Lichfield District Council

Consultation on Local Plan Allocations - Summary of Representations

Public Consultation Period: 20th March to 12th May 2017

Contents

Introduction

This document outlines the representations received in response the consultation on the publication version of the Local Plan Allocations Development Plan Document (Regulation 19).

Background

Lichfield District Council adopted its Local Plan Strategy (LPS) in February 2015. The LPS set out the strategy for the overall approach towards providing new homes, jobs, infrastructure and community facilities to 2029. It contains the broad policies for steering and shaping development as well as defining areas where development should be limited and sets out detailed development policies.

The Local Plan Allocations document is the second part of the District's Development Plan and aims to assist in encouraging appropriate development in Lichfield District which will contribute to sustainable and economic growth.

The Council consulted on the scope and nature of the Local Plan Allocations document (Regulation 18) from August 2016 – October 2016. The consultation document set out the key issues / questions. A total of 98 responses were received and a summary of representations and the Council's response to these is available online via the District Council's website.

Regulation 19 Consultation

Consultation on the Local Plan Allocations Document Publication Stage commenced on 20th March 2017 and ran for a seven week period until 12th May 2017. This consultation was undertaken in accordance with Regulation 19 of the Regulations and sought representations on the soundness and legal compliance of the Local Plan Allocations Document.

The Local Plan Allocations (Regulation 19) and its supporting evidence base is available online via the District Council's website.

This document outlines the key responses / themes arising from the consultation. A full set of responses is appended to this report.

Overview of the Representations Received

There have been a total of over 5,000 representations received in response to the consultation and this includes approximately 4,600 signatories from petitions and generic responses received.

With regards to individual representations excluding petitions and generic responses, 323 contributing consultees have been recorded with a total of 434 comments received in response to the Local Plan Allocations Document.

Within the representation received, certain comments (10 in total) were submitted after the deadline. Whilst these comments are not formally taken into consideration they have been noted and summarised for completeness.

Summary of Representations

The summary table below shows the breakdown of individual responses received in relation to each chapter. Notably, where a representation is linked to one or more points it is only counted as one comment and is listed under the primary area the comment related to.

Table 1: Individual representations received in relation to each chapter by number

Chapter	Comments Received
Introduction	6
Infrastructure	4
Sustainable Transport	0
Homes for the Future	18
Economic Development & Enterprise	5
Natural Resources	2
Built & Historic Environment	1
Lichfield City (inc Streethay)	12
Burntwood	79
North of Tamworth	5
East of Rugeley	4
Key Rural Settlements	250
Other Rural	3
Appendix A Schedule of Policies	0
Appendix B Changes to Local Plan Strategy	0
Appendix C Implementation & Monitoring	0
Appendix D Housing Trajectory	0
Appendix E Rugeley Power Station Concept Statement	1
Glossary	1

The table above highlights that the majority of comments were received in relation to Key Rural Settlements, with nearly three times more comments than the next most popular chapter which was Burntwood. However, it should be noted approximately 4,500 generic responses were received from residents of Burntwood. For the purposes of this summary, these generic responses have been grouped as one comment for simplicity (further detail on these generic responses is included below).

Figure 1 overleaf goes on to highlight the percentage of individual representations received based on each topic. It is not surprising that 64% of comments are related to Key Rural Settlements given that there are six in total. This percentage represents the responses received in total for the Key Rural Settlements, not for the individual settlements or sites.

