

Reply Statement to Inspectors' initial letter of the 8th August 2022

Inspectors' request 1

- a) What is the Council's intention regarding replacement/superseding of policies in existing plans? If saving is proposed, what is the Council's view on whether it is possible to save a policy only in part and where is the authority for this?

Response

Para 1.3 of the Local Plan 2040 sets out that Lichfield LP 2040 replaces all previous adopted Local plan documents. They are the local Plan Strategy (2015) and Local Plan Allocations (2019). The Local Plan 2040 in doing so contains a schedule of policies that remain saved from these documents.

The latter part of the sentence in para 1.3 seeks to give clarity that those policies in the schedule are to be saved. The only policies to be saved are locational / site specific policies where it is noted in footnote 2 to page 185 of the Local Plan 2040 that the sites are either allocated, allocated and consented or are allocated, consented or under construction. The Council is of the view that part policies can be saved. The schedule was contained in the reg 19 publication version of the plan. The intention being that the schedule would avoid repetition and set out in a clear, simpler manner which site proposals were to be rolled forward from the previous documents.

If required, the Council could incorporate the small number of sites allocated in the previous documents which are to be rolled forward into the emerging Local Plan 2040 for clarity sake.

Inspectors' request 1

- b) In the light of our comments above in relation to saved policies does the Council consider that the Local Plan has been prepared in accordance with the LDS

Response

It is recognised that the LDS does not explicitly reference 'Saved Policies'. It is therefore intended that the LDS will be revised to make matters quite clear.

Inspectors' request 1

- c) Has the Schedule of Proposed Modifications [SD1-3] been subject to any public consultation? If so, what were the dates of consultation?

Response

The proposed modifications have not been consulted upon. The Council has put the modifications forward for consideration by the Inspectors as ways forward to resolve objections.

Inspectors' request 2

- a) What were the main mechanisms that were used to engage constructively, actively and on an ongoing basis with the relevant local planning authorities and other prescribed bodies to address the strategic matters during the preparation of the Local Plan?

Response

The main mechanisms for engagement have been via:



- The Greater Birmingham & Black Country HMA group which meets on a monthly basis regarding housing and employment needs and evidence base collection matters. An annual position statement is prepared and agreed by all authorities whilst work is in progress to prepare a SoCG for the group members. The latest position statement is attached.
- Monthly meetings take place between Lichfield District Council, North Warwickshire BC and Tamworth BC as a group to cooperate on evidence base collection on cross boundary issues, and to address DtC matters. This approach follows on from signed joint memorandums of understanding signed in preparation of the now adopted Local Plan Strategy 2015. Joint evidence for the Local Plan 2040 includes the GTAA study and in respect of Flood risk evidence across LDC & Tamworth. A SoCG with Tamworth BC has officer agreement LDC member delegated sign off and is currently going through political sign off process by Tamworth BC. North Warwickshire has not objected to the Local Plan 2040.
- Monthly meetings of the Cannock Chase Special Area of Conservation partnership to agree evidence base collection and to agree on memorandums of understanding / financial agreements / strategies to mitigate any harmful impacts on the Cannock Chase SAC. The Associated MoU and financial agreement is attached. The partnership includes neighboring competent authorities (Stafford Borough Council, Cannock Chase Borough Council, South Staffordshire District Council, East Staffordshire District Council, Lichfield District Council, and Wolverhampton MBC) and Natural England in an observer / adviser capacity. In addition, Walsall MBC officers have attended the meetings for some time and it is understood that Walsall has at its Cabinet meeting on 7th September 2022 agreed officially to join the partnership.
- Monthly meetings of the River Mease SAC partnership made up of competent authorities (North West Leicestershire DC, South Derbyshire DC and Lichfield DC, Natural England, Environment Agency and Severn Trent as the regional water authority). Associated MoU and financial contributions documents that have been agreed are attached.
- Bespoke engagement meetings with Natural England to gain agreement via a SoCG most particularly on addressing their representations related to air quality matters.
- Bespoke engagement with Historic England to gain agreement via a SoCG on DtC matters, most particularly related to the impacts of the Strategic allocations on identified Heritage assets. Resourcing issues for HE has resulted in delay of progress in agreement.
- Engagement meetings between LDC, SCC and IM land traffic consultants in relation to mitigation of impacts on junctions affected by the Strategic allocation SHA1 supplemented by additional meetings between LDC and SCC in relation to traffic mitigation matters and education matters.
- Engagement meetings with the separate authorities in the HMA who have raised representations on the Local Plan 2040 and which has led to SsoCG with South Staffordshire, Cannock Chase, Birmingham City, The Black Country plan authorities and Solihull MBC.
- Elected member sign-off of the SsoCG is agreed in respect of Birmingham, Stafford, South Staffordshire. Officer agreement has been reached in respect of Black Country authorities and Tamworth BC and is awaiting elected member sign off through the committee process for the Black Country authorities and via delegated authority with Tamworth BC.
- Officer agreement has been reached with Cannock Chase BC on the SoCG and it is now being taken through delegated the delegated decision process.
- Agreement has not yet been reached with Staffordshire County Council and Solihull MBC where resource issues are in part delaying sign off / progress on agreement regarding outstanding issues.

