



**Tamworth Borough Council
– Local Plan 2006 – 2031
Main Modifications
Consultation Statement –
November 2015**

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Section 1: Purpose of Document

- 1.1 The Main Modifications Consultation Statements describes how Tamworth Borough Council has undertaken this further consultation in the preparation of the Local Plan. It is produced to fulfil the requirements set out in the Town and Country Planning (Local Planning (England) Regulations 2012. Specifically it gives additional information, to that required by Regulation 22 (1) part (c), to the Consultation Statement (A15) as submitted with the Local Plan in February 2015:
- (i) Which bodies and persons were invited to make representations under regulation 18,*
 - (ii) How those bodies and persons were invited to make representations under regulation 18*
 - (iii) A summary of the main issues raised by the representations under pursuant to regulation 18*
 - (iv) How many representations made pursuant to regulation 18 have been taken into account*
 - (v) If representations were made pursuant to regulation 20, the number of representations made and a summary of the main issue raised in those representations.*
- 1.2 It also shows how the Council has met the requirements of the adopted Statement of Community Involvement (SCI) 2014.
- 1.3 This document intends to give the Inspector a summary of the issues raised through the Main Modifications consultation.

1.4

Section 2: Summary of consultation undertaken

- 2.1 The Council has been working on a new Local Plan since 2006 and has produced a number of consultation documents, including the Issues and Options in 2008, an Option Report and a separate proposed Spatial Strategy, both in 2009, a Housing Policy in 2011, Pre-submission (withdrawn plan) 2012, Draft Local Plan 2014 and finally a pre-submission Local Plan consultation in 2014, which was submitted for examination in February 2015.
- 2.2 Prior to the Main Modifications consultation a total of eight distinct periods of consultation and engagement took place.
- 2.3 A summary of these stages and the comments received during the pre-submission Local Plan consultation can be found within the Consultation Statement (A15).
- 2.4 The Main Modifications consultation was carried out between 10 September to 23 October 2015. The consultation documents were made available on the Council's website, Council offices and Tamworth, Wilnecote and Glascote libraries. Documents made available for comment during the consultation were; Schedule of Main Modifications (MD2), Further Sustainability Appraisal (MD3) and the Schedule of Other Modifications (MD4) which was available for information.

Section 3: Relationship to the Tamworth Statement of Community Involvement (SCI)

- 3.1 The SCI was adopted in 2014, replacing the original SCI from 2006. This Main Modifications consultation has been undertaken in line with the Council's adopted SCI. Further detail on the SCI's relationship with the Local Plan consultations can be found in document A15 and the SCI itself; document A12.

Section 4: Relationship with the Sustainability Appraisal (SA)

- 4.1 The SA and Local Plan have been developed in tandem. An updated SA scoping report was produced and consulted on in 2013. The SA has been updated and consulted on throughout the Local Plan process.
- 4.2 Further SA work was carried out to support the Main Modifications consultation (MD3) and was consulted on at the same time.

Section 5: Compliance with the Duty to Co-operate

- 5.1 In preparing the Local Plan the Council has complied with the legal requirements of the duty to co-operate. The Duty to Co-operate Statement (A14) sets out in detail how the Council has achieved this.
- 5.2 Further meetings with the neighbouring authorities of Lichfield District and North Warwickshire Borough were held during September and November 2015. This gave the opportunity for the three authorities to discuss the modifications in detail.
- 5.3 As no new, or further strategic planning issues arose during the Local Plan examination, the need to prepare further evidence in support of the Plan was not required. Evidence was put forward to demonstrate that the total supply of housing

in Tamworth has increased within the plan period and therefore this has increased the housing requirement, which in turn has reduced the number of dwellings to be built outside of Tamworth. This modification has not resulted in any further strategic planning work being carried out.

Section 6: Consultation Stages Reviewed

- 6.1 To ensure this document is focused on this consultation, please refer to section 6 of the Consultation Statement (A15), which details and summarises the previous 8 stages of Local Plan Consultation.