Figure 1: Representations received in response to each chapter by percentage

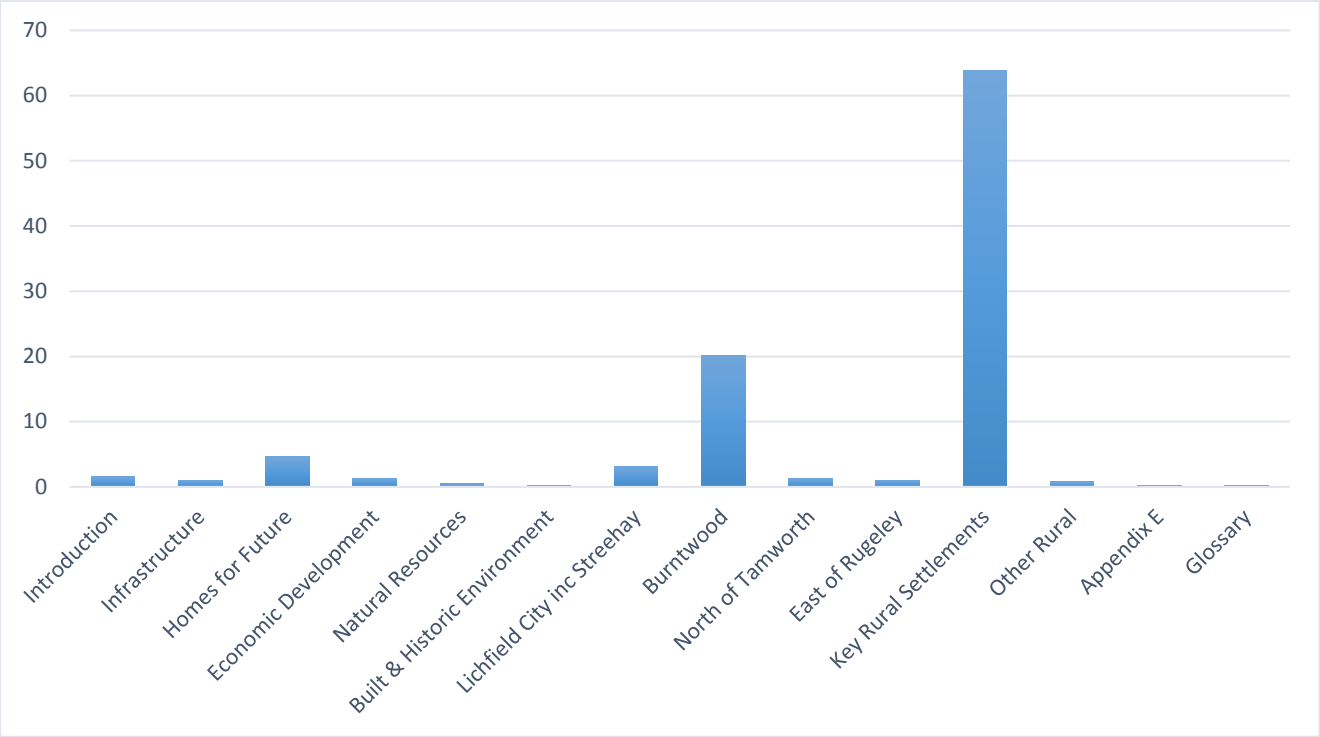
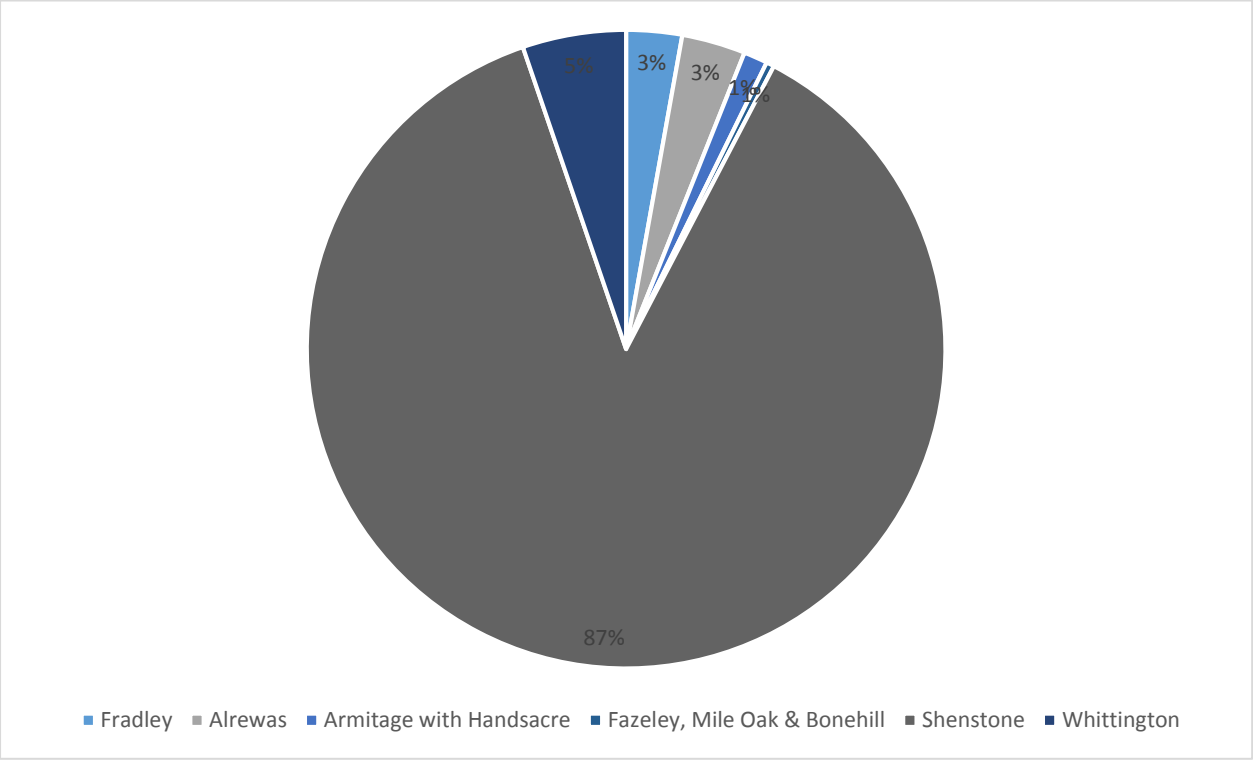


