

# Local Plan Review 2040 Publication (Regulation 19) consultation

Report of the Cabinet Member for Visitor Economy and Local Plan

Councillor I. Eadie



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Key Decision? YES

Local Ward Members All

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

## 1. Executive Summary

- 1.1 The Lichfield Local Plan 2040 (formerly known as the Local Plan Review) is the key document that provides the framework to guide future planning decisions in the District of Lichfield. It is based on national policy and guidance, an assessment of local housing and employment needs, and meeting objectives that have been defined through a number of consultations since 2018. The Local Plan 2040 once adopted will replace the current Local Plan Strategy and Allocations documents with the exception of a number of 'saved' policies, which are saved and maintained as part of the local plan due to their relevance.
- 1.2 The Regulation 19 (or Publication) version of the Local Plan 2040 represents the final stage of the plan-making process before the submission of the document to Government for examination in public. The document prepared at this stage is the document which the Council intends to submit for this examination. The publication version of the plan will be formally consulted upon prior to submission for examination. All representations made during the Regulation 19 consultation period are passed to the Inspector appointed by Government to examine the Local Plan for them to consider as part of the Examination in public.
- 1.3 This report updates the committee on the progress of the Local Plan 2040 including the intended publication and consultation upon the publication version of the document prior to its submission for Examination in Public.

## 2. Recommendations

- 2.1 That the Committee note the Local Plan 2040 publication document (**Appendix A**) and accompanying policy maps (**Appendix B**) for the purposes of public consultation with dates for public consultation yet to be decided due to current restrictions around Covid-19 and submission for Examination in Public thereafter. Consultation will take place as soon as is practicably possible in the spring, taking into account ongoing restrictions due to Covid-19.
- 2.2 That delegated authority be granted to the Cabinet Member for Visitor Economy & Local Plan in consultation with the Head of Economic Growth and the Leader of the Council to agree the dates and strategy for the consultation, make any changes to the appearance, format and text of the Local Plan 2040 publication document or the supporting documents prior to consultation in the interests of clarity and accuracy.

- 2.3 That the committee note that the Local Plan 2040 publication document will be brought back before Cabinet if future evidence indicates the need for significant changes to the Local Plan 2040 publication document for further detailed consideration by members prior to the Regulation 19 consultation commencing.

### 3. Background

- 3.1 Members will recall previous Local Plan 'Update' reports which have been presented to this committee which have outlined the progress of the review of the Lichfield District Local Plan, in particular following the consultation on the Preferred Options document between November 2019 and January 2020. Since that time officers have continued to progress the Local Plan and its associated evidence base. The purpose of this report is to present the Committee with the publication version (**Appendix A**) of the Local Plan 2040 (formally known as the Local Plan Review) and to update the Committee of the proposed next steps for the Local Plan.
- 3.2 Once adopted, the Local Plan 2040 will replace both the adopted Local Plan Strategy and Allocations documents, with the exception of a small number of 'saved policies' where these are still considered to be relevant to the development strategy for the district (such as the local allocations and retail policies) will be carried forward.
- 3.3 The Local Plan 2040 has now reached an advanced and important stage of its preparation. The draft Local Plan 2040 publication document (**Appendix A**) and its accompanying policy maps (**Appendix B**), along with the evidence base prepared for it (**Appendix C**) has been prepared and represents the version of the plan which the Council intends to consult upon (Regulation 19 consultation) before submission to the Government for Examination in Public (EiP) by the Planning Inspectorate. The publication version of the Local Plan 2040 should be seen as the Council's 'last word' in terms of the plan it intends to submit for examination. All responses received during the Regulation 19 consultation are in effect made to the Inspector and will be passed on the appointed Planning Inspector for their consideration once the Local Plan is submitted for examination.
- 3.4 The Local Plan 2040 publication document has built upon the extensive work which has taken place since 2018, when the process of reviewing the Local Plan began. The main stages of this have been as follows:
- [Scope, Issues and Options](#) (April 2018) – which marked the first stage on the process and set out the scope of the local plan review and presented its key issues along with a number of options;
  - [Preferred Options and Policy Directions](#) (January 2019) – this document set out potential spatial options for the district and the broad preferred approach to the managing development;
  - [Preferred Options](#) (November 2019) – this document set out the spatial strategy including proposed strategic sites and a number of policies for the management of development; and
  - Local Plan 2040 Publication (**Appendix A**) – this is the proposed submission plan (**The current stage**).
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- 3.5 The Local Plan 2040 publication document completed this work and represents the full version of the plan which it is intended should be submitted for Examination in Public. The document includes a number of Strategic Policies, including the levels of development to be delivered to 2040 (and sites to deliver these requirements), and a suite of 'Local Policies' which are principally focussed on development management issues relevant to the determination of planning applications, for example such as those setting open space standards and the levels of affordable housing to be required.