Stage 9: Main Modifications Consultation September to October 2015

- 6.2 The Plan was submitted for examination on 6 February, a Pre-Hearing Meeting was held on 27 March followed by hearing sessions from 16 to 25 June 2015. On 22 June the Council formally requested under Section 20 (7C) of the Act for the Inspector to recommend any main modifications to the Local Plan that would make it sound.
- 6.3 Following the close of the hearing sessions and further correspondence between the Inspector, Council and participants, the Inspector issued a schedule of 34 Main Modifications (Document MD2). The Council then prepared a further SA (MD3) to support the Main Modifications where necessary.
- 6.4 The Council carried out a public consultation on the proposed Main Modifications to the Local Plan, for 6 weeks from 10 September to 23 October 2015. Letters and e-mails were sent out to approximately 900 persons on the Local Plan consultation database, a public notice was placed in the Tamworth Herald.
- 6.5 The Main Modifications schedule and further SA were made available on the Council's website and placed at the Council's office and libraries in the Borough.
- 6.6 In addition to the proposed Main Modifications, a schedule of 'other modifications' was prepared, these modifications do not cover soundness or legal compliance issues. The Council did not seek any representations on these modifications; they were published for information only.
- 6.7 A total of 43 representations were made to the consultation with regards to soundness or legal compliance issues. These representations were made by a total of 17 persons or organisations.
- 6.8 Table 1 breaks down the response to the Main Modifications consultation by each soundness test and legal requirements. As expected at this consultation there were more responses to no, than yes.

Table 1 Legal Compliance and Soundness Tests

	Yes	No	No Response	Total
Duty to Cooperate	9	4	30	43
Legal and Procedural Requirements	8	12	23	43
Positively Prepared	9	15	19	43
Justified	6	29	8	43
Effective	6	28	9	43
Consistency with the NPPF	9	4	30	43

6.9 Table 2 sets out the number of representations received by each Main Modification. The Council's response to each representation can be found in Appendix 1.

Table 2 Summary of Representations Received

Main Modification Number	Number of Representations Received
General Comment	4
MM01	0
MM02	0
MM03	0
MM04	0
MM05	0
MM06	0
MM07	0

MM08	0
MM09	1
MM10	0
MM11	2
MM12	0
MM13	2
MM14	0
MM15	0
MM16	0
MM17	4
MM18	4
MM19	2
MM20	1
MM21	1
MM22	2
MM23	1
MM24	2
MM25	1
MM26	7
MM27	2
MM28	1
MM29	1

MM30	2
MM31	0
MM32	1
MM33	1
MM34	1

Appendix 1

Rep number	Representor	Main Modification reference	Policy/paragraph number	Summary of comments made and suggested change	Council's comments
LPMM1	St Modwen	MM26	Policy SS1	<p>Employment land requirement should be a minimum of 32 ha as per the statement of common ground. 14 ha to be found outside borough boundary should also be a minimum.</p> <p>References to the 32 and 14 ha should be prefixed by words "minimum of".</p>	<p>Comments noted, the Council has no objection to the proposed change.</p>
LPMM2	Cannock Chase District Council	MM29	Paragraph 6.10	<p>Green Belt review referred to should not be treated in isolation as it forms part of the wider WM Green Belt. Issue should be considered in the wider context of the shortfall in the Greater Birmingham HMA and the potential for Green Belt release in Tamworth considered now in order to explore all options before expecting neighbouring authorities to make up the shortfall.</p> <p>Council should commit to a detailed Green Belt review and agree to review/partially review its plan should Green Belt release be appropriate and sustainable. Suggested change to wording of EN2 provided:</p> <p>"The Green Belt review (2014) affirms the importance of the Green Belt in fulfilling</p>	<p>The local authorities within the Greater Birmingham HMA recognise the need for potential Green Belt release to accommodate unmet housing need arising from Birmingham and Tamworth. Work is ongoing to establish if this will be required. If it is agreed that Green Belt releases are required this will be done by each local planning authority, not one review for the whole West Midlands Green Belt. There is currently no time table for any Green Belt review.</p> <p>In preparing the Tamworth Plan the Council has reviewed its Green Belt and has not found any exceptional circumstances to amend the boundary; the SA</p>

				<p>the functions set out in national planning policy. Policy EN2, however, makes provision for a review of the Green Belt boundaries should land not have been identified this be required to meet the balance of Tamworth's housing and employment needs or the needs of the wider HMA in a sustainable way by the end of 2017 / 18; such a review of Green Belt boundaries would determine whether there is potential land for new development in the second half of the plan period."</p>	<p>demonstrated no sustainable sites within the Green Belt and the Green Belt review demonstrated that the Green Belt still performed its function. In addition to this no deliverable sites were identified in the Green Belt. The Council's consideration of the Green Belt is set out in its hearing statement response to 7.1 (document HS.05 page 37).</p> <p>Housing need is not an exceptional circumstances on its own. If the housing need within the Greater Birmingham HMA does increase, or locations to accommodate growth outside of the Green Belt cannot be found, this is not reason alone to release Green Belt sites in Tamworth.</p> <p>The Council does not consider that the proposed Main Modification should be changed.</p>
LPMM 3	WM HARP	MM11	Policy HSG5	<p>Caveat that schemes should be within walking distance of a bus stop or community facilities is problematic. There is no definition of what walking distance is, which in the case of elderly people may only be 20-30m. Extra care schemes provide day to day facilities on site and should not be bound by more stringent criteria than general housing.</p>	<p>Modified Policy HG5 makes it clear that extra care housing should be located within walking distance of facilities unless alternative arrangements are made for residents. This caveat should be sufficient to avoid any ambiguity.</p> <p>The Council does not consider that the proposed Main Modification</p>

