homes could be accommodated and be deliverable within the plan period. LDC is working with other authorities in the wider Housing Market Area through the duty to cooperate.</p>

Key Issues	Officer response
Support for a new settlement approach in future plan period. However, this is unclear at this stage.	Preferred Options document sets out the approach to look for and support a new settlement within the District in future plan periods.
<p>Objection to proposed strategic housing allocation to the West of Fazeley (Policy SHA2). Concern is raised with regard to the following issues:</p> <ul style="list-style-type: none"> <li>Existing infrastructure, in particular roads, health facilities and schools, will not be able to cope with the level of growth.</li> <li>Pressure will be on infrastructure within Tamworth Borough.</li> <li>The scale of the allocation (800 homes) when compared to the current size of the village and that such growth is disproportionate.</li> <li>No 'exceptional circumstances' to release Green Belt for development.</li> </ul>	The preferred options document details the supporting infrastructure which would be required to be delivered alongside the strategic housing allocation. This includes provision of appropriate school facilities, access and highways infrastructure. The District Council will continue to engage with infrastructure providers to ensure appropriate infrastructure can and will be provided and planned for.
There are no 'exceptional circumstances' demonstrated to release Green Belt within the District.	Green Belt Review 2019 makes clear that 'exceptional circumstances' would need to be demonstrated if changes to the Green Belt boundary are proposed. This has been judged to be the case in the preferred options document as stated at paragraph 16.5 in terms of meeting development needs and the identification of new Green Belt to the north of Lichfield City.
Objection to the release of Green Belt around Burntwood for safeguarded land (at Coulter Lane). A number of responses were also related to this issue but considered that Green Belt was being released for development.	The preferred options document does not propose to release Green Belt at any location around Burntwood for development within the plan period. The document identifies land at Coulter Lane to be identified as 'Safeguarded Land' as defined within national policy. National policy states that consideration should be given that where changes to the Green Belt boundary are being proposed then areas of land between the urban area and the Green Belt (Safeguarded Land) should be identified to ensure the Green Belt boundary is capable of enduring beyond the plan period. The preferred options document identifies areas of such safeguarded land in conformity with national planning policy.
Objection to Green Belt release for development in Hammerwich off Norton Lane & Hospital Road and the 'downgrading' of Green Belt in the area.	There is no allocation or development proposed within the Green Belt in this location. The Green Belt has not been 'downgraded'. The Green Belt Review provides an assessment of parcels of Green Belt as



Key Issues	Officer response
	required by national guidance but does not change the status of Green Belt land.
The Green Belt Review 2019 is not a robust piece of evidence and should be removed from the evidence base supporting the Local Plan Review.	The Green Belt Review 2019 has been conducted based upon the methodology set out within the document. The methodology was subject two consultation with external stakeholders and the public prior to the commencement of the assessment work. The Green Belt Review has been subjected to a 'critical friend' (ARUP) review to ensure the evidence is sound.
Burntwood's infrastructure and amenities do not adequately cater for the past growth and any significant increase in its population is not sustainable.	The proposed settlement hierarchy is informed by the Settlement Sustainability Study which assessed all settlements within the District including Burntwood.
Identification of a strategic housing allocation in Whittington is a different approach to many other villages. Why has the opportunity to identify through a review of the neighbourhood plan not been afforded to the village.	Site identified was considered to be strategic in the context of the village of Whittington. Evidence has been prepared which details the site selection process.
There is a lack of a specific affordable housing requirement (set out as a percentage) within the policy. This does not provide sufficient clarity for development proposals.	Evidence within the HEDNA suggests the Council will be justified in seeking to achieve as much affordable housing as viably possible on appropriate development sites. Further viability evidence is being collected which will inform the policy and provide a clear position in terms of the appropriate level of affordable housing to be sought.
With regard to employment land it should be made clear where new allocations are to be made and where existing allocated employment areas area. Council should consider whether a higher employment requirement is required considering the level of housing growth being proposed.	Existing allocated employment areas are identified on the policies maps which accompanied the Preferred Options document. Current evidence suggests there are limited additional options for locating employment growth, this is explicitly referred to within the consultation document. All possible options will need to be considered as the local plan review progresses.

**NB**

**\* At the time of writing, approximately one fifth of the representations remain to be processed. Accordingly, it is anticipated that the list of key issues may be added to in due course.**