## *Key areas of the Local Plan 2040*

- 3.6 This section of the report provides a brief overview and summary of some of the key aspects of the draft Local Plan 2040 (**Appendix A**). Members will note that the full text of the draft Local Plan 2040 provides the full detailed wording of all policies and proposals. The following bullet points summarise some of the key elements of the Local Plan:

### *Housing requirement and development:*

- The overall housing requirement of the draft Local Plan 2040 is 9,727 within the plan period (2018-2040). The requirement is made up of Lichfield District's Local Housing Need (LHN) of 7,062 and a contribution of 2,665 homes towards meeting the unmet needs arising from the Greater Birmingham and Black Country Housing Market Area (GBBCHMA). LHN is established through a nationally set standard calculation and this sets the minimum housing requirement for the District. As members will be aware National Planning Policy also requires authorities to help to meet unmet needs from neighbouring authorities where this exists. The Local Plan 2040 also includes a 'buffer' in the supply of homes to ensure that if circumstances change and any sites do not come forward then sufficient supply is available to compensate for this.
- The housing requirement will be delivered through a combination of existing committed developments and allocations from the current local plan alongside four proposed Strategic Housing Allocations which are detailed within the Local Plan 2040. These allocations are:
  - Land north east of Lichfield City Strategic Housing Allocation – approximately 3,300 homes.
  - Land west of Fazeley Strategic Housing Allocation – approximately 800 homes.
  - Land off Huddlesford Lane, Whittington – approximately 75 homes.
  - Land off Hay End Lane, Fradley – approximately 500 homes.
- The Local Plan includes a number of policies relating to the design and types of homes to be delivered within the District, including the level of affordable homes which will be required from residential development.

### *Employment and Economic Development*

- The Local Plan will provide for approximately 85 hectares of land for employment uses. The Local Plan identifies that this requirement can be met through existing allocations.
- The local plan provides support for the District's visitor economy.

### *Looking to the future*

- The Local Plan 2040 also identifies a number of future actions of the District Council in respect of local planning which would follow the adoption of the Local Plan 2040. This includes the preparation of an Area Action Plan (AAP) for Burntwood which will focus on retail and brownfield sites within the settlement. The Local Plan also notes that the Council is seeking to look toward the identification of a 'new settlement' which could assist with the Council's growth beyond the plan period.

## *Evidence Base*

- 3.7 Members will be aware that alongside the previous three public consultations, the Local Plan 2040 has been informed by a significant body of technical evidence. Such evidence has been prepared and as detailed in previous 'Local Plan Update' reports has been presented to the Local Plan sub-committee for their consideration. A key test of the Examination in Public is that the Local Plan has been robustly prepared and is justified by technical evidence. The Local Plan 2040 publication document has been prepared having regard to its evidence base.
- 3.8 As has been reported previously the impacts of Covid-19 are continuing to hinder the ability of the Highway Authority and Staffordshire County Council to begin the work required to complete the Infrastructure evidence, specifically the transport modelling. It has been hoped that the traffic counts which provide data for this work would be able to commence in autumn 2020 and spring 2021. It is unclear when modelling work can take place now that we are in a third national lockdown, since transport networks are not yet fully in normal operation and it is important to gather reliable data on existing travel patterns. Lichfield Local Plan officers and the County Council are in regular talks to see if there is a way this can be expedited – but at present this remains a significant risk to delivery of the programme. Officers have sought assurance from the County Council that this work will be expedited as soon as is possible and that work undertaken to present has not, so far, indicated any 'show stoppers' in terms of transport issues which could significantly impact upon the delivery of the Local Plan's spatial strategy.
- 3.9 The Sustainability Appraisal and Habitats Regulations Assessments updates have both been commissioned. The next versions are intended to be finalised between resolution to approve by Cabinet and the publication of the plan for consultation. These assessments will as the process is iterative be the last evidence to be completed in the cycle of this version of the plan preparation. Elements of the work related to air quality are related to the further transport assessment work which is still to be done and is delayed by the Covid-19 restrictions on transport survey work. The consultants are instructed to complete the work as soon as the removal of restrictions permit and have provided written assurance at this stage that the draft Local Plan 2018 - 2040 is in compliance with regulations and guidance.

## *Next Steps*

### *Consultation proposals*

- 3.10 The Council are required to undertake a formal consultation on the Local Plan 2040 publication document, as required by Regulation 19 of the Local Plan Regulations. As noted in paragraph 3.3 of this report all representations which are duly made during the consultation will be provided to the appointed Planning Inspector for consideration as part of the Examination in Public. Members should note that all representations made during that consultation are in effect made to the Planning Inspector rather than the Council.
- 3.11 The Council has an adopted [Statement of Community Involvement](#) (SCI) which sets out the process for engagement at different stages of Plan making. The Council's SCI was updated in 2020 to take account of temporary legislation regarding Covid-19 (Coronavirus) to ensure that any consultation which takes place follows the latest guidance in relation to the pandemic.
- 3.12 Due to the ongoing uncertainty in respect of the holding of consultation events and in part due to the Purdah period commencing in March 2021 no specific consultation dates or approach to consultation have been agreed. Officers will continue to monitor the latest guidance in respect of Covid-19

(Coronavirus) and the holding of such events and devise an appropriate approach to consultation in spring (after the Purdah period and when it is hoped Covid-19 restrictions will have been relaxed to some extent). It is recommended that such an approach be agreed by the Cabinet Member for the Visitor Economy and the Local Plan in consultation with the Head of Economic Growth and the Leader of the Council at that time and that delegated authority be granted to do this.