Inspectors' request 2

- b) Have any local planning authorities or other prescribed bodies made representations under Regulation 20, or subsequently in discussions about the Duty and development of Statements of



Common Ground, that claim it has not been complied with?

Response

No. Matters of soundness have been raised, but no representations have been received in respect of concerns over the duty to cooperate.

Inspectors' request 2

- c) What, if any, outstanding strategic matters are subject to ongoing discussions with any local planning authorities or other prescribed bodies and what is the latest position with regard to those?

Response

Strategic matters remain in relation to the level of unmet need LDC is providing to the Greater Birmingham & Black Country, these are likely to be matters to be discussed at the EIP.

Separately Tamworth BC raise concerns in relation to the Fazeley allocation in respect of transport issues and social infrastructure provision which are also likely to be matters discussed at the EIP

Natural England raise the concern about impact on to the Cannock Chase SAC from air quality from NoX and Ammonia as it cannot be ruled out due to a lack of evidence. There is agreement through the SoCG that both parties will seek to address these concerns in the run up to the hearings stage of the EIP.

Historic England raise concerns, most particularly whether the recommendations of the Heritage Impact Assessments commissioned by the Council will be taken fully on board. Again, there is commitment from both parties to work together on these matters. Historic England have indicated they will provide further comments on the working draft SoCG as soon as possible.

Detail on the solutions to mitigate the impacts of traffic generated from the North of Lichfield SHA1 and Fradley SHA3 allocations established by the Traffic Modelling study work is still to be finalised. SCC highways, and the land promoter for SHA1 and LDC continue to work together to progress this work which when addressed will be indicated in the updated SoCG with Staffordshire County Council. Due to resourcing issues for LDC and SCC it is estimated this is now likely to be completed in the next 6 to 9 months.

Inspectors' request 2

- d) A number of Statements of Common Ground have been provided in draft or with officer agreement only, while others are awaited. Have signed Statements of Common Ground now been secured between the Council and all relevant parties?

Response

Birmingham City Council, Stafford Borough Council and South Staffordshire District Council are now formally agreed.

Cannock Chase, Tamworth Borough Council and the Black Country authorities (Walsall, Wolverhampton, Dudley and Sandwell) SsoCG are agreed at officer level and have the delegated approval of Lichfield's cabinet member. The authorities are taking the respective SsoCG through their respective political processes for final approval.



The SoCG between Lichfield District Council and Natural England is agreed. It is recognised by both parties that a further iteration will be prepared in the run up to the EIP.

Detailed responses from Staffordshire County Council, Solihull MBC and Historic England have not been received despite requests to do so. The delays appear to be in part due to resourcing issues. The Council will need to seek to actively engage with the three organisations in order to elicit detailed responses, however, its own limited resources due to the need for staff recruitment may also impact on this process in the next 6 to 9 months.

Inspectors' request 2

e) Are there any significant concerns expressed by interested parties regarding the Duty which remain a matter of dispute?