Figure 2 below goes on to break down the responses received in relation to each of the Key Rural Settlements to show that the majority representations were received in relation to Shenstone (87%). Followed by Whittington (5%), Alrewas (3%), Fradley (2%) Armitage with Handscare (1.5%), Fazeley, Mile Oak & Bonehill (0.5%).

Figure 2: Breakdown of response received in relation to Key Rural Settlements



Petitions & Generic Grouped Responses

In total one petition and three separate generic signed letters were received in response to the consultation. These responses all related to Burntwood and the key considerations are outlined below. Figure 3 below then goes on to identify the proportion of responses to each petition or grouped response.

Burntwood Action Group

2383 individually signed copies of a letter prepared by Burntwood Action Group (BAG) opposing the removal of land surrounding Burntwood from the Green Belt, in particular Site B15 – Land east of Coulter Lane were received along with any additional individual comments.

Burntwood & Hammerwich Labour Party Petition

94 signatures and survey responses from 60 residents prepared by Burntwood & Hammerwich Labour Party opposing the loss of Green Belt to housing development.

Hammerwich Action Group

2007 individually signed copies of a letter prepared by Hammerwich Action Group (HAG) opposing Site B14 – Land south of Highfields Road were received along with any additional individual comments.

St Matthews Estate

120 individually signed copies of a letter prepared by BAG opposing the removal of St Matthews Estate from the Green Belt were received.