LPMM 4	WM HARP	MM13	Policy EC7	<p>Minimum of 12 months is too long, up to 12 months would still provide protection for the site. This is contrary to the NPPF and intention to allow release of underused brownfield land for starter homes.</p> <p>6 months would be more appropriate.</p>	<p>should be changed.</p> <p>The purpose of Policy EC7 is to protect strategic employment areas for employment generating uses in use classes B1(b,c), B2 and B8. It is not aimed at sites outside the strategic employment areas, or general brownfield sites, where alternative uses may be appropriate. Pressure for alternative uses on strategic employment areas, which are well defined and separate from residential areas, tends to come from B1(a), town centre and sui generis uses not residential.</p> <p>As part of the Local Plan process the Council reviewed all available parcels of land; including extant permissions for employment. One notable site, is the proposed Dunstall Lane SUE. Therefore it is clear the Council has looked at underused existing employment permissions and allocations to meet housing need.</p> <p>6 months would be far too short a time period, there is no justification for a short time period. The 12 months is considered to be reasonable and is used across the country as a benchmark time period. The Council's discussion</p>
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LPMM5	North Warwickshire BC	MM26	Policy SS1	<p>Concerned that the modification appears to indicate the potential to predetermine the allocation of additional sites in a North Warwickshire plan through a review of the Tamworth Local Plan. The Tamworth Local Plan is not legally or procedurally able to do this. If the intention is to indicate a need for a review of the plan in the event of lack of planning consents or progression of a local plan or allocations plan in North Warwickshire, this should be made clear.</p> <p>Amend wording to clarify the intention of the policy. Suggested wording provided: “seek to encourage or ensure the earliest allocation of sites in the emerging relevant Development Plan document”.</p>	<p>with land agents and economic development colleagues supports a 12 month period.</p> <p>The Council does not consider that the proposed Main Modification should be changed.</p> <p>Council does not agree with the representation. Whilst modification to policy will set out the key strategic issues, it does not specify exact locations for development within North Warwickshire, or Lichfield District. It is considered that the policy wording is clear and does not predetermine external development plan documents.</p> <p>The Council does not consider that the proposed Main Modification should be changed.</p> <p>It should be noted that the representation from Lichfield District Council supports this modification.</p>
LPMM6	North Warwickshire BC	MM32	Paragraph 5.10	<p>Mapping should be clarified to avoid confusion. The map relating the Golf Course SUE has long distance view arrows which could be confused with points of access into a site in North Warwickshire. This could be misconstrued as indicating the direction of future development.</p>	<p>It is considered that the arrows on the maps are sufficiently different to avoid confusion between access points and views and they are also clearly shown on the key.</p> <p>The Council does not consider that the proposed Main Modification should be changed.</p>

LPMM7	Nat. Federation of Gypsy Liaison Groups	MM09	Paragraph 5.41	<p>Remove arrows or make mapping clearer.</p> <p>Support removal of requirement that applications for Traveller sites will be subject to the same criteria as other types of development. This addresses a previous concern.</p> <p>Strongly oppose changes to policy HG7 which states that it will only apply where need arises. This is not compliant with national policy. All applications should be considered on merit.</p> <p>Paragraph 5.41 should be amended to make it clear that Policy HG7 applies to any proposals, irrespective of an identified need.</p>	<p>Support noted.</p> <p>The Council sought to work with the representor before the hearing sessions in June, with the aim of agreeing a statement of common ground but were unable to establish contact.</p> <p>Paragraph 5.41 was modified to make it clear that Policy HG7 would apply to any application when a need arises (not just identified need). The policy still refers to “identified need”, however. The Council would be prepared to accept this specific change to the Main Modification.</p>
LPMM8	Lichfield Civic Society	MM26	Policy SS1	<p>Support the modification.</p>	<p>Support noted.</p>
LPMM9	Walton Homes	MM11	Policy HG5	<p>Additional wording is too onerous, housing sites over 0.4ha are still small sites and sites of 15 dwellings are not going to meet extra care needs. Additional requirement is unclear.</p> <p>Policy is unsound and should be removed.</p>	<p>Council does not agree. Modified wording states that developments on sites of over 0.4ha should demonstrate how they meet the needs of the area. This includes the housing mix, which is already covered in the policy, not just the needs for older people. The provision of extra care is caveated by the reference to the need for extra care and where it would be deliverable.</p>