3.13 The anticipated timescale for the consultation and submission of the Local Plan 2040, subject to the decision of Cabinet, is as follows:

- Regulation 19 Consultation – Spring 2021;
- Submission – Summer 2021; and
- Examination in Public – Autumn 2021.

3.14 Consultation on the publication document will be undertaken in accordance with the adopted SCI, legislation and will include the following:

- 6 weeks of consultation;
- Publish the document on the Councils website;
- Make available in alternative formats if requested; and
- Engage with stakeholders using a range of methods set out within the adopted SCI.

#### *Drafting of the publication document*

3.15 Members will note that the Local Plan 2040 publication document and its policy maps appended to this report represents a draft 'plain text' version of the document. Further work to finalise this document, including the addition of graphics, figures and further formatting will be required. Additionally, further to the above it may be necessary to make some minor changes to the appearance, format and text of the Local Plan 2040 publication document or the supporting documents prior to consultation in the interests of clarity and accuracy. It is recommended that such any such minor changes be agreed by the Cabinet Member for the Visitor Economy and the Local Plan in consultation with the Head of Economic Growth and the Leader of the Council.

3.16 Given the issues set out above it is also proposed that should further evidence indicate the need for significant changes to the Local Plan 2040 publication document for further detailed consideration by members prior to the Regulation 19 consultation commencing.

Alternative Options	1. None. The contents of the report relates to items to be noted by the committee.
Consultation	<ol style="list-style-type: none"> <li>1. Consultation has been undertaken on the previous stages of the Local Plan Review.</li> <li>2. The Publication version of the Local Plan when agreed will be consulted upon as described within this report. The District Council will collate and catalogue all representations received during the Regulation 19 consultation and submit these to the Planning Inspectorate as part of the Examination in Public. It should be noted that as such representations are, as required by the regulations are made to the Inspector and the District Council will not respond individually to each representation.</li> </ol>

Financial Implications	<ol style="list-style-type: none"> <li>1. Officer time will be needed to run the consultation on the Local Plan Review.</li> <li>2. The costs of consultation will be met within approved budgets.</li> <li>3. Officer time will be needed to run consultation events on the Local Plan Review.</li> </ol>
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> <li>1. Supports the priority of 'Enabling People' through Local Plan preparation which makes provision for growth in housing and other land uses informed by public consultation so they can live healthy and active lives.</li> <li>2. Supports the priority of 'Shaping Place' through the Local Plan preparation for allocation of new land uses, preserving the districts assets and ensuring growth is done sustainably and with balanced infrastructure provision.</li> <li>3. Supports the priority of 'Developing Prosperity' through the Local Plan preparation which makes provision for land use allocations including employment and residential use, thereby encouraging economic growth, enhancing the district and providing certainty for investment.</li> <li>4. Supports the priority of being a 'Good Council' by accountability, transparency and responsiveness as the update enables the community, business, developers, service and infrastructure providers and other interested organisations to know how the Local Plan review is progressing.</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.</li> </ol>
Crime & Safety Issues	<ol style="list-style-type: none"> <li>1. There are no crime and safety issues.</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. The Proposed Submission Plan will also be released for consultation alongside an updated Sustainability Appraisal which appraises any new elements of the plan not previously tested, and the history of previous reasonable alternatives considered.</li> </ol>
GDPR/Privacy Impact Assessment	<ol style="list-style-type: none"> <li>1. A Privacy Impact Assessment has been undertaken.</li> </ol>

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	An unusually high level of responses are received which has a detrimental impact on the proposed timescales.	Upon close of the consultation officers will review the quantum and complexity of responses. Officers will report progress to Members	Yellow
B	Delays to the collation of evidence base including transport and habitats evidence caused primarily by the impacts of Covid-19.	Officers will continue to work with Officers at Staffordshire County Council and consultants in relation to the transport work and the appointed consultants in respect of Habitat Regulations Assessment to expedite the completion of this evidence as soon as practicably possible. As noted with the report should such evidence be completed and indicate the need for significant changes to the Local Plan 2040 publication document then the document will be reported for further detailed consideration by members.	Yellow
C	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
D	The Council receive criticism for the methods of marketing and process of engagement.	Officers will work with the communications team in the marketing of the consultation. Consultation will be conducted in accordance with the adopted Local Development Scheme and the latest guidance in relation to Covid-19 to ensure the safety of Officers and other Stakeholders.	Green

## Background documents

[Preferred Options consultation document](#)

[Statement of Community Involvement](#)

[Local Development Scheme](#)

	Risk Description	How We Manage It	Severity of Risk (RYG)
	Relevant web links  <a href="#">Statement of Community Involvement</a> <a href="#">Local Development Scheme</a> <a href="#">Lichfield District Local Plan Review</a> <a href="#">Adopted Lichfield District Local Plan</a>		