Response

The level of unmet housing need remains an issue for the Black Country Authorities, South Staffordshire and Solihull with the authorities wanting Lichfield DC to increase the contribution it makes to meeting unmet need from 2,655 (of which 2000 dwellings are committed towards meeting the unmet need of the Black Country) to 4,500 which they consider as a more appropriate figure. Birmingham's position on housing provision is that reserves the right to raise similar points in order to address its own future anticipated unmet need.

The Black Country authorities have also made representations that Lichfield DC should make a contribution toward meeting some of its unmet employment need.

The Location of housing allocation SHA2, and a mechanism to meet infrastructure requirements within Tamworth if the allocation is to proceed remains an outstanding issue for Tamworth BC.

The traffic modelling report in respect of the implications from the SHA1 North of Lichfield Allocation has been received. However, subsequent work continues on more detailed modelling for specific junctions along with preparation of highway mitigation solutions between the land promoter, LDC and Staffordshire County Council.

For Natural England, the absence of road transport modelling and air quality assessment remains a concern in respect of the Cannock Chase Special Area of Conservation (SAC). The Cannock Chase SAC partnership and Natural England continue to work together on progressing a way forward to address the concern. In respect of the River Mease good progress is being made in respect of the 'pump out scheme' which will remove effluent discharging from two of the main treatment works in the catchment (Packington and Measham). This is progressing well and is due to be complete by 2027. In the short term, North West Leicestershire DC has taken the leading role for the catchment and is commissioning a consultant (DTA Ecology) to undertake works to develop a new strategic mitigation scheme.

For Historic England, following review of the Heritage Impact Assessments on the four Strategic SHA allocations accompanying the publication version of the Local Plan 2040, the level of impact and further detail required in respect of proposed solutions remains to be agreed.

Inspector's request 2 f

SD1-8a makes repeated reference to the development and agreement of strategies and plans in relation to matters such as the A5, the Cannock Chase Area of Outstanding Natural Beauty, the Cannock Chase and RiverMease Special Areas of Conservation (SAC). What progress has been made on these strategies and plans?



Response

The following documents are agreed between the relevant parties and are provided as requested.

- A5 Strategy
- Cannock Chase Area of Outstanding Natural Beauty Business Plan and Annual Update.
- Cannock Chase Special Area of Conservation (SAC) MoU & Financial Agreement
- River Mease MoU, Developer Contributions 2*.

*NB -- The River Mease partnership has now engaged the consultant DTA who will be looking at the following for Developer Contributions (DCS3):

- the two options for addressing nutrient impacts from phosphorous on the SAC from new development (e.g. a Developer Contributions 3 or a nutrient neutrality mitigation strategy, or a blended approach).
- Consideration will be given to implications of each and potential for a blended approach. Matters of implementation, oversight and delivery will be considered. The pros and cons of options will be identified, and recommendations will be made;
- The scope, confidence and delivery of mitigation measures which might be relied upon to enable development to come forwards;

Options and recommendations for a mitigation strategy.

It is anticipated that the partnership will be getting the report back from DTA by the end of November covering these matters and which then be used to develop either a Developer Contributions 3 mitigation strategy or a nutrient neutrality mitigation strategy. The precise detail on the timing for the preparation of these strategies remains to be determined. This timing may now be delayed until recruitment to vacancies by LDC has been addressed.

Inspectors Request 2

g) SD1-8a refers to various memoranda of understanding and supporting documents with regard to cross-boundary strategic matters. What status do these documents have and should they be provided to the Examination?

Response

The documents have been approved by each Council's cabinet and signed by lead members. Financial agreements have been signed & sealed by each authority. In respect of the Cannock Chase SAC, since the Lichfield Local Plan has been submitted, Walsall MBC cabinet at its meeting of the 7th September 2022 has agreed to join the Cannock Chase partnership and abide by the Memorandum of Understanding and Financial Agreement. The process for the actual documents to be updated to reflect this decision still needs to take place.

Inspectors Request 2

h) Please address matters a-g as part of a single further Duty to Co-operate statement

Response

The wider Duty to Cooperate Statement has been updated and will be provided to the Examination.