LPMM10	Neachell	MM18	Paragraph 3.9	<p>The committed additional housing numbers from the SFRA sites and the Anker Valley reduces the requirement for housing outside the borough to 825 units. This can be accommodated within the borough. The Plan fails to plan for the OAN and has not demonstrated why it cannot be accommodated.</p> <p>Modify plan to accommodate the 825 dwellings and allocate land at Dosthill for housing.</p>	<p>The requirement is for the applicant to demonstrate how the proposal meets housing needs for all residents, and specifically if an extra care scheme on the proposed site would be deliverable or not.</p> <p>The Council does not consider that the proposed Main Modification should be changed.</p> <p>The Council's consideration of the most appropriate areas to meet Tamworth's housing needs and the Green Belt were debated at the Hearing Sessions and are set out in the Council's hearing statement in its response to questions 4.9, 4.10 and 7.1 (HS.05 pages 18, 19 and 37 respectively).</p> <p>The Plan (through modifications) clearly sets out the key strategic issue of housing and where the housing needs arising from Tamworth will be met; within Tamworth, Lichfield District and North Warwickshire. The Plan then sets out the specific allocations of how Tamworth will meet its proportion of this need.</p> <p>The Plan does plan for meeting the OAN.</p>
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LPMM11	Neachell	MM26	Policy SS1	Does not accept that a larger proportion of the assessed housing need cannot be met in the borough. A Green Belt review is needed now, not left until 2017/18. Plan should be clear when the Plan review will	<p>The reasons for Tamworth not being able to meet the OAN are set out within the proposed Plan within sections 3.6 to 3.16 in the submitted Plan. The Site Selection Paper (A5) sets out the specific reasons for individual sites not being allocated.</p> <p>The adopted development plans of North Warwickshire and Lichfield District already make provision for some 1,000 dwellings. Both documents have committed the Councils to review the appropriate policies to meet any remaining housing need arising from Tamworth, which the Tamworth Plan sets at 825 dwellings.</p> <p>The release of Green Belt land to allow for a housing allocation in Dosthill would not accommodate 825 dwellings.</p> <p>The Council does not consider that the proposed Main Modification should be changed.</p> <p>Tamworth has reviewed its Green Belt as part of preparing this Plan and has not found any exceptional circumstances to amend the boundary. No deliverable sites</p>
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<p>were found in any event. The Council's consideration of the Green Belt is set out in its hearing statement response to 7.1 (document HS.05 page 37).</p> <p>The Council does not consider that the proposed Main Modification should be changed.</p>	<p>take place. Modification is also unclear as to which authority's plan will be making the allocation following a review.</p> <p>Plan and Green Belt review would also need to take into account Birmingham's unmet needs.</p> <p>Suggested wording provided for a redraft of Policy SS1:</p> <p>“The three local authorities have committed to continue this cooperation on strategic planning issues to deliver the remaining unmet need of 825 dwellings and 14 hectares of employment land. However if it has not been possible to allocate sites through an adopted development plan for Lichfield District or North Warwickshire Borough or through the granting of planning permission for this specific need in either district by March 2018 an early review of the Tamworth Plan will address any outstanding issues. This will ensure that the appropriate housing and employment land provision is allocated within the Tamworth Local Plan; in sustainable locations and that the appropriate infrastructure is identified within agreed programmes.”</p>		
		<p>Policy</p>	
		<p>MM27</p>	
		<p>Neachell</p>	<p>LMMM12</p>
			<p>Modification MM27 specifically</p>