Figure 3: Comparison of volume of petition responses received

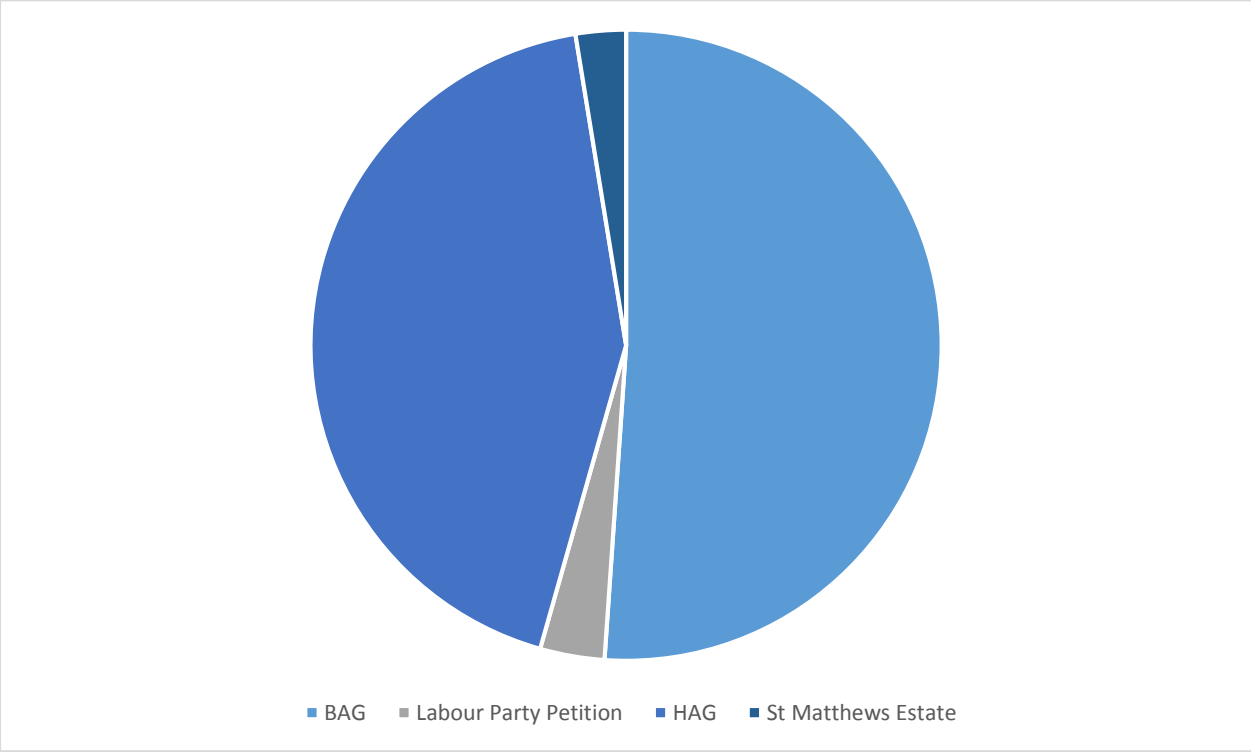
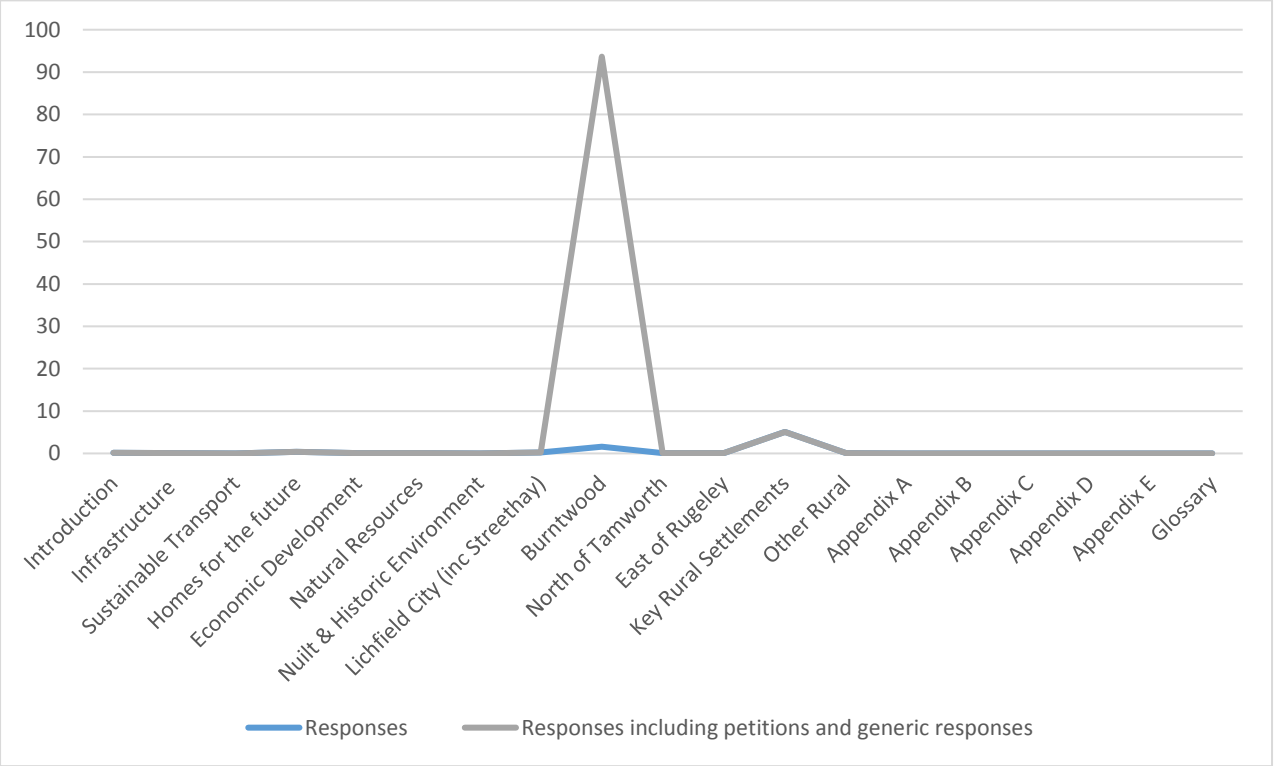


Figure 4 below shows that if the total number of representations received in relation to the consultation including generic grouped responses and petitions then Burntwood would have attracted 94% of the representations.