Inspectors' request 3

a) Is there an SA non-technical summary in line with The Environmental Assessment of Plans and



Programmes Regulations 2004 (the SEA Regulations)?

Response

Yes, unfortunately this was not attached to correspondence received from the Consultant preparing the full report when the latest review was undertaken in June 2022. It will therefore be submitted to the examination.

Inspector's request 3

- b) Can Appendix F – Matrix of Submission Plan Policies be amended to show the SA objectives and questions on each page so that it is possible to read the results for each policy against the SA objectives and questions?

Response

Yes, the consultant has been advised to modify the SA accordingly and will be submitting an updated document to the District Council in the near future for checking before it is provided to the Examination.

Inspectors request 3

- c) Has the SA appropriately addressed employment land? In the absence of proposed employment allocations, as discussed below, is it possible to establish any likely significant effects in the short, medium and long-term?

Response

Appendix E to the SA assesses the employment sites that are identified as contributing towards meeting the employment need in the Local Plan 2040. Historically, the Council with its previously adopted plans has shown larger scale designations and then used the ELAA for cross referencing purposes to identify which parcels within the employment designations remain available for development, and therefore to meet its employment needs. These sites have therefore also been subject to past sustainability appraisals.

A review following the request 3 c) above has identified that in error in the SA, reference is made to responding to housing questions in the first section of the employment sites section of Appendix E. Appendix E will be updated to remove this error. It is also acknowledged that further clarity could also be provided in the text of the SA and by taking the sites from the ELAA which will be contributing to meeting the employment needs and listing them in the Local Plan 2040 as a proposed modification. The provision of some of this information may be delayed for between 6 to 9 months whilst LDC recruits to vacancies.

Inspectors request 3

- d) In the absence of strategic transport modelling, as discussed below, has the SA been able to appropriately account for any likely significant effects in relation to transport?

Response

The Atkins study commissioned by SCC & LDC on modelling for allocation SHA 1 has been done for the A38 but is being further refined to provide more detailed work in relation to certain junctions. Potential mitigation solutions have been drafted by the land promoter. SCC is currently undertaking detailed assessment of the proposed solutions informed by the modelling. SCC will feed back to the land promoter and the Council when this work is complete and whether it is content. It is estimated this work can be done within the next 6 to 9 months subject to staff resourcing at SCC highways and within LDC.



The promoters of SHA 2 and SHA 3 have also provided information to SCC highways in respect of their own sites. It is understood SCC highways is content with the work undertaken for SHA2. It is understood that further work for SHA3 will be undertaken once the Atkins modelling work is released and taken into account by the promoter.

An updated SA will be provided to the examination to take account of the mitigation solutions for the three large SHA sites once SCC highways have provided final comments on the mitigation solutions proposed.

Inspectors request 4

- a) With particular regard to the need to predict likely levels of nitrogen deposition resulting from increased airborne concentration of nitrogen oxides and ammonia, has any transport modelling and air quality analysis been completed which would feed into the HRA process? When is this likely to be carried out and completed? Does any work on air quality involve assessment in-combination with plans and projects in neighbouring authorities?

Response

No bespoke traffic modelling has been undertaken to date by Staffordshire County Council and Lichfield District Council has not commissioned independent study work to feed into air quality analysis process. The SAC partnership competent authorities are, however, actively engaged in commissioning consultants to respond on these matters. The commission will take into consideration assessment in-combination with plans and projects in neighbouring authorities. Once a likely timescale has been agreed for that work, the Inspectors will be informed, but it is estimated that this make take around 9 to 12 months to progress.

The agreed SoCG with Natural England recognises that significant data collection on the current air quality has taken place in an appropriate way and that the data is consistent with APIS data. It further recognises that NoX is currently well below threshold for concern whilst ammonia concentrations relate to farming practices. The Council considers much of the cause of ammonia concentrations are beyond the control of the planning system.

Natural England have indicated that given the current lack of traffic modelling data and air quality analysis, the Council may wish to identify what information exists to define the likely affected road network and consider it in relation to the location of the proposed allocations to establish if possible where the traffic may go and so commence screening out which protected sites are outside of 200m of the road network affected.

The CC SAC Partnership is looking to draft a commission that provides a methodology for Natural England to consider and confirm is acceptable so that Local Plan preparation can continue across the competent authority area. The partnership has a strong track record in delivering appropriate mitigation when required for the Cannock Chase SAC.

Inspectors request 4

- b) What does the updated Memorandum of Understanding for the Cannock Chase SAC Partnership cover? What progress has been made in respect of financial arrangements for mitigation of visitor impact on the Cannock Chase SAC?

Response



The most up to date signed MoU and financial agreement approved by the members of the partnership and signed by relevant parties in June 2022 is attached. Since submission of the Lichfield Local Plan 2040, Walsall MBC has agreed to join the partnership and adhere to the financial agreement. The Walsall cabinet decision of the 7th September 2022 is attached. The MoU and a revised financial agreement will be updated and provided to include Walsall as signatories in the near future.

Inspectors' request 4

- c) What progress has been made in mitigating water quality issues within the river catchment of the River Mease SAC, with particular regard to phosphate levels?

Response

Longer term, the 'pump out scheme' will remove effluent discharging from two of the main treatment works in the catchment (Packington and Measham). The work is progressing well and is due to be complete by 2027. The River Mease Technical Group and Programme Board have been coordinating this project). Severn Trent are delivering the project and have reached a preferred option for the route of the pump out pipeline. A study to assess impacts of flow change from the pump out on the designated fish species has also been commissioned recently. The completion of this project will remove a considerable amount of Phosphate from the river and has the joint benefit of reducing the flow rate (currently the Mease is also exceeding its conservation objective flow targets). This won't fully fix the issue as there are other smaller treatment works which can impact but will make a significant difference.

In the shorter term, North West Leicestershire has taken the leading role for the catchment partnership and commissioned a consultant (DTA) to undertake works to develop a new strategic mitigation scheme. Exactly what this will look like is to be confirmed, but Natural England anticipate being involved in the scheme. Trent Rivers Trust (TRT) has delivered mitigation for the previous mitigation schemes in the catchment (DCS1 and DCS 2) and is likely to be re-commissioned to play a similar role, however, this can't be confirmed until DTA have a better idea of what the scheme will look like. TRT have identified a number of potential mitigation projects which could be used for the new scheme – but these cannot be started prior to the new scheme as they don't have funding for these yet. In the meantime, implementation of projects using the funding from DCS2 continues to be done by TRT.

Inspectors request 4

- d) Given the aforementioned questions and the time that has elapsed between the production of the HRA and submission of the Local Plan, does the HRA require updating?

Response

In light of the progress of data collection underway, it is agreed that the HRA would benefit from updating. However, it is recognised that the HRA will only change significantly when the further work required to find a way forward for the Cannock Chase SAC on air quality is established and the successor to DCS2 on the River Mease is also established. Accordingly, it is suggested that resolution will be during the next 9 to 12 months.

Inspectors request 4

- e) In light of the acknowledgement of further work being necessary in paragraphs 16 and 19 of the Statement of Common Ground [SD5-5] please set out what the timeline for this work is and how progress will be evidenced (for example, through updated Statements of Common Ground)?



Response

Both LDC and Natural England recognise that they need to work together on agreeing an approach to the issues of concern and to therefore submit a revised SoCG in the run up to the hearings part of the EIP. LDC and Natural England have agreed to meet in the near future to work through the matters raised in the initial letter from the inspectors and to provide a timeline though this may be subject to the timing of staff recruitment to vacancies.

Inspectors' request 5

- a) Provide a detailed calculation of LHN at 1 April 2022, along with an explanation of how it has been calculated against the methodology set out in the Planning Practice Guidance (PPG). What is the reason for the LocalPlan adopting the figure at April 2020, rather than 2022?

Response

The note attached sets out how the LHN has been calculated at 1 April 2022 against the methodology set out in the planning practice guidance.

The reason for the figure being adopted at 2020 is that it was the most up to date for data at the time of publication in Feb 2021, and as such the Council has not sought to update that figure at this stage for submission as then it wouldn't have been the plan consulted upon at reg19.