Figure 4: Representations received in response to each chapter including petitions by percentage



Gypsy and Traveller Site Allocations

The Local Plan Allocations Documents identifies one site, Site GT1: Land at Bonehill Road, Mile Oak for one pitch. One comment was received in support of this allocation from Cannock Chase District Council.

Late Responses

Within the representations received, 10 comments were submitted after the deadline. Whilst these comments are not formally taken into consideration they have been noted by the Council.

Content of Representations Received

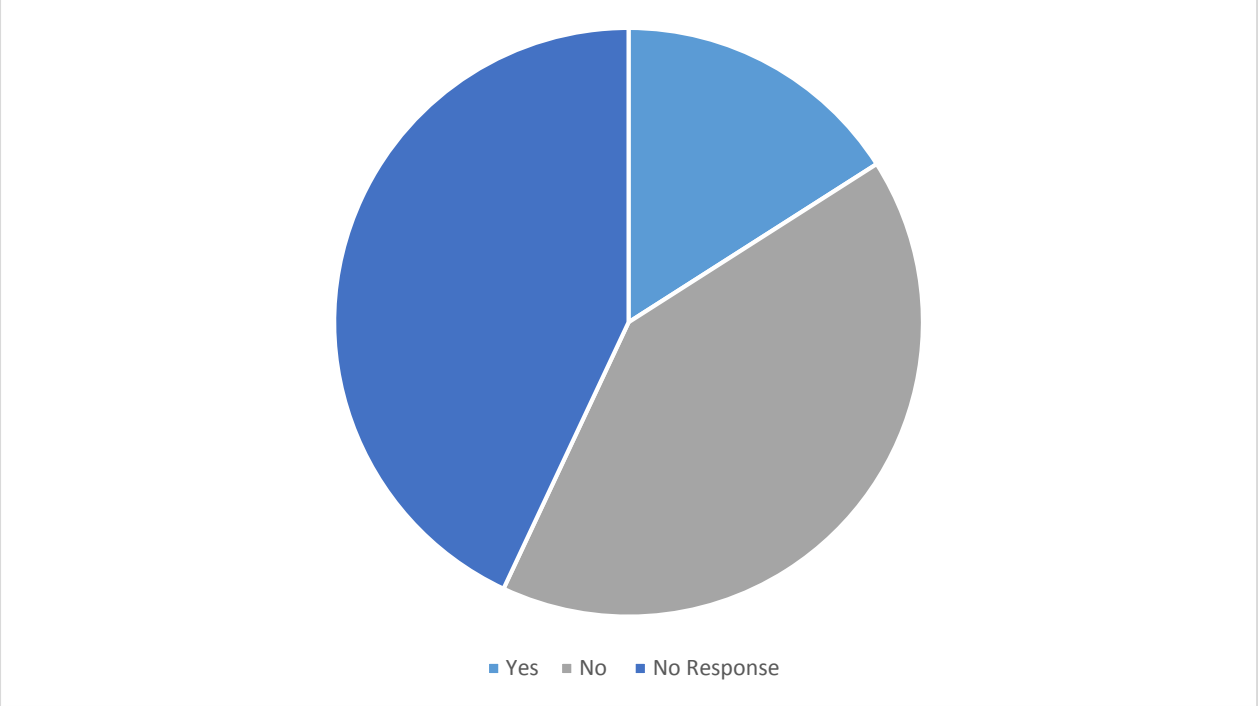
The Regulation 19 consultation sought representations on the soundness and legal compliance of the Local Plan Allocations Document.

The representation form asked directly whether the consultee considered the plan is compliant with the Duty to Co-operate, meets the legal and procedural requirements, positively prepared, justified, effective and consistent with the National Planning Policy Framework. Whilst not every consultee submitted comments via the representation form, the responses received are outlined below.