Inspectors' request 5

- b) Given its age, how can the HEDNA be relied upon as up to date evidence? What steps have been taken to keep the assessment under review and to consider revising, where appropriate?

Response

LDC will ask the HEDNA consultants to provide an update for the Examination.

Inspectors request 5

- c) Provide a topic paper on site selection that covers the issues set out in paragraphs 14 to 18 of the initial letter by PINS

Response

It is accepted that a topic paper on site selection providing a narrative on the points raised would be helpful and will be prepared for the examination rather than addressing such matters as originally anticipated through a hearing statement. The timing of the preparation of the topic paper will depend upon recruitment to staff vacancies. It is anticipated this will be during the next 6 to 9 months.

Inspectors' request 5

- d) Supply any further supporting information/technical work available relating to the suitability, availability and deliverability of the proposed strategic allocations, for example, draft Masterplans, technical reports and other evidence

Response

The information submitted by the developers / Land promoters in support of their representations highlights the masterplan and technical work undertaken to date. Further work is currently being undertaken in consultation with the Council. The intention is that Statements of Common Ground will be prepared alongside further masterplan details / planning applications to set out how delivery has been resolved.



Whilst the work may be led by the promoters it is anticipated that agreement will be during the next 6 to 9 months due to the need for recruitment to LDC vacancies.

Inspectors request 5

- e) What is the anticipated housing requirement resulting from the Local Plan for each designated neighbourhood planning area?

Response

It is acknowledged that this requirement has been omitted from the submission. Accordingly, the Council intends to prepare this information having regard to neighbourhood populations and incorporating the saved and new allocations to provide a figure. This can then become a main modification. This work may be delayed by between 6 to 9 months whilst LDC recruits to vacancies.

Inspectors request 5

- f) Would at least 10% of the housing requirement be accommodated on sites no larger than one hectare? If so, how would that be achieved?

Response

The Council will undertake the work from the calculations provided for the housing trajectory to provide this information. The precise timing of this may be delayed by the need for recruitment to vacancies for Lichfield District Council.

Inspectors request 5

- g) Provide a table to show the net completed dwellings for each of the settlements set out in Table 7 of the Local Plan arising from data on annual completions for periods after April 2020. When is the publication of the next Authority Monitoring Report anticipated?

Response

This information is available for April 2021 and it is being readied for April 2022. It remains the case that notwithstanding the current limited resources available, that the Council would wish to publish its AMR by the end of the year.

Inspectors request 5

- h) Provide a housing trajectory (which takes account of all sources of supply and builds on the Local Plan's Appendix A: Housing trajectory) in an Excel format

Response

An update to April 2022 will be readied for the trajectory. This will be informed in part by the data that is being prepared for the Housing Flow Returns. It is anticipated that once those returns have been completed, work will commence on updating the trajectory. It is estimated subject to staff resourcing that the trajectory update will be available by the end of 2022.

Inspectors request 5

- i) With regard to provision for Gypsies and Travellers provide further detail to show whether there is scope for intensification of existing sites to create more pitches and to clarify what all available



delivery mechanisms would consist of in order to provide a supply of specific, deliverable sites.

Response

This work was previously done in December 2016 for the Allocations 2019 plan. It is recognised that an update to this work is required. The Council will need to consider whether this work could be commissioned by the consultants who prepared the GTAA given the limited in-house resources currently available or can be done inhouse. It is estimated that such work could be undertaken within the next 6 to 9 months.

Inspectors request 6

- a) How was the figure of 85 hectares of employment land reached and where would it be accommodated? Please set this out in a topic paper on employment that includes the employment land requirement and estimated land supply relating to this Plan period (broken down by source of requirement/supply); whether the requirement and supply figures are gross hectares, or net; and a detailed breakdown of sites which will be allocated, with the expected type and mix of use classes

Response

The Council will prepare a topic paper to respond to this request. The topic paper will outline that the Local Plan 2040 shows designated employment areas/ zones rather than individual sites. The ELAA supporting the plan shows the individual sites/ parcels which are within those zones/ areas and provides the capacity to meet the requirement. This is an approach the inspector endorsed in 2019 for the Allocations Development Plan Document when the employment areas were last altered.

If the Inspectors would prefer the approach of listing the individual parcels listed and shown in the ELAA to be in the Local Plan 2040 and on proposals map as well, this could be done but will take some time to prepare. Due to the need for LDC staff recruitment it is anticipated this will be during the next 6 to 9 months.

Inspectors request 6

- b) Is the Council intending to meet any employment needs from within the wider Greater Birmingham and Black Country Housing Market Area?

Response

No, as is referenced in the draft SoCG with the Black Country authorities, the Council is of the view it can meet its own needs but has not been able to identify additional sites from that in the ELAA. This is despite a 'call for sites' exercise seeking to identify willing landowners able to bring forward any further land forward to provide the capacity so that a contribution could be made to meet the unmet need.

Inspectors request 7

- a) The Council should produce a topic paper on Green Belt which explains the steps taken by the Council prior to making the decision to allocate sites currently within the Green Belt for development, including how it has influenced decision making around site selection for housing, as discussed above. This should include reference to relevant parts of the evidence base. The topic paper should include detail on how the Council considers it has addressed paragraphs 141 – 143 of the Framework, with reference to supporting evidence.

Response



The Council agrees on reflection that a topic paper should be produced rather than as originally anticipated through a hearing statement. This will take into account the request for a site selection topic paper too. It is recognised that notwithstanding the site selection work undertaken to date and the work undertaken by consultants in respect of Green Belt analysis that further narrative would be of assistance. The timing of this topic paper will be dependent on recruitment to vacancies and therefore it is anticipated it will be during the next 6 to 9 months

Inspectors request 7

- b) Furthermore, as Burntwood is intended to contribute towards the delivery of the Council's housing requirement and the settlement appears to be tightly bounded by Green Belt, could the Council clarify if it intends the forthcoming Burntwood Area Action Plan to include Green Belt release?

Response

No, the Burntwood AAP is not intended to include Green Belt release. The AAP will provide detail for the functionality of the local centres which lie within the AAP / Urban Boundary of Burntwood and to provide detail for the vacant / underused sites within the urban area.

Inspectors request 8

- a) Is the Local Plan supported by strategic transport modelling?

Response

Strategic modelling work has been undertaken for the A38 corridor relevant to allocations SHA1 and SHA3 by the consultants Atkins on behalf of a joint commission between the District Council and the County Council with the brief also agreed with National Highways. Further detailed modelling for specific junctions at the request of SCC is now being undertaken as an extension to the study work already completed.

In respect of SHA2, the land promoter's highway consultant has prepared work including modelling data which has been reviewed / checked by SCC highways. It is understood that SCC highways have indicated that matters have now moved on from the comments in the representation response to the publication draft and are comfortable with the data and the principle of the solutions proposed. The SHA2 land promoters have offered to share the work they have done in terms of design mitigation. This can be submitted to the Examination.

Inspectors response 8

- b) Reference is made at SD1-8a (Annex B) to the production of a Transport Assessment with Staffordshire County Council and Highways England (now National Highways). Has this been submitted to the Examination?

Response

The Consultant's report on modelling for the A38 junctions affected by the allocations SHA1 and SHA3 was received by SCC in April 2022 and SCC highways have now reviewed the work and confirmed it is acceptable. SCC has however requested that further modelling is undertaken for specific junctions to inform the detailed design required for the mitigation solutions.

Separately, SCC highways are working with the land promoter of SHA1 and on behalf of the District Council to develop / agree on detailed mitigation design required to address the implications of the modelling conclusions. When this work is complete it will be submitted to the Examination. It is anticipated this work will consider the SHA 3 allocation too as it impacts on some of the same road network. It is estimated that design work will be during the next 6 to 9 months subject to staff resourcing at Lichfield District Council and Staffordshire County Council.



Inspectors response 8

- c) What consideration has been given to supporting transport infrastructure for the strategic allocations, saved previously allocated housing sites, and employment provision within the district? What will the implications of the Local Plan's spatial strategy be for the strategic road network?