Duty to Co-operate

Question 1 of the response form asks 'Do you consider that the Local Plan Allocations document complies with the Duty to Cooperate?' Of those who directly responded to this question, Figure 5 below shows that approximately 1/3 of consultees do not consider the plan meets with the duty to co-operate.

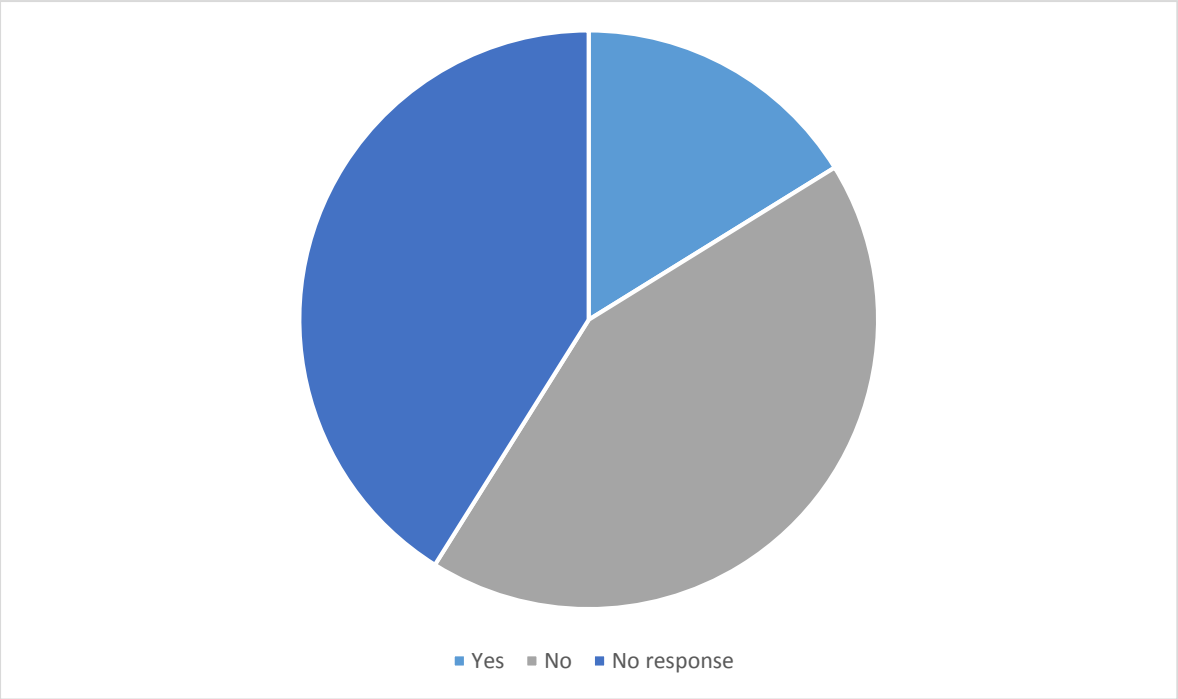
Figure 5: Duty to Cooperate Compliant



Legal and Procedural Requirements

Question 2 of the response form asks 'Do you consider that the Local Plan Allocations document meets the legal and procedural requirements.' Of those who directly responded to this question, 78 consultees agreed the plan meets the legal and procedural requirements compared with 206 consultees who disagreed.