Response

In respect of the A38 modelling study, the Council was asked to provide details of all of the sites of significant size including those further afield than the A38 corridor so that existing commitments and the strategic allocations could be taken into account in establishing the implications of the proposals. This is then being used to inform the mitigation required. The promoters of SHA2 have also had to satisfy SCC highways in terms of data inputs in order to develop mitigation solutions.

The further piece of work setting out the mitigation solutions for SHA1 and SHA3 is anticipated to be during the next 6 to 9 months subject to successful recruitment by LDC and staff resource availability within Staffordshire County Council.

Inspectors request 8

- d) When is Staffordshire County Council's updated Integrated Transport Strategy for Lichfield expected? Have any more recent transport strategy documents been produced by Staffordshire County Council, National Highways, or any other relevant organisations? If so, should they form part of the Local Plan's evidence base? Has the Council provided relevant wider road project work for the A5 and A38 to the Examination?

Response

The 2022 version of the Integrated Transport Strategy is being prepared. Due to the need to recruit to vacancies, the transfer of some data from LDC to SCC may be delayed but should be addressed by the end of 2022. SCC's view was to undertake this refresh once submission was confirmed as that is how it had been done for the last Local Plan. This will form part of the evidence base together with the bespoke modelling work and mitigation work required for the A38 and A5. It was anticipated that the acceptance of the modelling and mitigation solutions would form part of the appendices for the SoCG with SCC highways in a staged approach in the run up to the EIP. The aim being to prepare evidence as quickly as possible to progress the plan which had been delayed due to the pandemic.

There is also intention for the site promoters of the 3 largest strategic allocations to draft SsoCG in conjunction with the Council setting out the further detail including the project work required.

Inspectors request 9

- a) The Council should provide a Gantt chart showing the delivery of overall growth over the plan period (including commitments, windfall etc). It should also show each housing, employment and mixed-use allocation and the infrastructure necessary to bring forward each site with timescales and phasing, so the Council is able to see when items of infrastructure are required to unlock specific development.

Response

A GANTT chart will be prepared as requested. It is anticipated that this will be informed from the representations received from the land promoters of the strategic allocations and supplemented by more detailed masterplans prepared by the land promoters but agreed by LDC and SCC. Any phasing required



to ensure infrastructure is in place would be agreed via further iterations of a Statement of Common Ground between LDC and SCC and potentially in separate SsoCG with the land promoters. Unfortunately, due to staff resource pressures both within LDC and at SCC, this work has not progressed as anticipated. It is anticipated that a further 9-12 months may be required to address this request.

Inspectors request 9

- b) What evidence is there to confirm that any likely infrastructure requirements have been taken into account in assessing the effect of policies on the viability and phasing of development?

Response

The Local Plan and CIL viability appraisal work updated September 2020 covers the viability of the overall plan and then applies scenario testing for the four strategic sites that takes into account affordable costs and sensitivity testing for a range of infrastructure requirements and build cost requirements. The SHAs are covered specifically in the appendices to the viability study. The land promoters of the Strategic Allocations have also provided useful information in the representations from the Strategic allocation land promoters. It is anticipated that as and when the land promoters further develop their masterplans and any specific further mitigation work as required in consultation with LDC and SCC, such information can be factored into an update of the viability work on the strategic allocations alongside taking account of other general inflationary costs since the study work was undertaken September 2020.

The Council will then commission an update of the viability evidence to reflect the mitigation solutions and reflect any shifts in costs.

Inspectors request 9

- c) Did the Local Plan and CIL Viability Assessment (September 2020) assess the submitted Local Plan or an earlier version of it? Does the Council consider that the Local Plan and CIL Viability Assessment is up to date?

Response

The Local Plan and CIL viability assessment assessed the sites that were to be taken forward and contained in the regulation 19 plan. The September 2020 work ensured the work was up to date for production of that plan. The submitted plan does not contain any additional sites. As noted above, the viability assessment will be updated.

Inspectors request in conclusion

The Council is requested to provide a timetable for the provision of all the requested information

Response

Within this statement, I have sought to give an indication of how long it will take to provide information that is not readily available. For ease of reference, please find attached a timetable providing in brief when the information is estimated to be available.

Yours sincerely

S. W. Stray

Stephen Stray
Spatial Policy & Delivery Manager