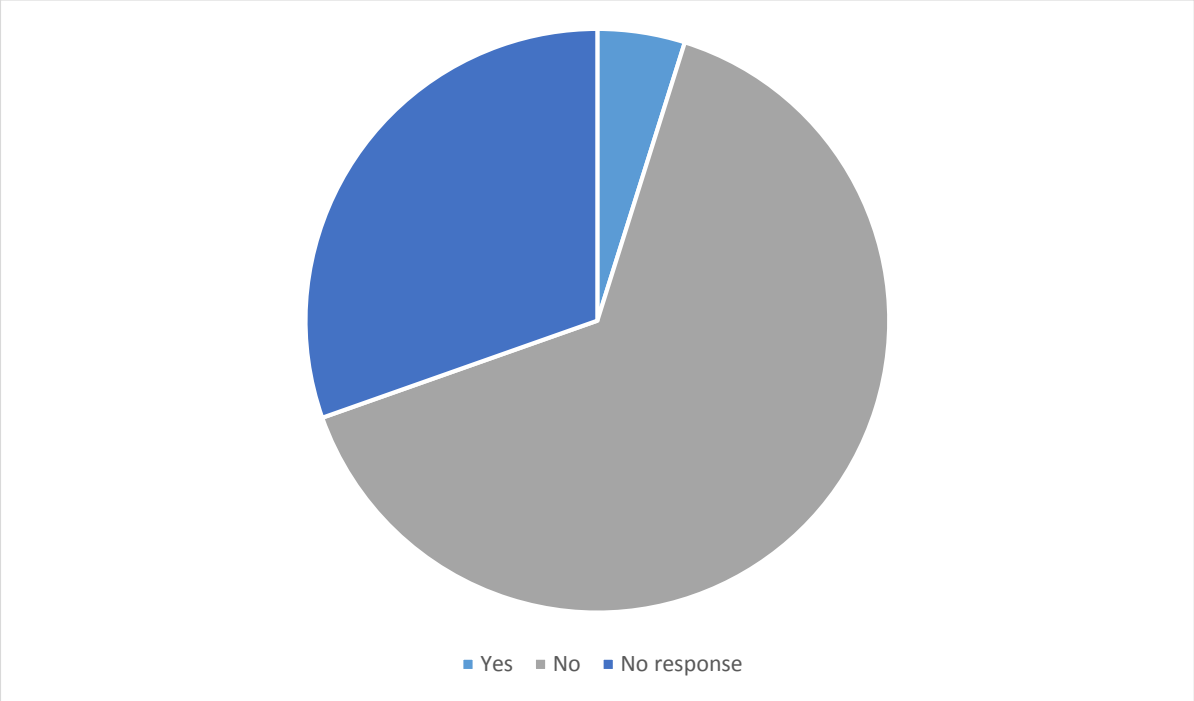
Figure 6: Legal and Procedural



Soundness

Questions 3 to 6 of the response form seek to establish whether the plan is considered sound, i.e positively prepared, justified, effective and compliant with the NPPF. When considered holistically, as shown in Figure 7 the majority of consultees who answered did not consider the plan to be sound.

Figure 7: Soundness



Key Issues Raised

Each of the consultation responses received has been summarised as shown in Appendix G and all responses are available to view, in full, via the consultation portal.

The key issues raised during the consultation are set out below along with Officer analysis.

Table 2: Key Issues and responses to Regulation 19 consultation

Key Issue	Response
Line of Lichfield and Hatherton canal contains an inaccuracy	Proposals map to be amended to accurately plot the Lichfield and Hatherton canal line
Lack of information pertaining the status of Land at Watery Lane, Curborough	Land at Watery Lane, Curborough was not considered to be in line with spatial strategy by the Council. However the Secretary of State, while agreeing that the proposal is not in line with the adopted Local Plan Strategy, determined to approve the Call in due to wider material considerations. The Council have challenged this in the High Court and at the time of writing await formal judgement in writing.
Development within Green Belt objected to due to policy protection associated with the sites.	The proposed Green Belt allocations were identified due to the need to identify land outside of settlement boundaries in order to meet the numbers associated with the Local Plan Strategy. A further analysis of the housing supply will be undertaken, taking into account any potential windfalls to re-assess the need for Green Belt release. This may result in the need for Focused Changes to the draft Plan being consulted on.
Need to look at brownfield sites first before releasing any Green Belt for development	The Local Plan Allocations is supported by its evidence base, including the SHLAA which outlines sites, including brownfield sites that are available and deliverable within the plan period. Further to this, the Council is in the process of preparing its Brownfield Register which identifies brownfield land that is suitable for residential development.
Site boundaries require amendment, for example the boundary associated with land at Dark Lane, Alrewas was cited as an allocation which required review.	Site boundaries have been reviewed and where appropriate such as at Dark Lane, Alrewas will be amended.
Policy BE2 (Heritage Assets) is in conflict with National Policy	Officers will work with stakeholders to agree appropriate changes seeking compliance with the NPPF
Policy IP2 (Lichfield Canal), drafting of line is incorrect wording of policy requires minor alteration	Amend line of canal, and amend policy wording as appropriate.

Key Issue	Response
Additional key development considerations requested by statutory bodies for a number of the allocations	Following further discussions with statutory bodies, where appropriate additional key development considerations will be added into the document.
Development industry questioned the deliverability of a number of the allocations, such as Rugeley Power Station.	The proposed allocated sites are being promoted through the Local Plan process and are considered deliverable within the plan period. In relation to Rugeley Power Station, the Council has worked closely with the landowner to prepare a Development Brief SPD to guide the future redevelopment of the site.
The need for a vision/ plan within Burntwood was identified	Noted, this is a matter that should be addressed through the Local Plan Review.
Local Plan Allocations document undermines the Neighbourhood Plan process, particularly in relation to the Shenstone Neighbourhood Plan	The Neighbourhood Plan for Shenstone seeks to contribute toward addressing the housing needs for the development area by providing a minimum of 50-150 new dwellings within the plan period. The Neighbourhood Plan allocates Land at Lynne Lane for 50 units (Policy HA1). This site is allocated within the Local Plan Allocations (Site Reference S1) which makes specific reference towards Policy HA1 in the Key Development Considerations, alongside two additional sites to take the quantum of development in Shenstone up to 150 dwellings. The proposed Green Belt allocations were identified due to the need to identify land outside of settlement boundaries in order to meet the numbers associated with the Local Plan Strategy. A further analysis of the housing supply will be undertaken, taking into account any potential windfalls to re-assess the need for Green Belt release. This may result in the need for Focused Changes being consulted on.
The proposal to protect the Borrowpit at Rugeley Power Station was challenged given its allocation in the Local Plan Strategy.	Rugeley Power Station is allocated to deliver a minimum of 800 dwellings within the plan period. Whilst the Borrowpit is allocated as part of the Local Plan Strategy, the Council consider it is worthy of retention as landscape / water feature and acknowledge within the document there will be a net gain of 350 units on the former Power Station site.
Development industry challenged the approach to calculating housing supply, such as allocations with permission.	The approach towards calculating supply is considered consistent across the District and as such all sites with permission have been included within the allocations as they are intended to come forward within the plan period and contribute towards meeting the housing provision of 10,030 dwellings set out in the Local Plan Strategy.
Development industry argue the Local Plan Allocations document makes no allowance for	The Council is committed to reviewing its Plan in full to address the Greater Birmingham Housing Market Area issues. As part of this review a full Green Belt review will be undertaken to inform

Key Issue	Response
'safeguarded land' to be taken out of the Green Belt	the evidence base and therefore at this stage it is not considered necessary for 'safeguarded land' to be taken out of the Green Belt.
Local concerns over the impact development will have on local infrastructure, services and facilities.	The Local Plan Allocations document is supported by its evidence base including the Infrastructure Delivery Plan (IDP). The IDP ensures the allocations are robust and deliverable by identifying key strategic infrastructure requirements. Further, the Local Plan Allocations document has been informed by statutory bodies including Staffordshire County Council.
Need to deal with neighbouring authority's shortfall in housing provision within the allocations rather than review was cited by numerous respondents	The Council is committed to reviewing its Plan in full to address housing shortfall issues within the Greater Birmingham Housing Market Area. The outcome of the GL Hearn and Amec Foster Wheeler study is anticipated Autumn 2017 and it is considered appropriate and timely that this will feed into a future full Local Plan Review.
The need for additional information associated with the following was cited (notably these matters were not considered showstoppers): • Flood Risk • Highways England Network • Historic Heritage • HSE	These matters have been addressed where appropriate within the Key Development Considerations associated with each of the site allocations.
Duty to Cooperate was cited as an issue by numerous parties including Parishes, a neighbouring Local Planning Authority, local residents and the development industry.	The Council considers it has fulfilled its Duty to Cooperate as part of the Local Plan Allocations process. The Duty to Cooperate Statement prepared as part of the Council's evidence base discusses this further. The Council is committed to ongoing Duty to Cooperate discussions.

Next Stages

The Spatial Policy and Delivery Team has reviewed the representations received in response to the Local Plan Allocations Regulation 19 consultation and consequently amended inaccuracies, considered the responses to draft policy and made amendments where appropriate, and reviewed the housing supply position. This has resulted in major modifications to the document and therefore the Council is will be consulting on a 'Focused Change' Document.