LPMM13	Aucott Holdings Ltd	MM13	EN2	<p>review of the local plan will also involve a Green Belt review.</p> <p>Suggested wording provided for a redraft of Policy EN2:</p> <p>“In the event that land has not been brought forward to meet the balance of Tamworth’s housing and employment needs sustainably by March 2018 as set out in policy SS1, the Council will undertake a full review of its Green Belt boundaries to meet these local needs after 2018.”</p> <p>Fails to include responder’s proposals.</p> <p>Amend policy to allow other uses where the employment opportunities would exceed that anticipated from B1, B2 and B8.</p>	<p>refers to a review of the Green Belt. Modified Policy EN2 should be read in conjunction with modifications MM28 and MM29 which also refer to a possible Green Belt review.</p> <p>The Council does not consider that the proposed Main Modification should be changed.</p>
LPMM14	Aucott Holdings Ltd	MM30	Policy EC2	<p>Reference to the Gungate Precinct is not justified. It is not the most appropriate strategy. The permitted scheme will not be implemented, it will not deliver 20,660sqm of comparison goods floorspace and the expectation is not realistic or justified. The modification refers to other town centre uses being permitted, which means that the scale of development must increase. Restricting it to comparison goods is unhelpful and</p>	<p>The Council set out its case for protecting strategic employment areas for B1 (b,c), B2 and B8 uses in its hearing statement response to question 10.4 (document HS.05, page 53).</p> <p>The Council does not consider that the proposed Main Modification should be changed.</p> <p>The representors suggested changes are unnecessary as the wording already refers to other town centre uses and residential uses. However, it would be appropriate to delete the reference to “comparison retail goods floorspace” and simply state 20,660 sq.m. gross A1 retail floorspace.</p>

				<p>does not reflect the 2009 planning consent. Further convenience floorspace at Gungate would benefit the town centre.</p> <p>The Council cannot guarantee the quantum of retail floorspace that will be delivered on the site. If 20,660sqm is not delivered at Gungate, this will change the residual capacity figure and will have implications for meeting the retail needs and identifying suitable sites.</p> <p>Remove floorspace figure associated with Gungate. Council should then work with the developer to develop realistic retail scenarios.</p> <p>Modification is not effective because it cannot be accurately measured or monitored. The statements about timing of a retail review are ambiguous.</p> <p>Restricting delivery of other retail development until after 2021 conflicts with Government's expectations for positive planning. Council cannot guarantee delivery of Gungate scheme by 2021 or any date. No evidence of marketing, therefore the start date is likely to slip back.</p> <p>Policy fails to recognise the value and benefits of the retail area north of the A5.</p> <p>Suggested wording provided for a redraft</p>	<p>The suggested changes to the first two paragraphs of Policy EC2 are also unnecessary because the wording already clearly explains the priority to be given to the Gungate scheme.</p> <p>The suggested change to the third paragraph is not appropriate. There is no capacity for further retail development in addition to the Gungate scheme before 2021. Therefore the words 'after 2021' should remain but it would be acceptable to include the words 'after 2021, in addition to the Gungate scheme'</p> <p>Also in Policy EC2, for consistency with the NPPF, it would be appropriate to change the statement that 'Development that will have a negative impact on the vitality and viability of the town centre and its function will not be supported...' to 'Development that will have a significant adverse impact on the vitality and viability of the town centre...'</p>
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LPMM15	Historic England	-	-	<p>of Policy EC2 after d):</p> <p>“ or that the employment opportunities created by alternative commercial uses are shown to exceed that which would be anticipated from B1 B2 and B8 uses.”</p> <p>Pleased that representations to the Pre-submission Local Plan have been included in the main modifications and other modifications. The outstanding issue regarding the Spinning School Lane allocation has been resolved through a statement of common ground with the Council.</p> <p>Welcome all modifications, no outstanding issues with the Local Plan.</p>	Support noted.
LPMM16	HBF	MM17	New paragraph after 3.7	<p>Supports the use of 2012 SNHP and incorporation of a 10% uplift. However a further uplift should be incorporated to help the Council deliver its affordable housing needs. If the Council chooses not to meet its affordable housing need then this decision should be justified and unmet need addressed through Duty to Co-operate.</p>	<p>The Council set out its case for meeting its affordable housing needs in its hearing statement response to question 4.13 (document HS.05, page 26).</p> <p>Paragraph 3.6 of the submitted plan sets out the national policy requirements. Paragraph 3.7 then sets out the evidence base prepared to assess the OAN for Tamworth, this work took into consideration meeting affordable housing needs.</p> <p>Affordable housing needs were considered before a final OAN</p>

					<p>figure was determined for the submission Local Plan. The revised OAN assessment prepared for the Council slightly reduces the different housing need scenarios. The Council has decided to retain the submission figure of 250dpa and retain the target of 40 affordable dwellings per year.</p> <p>The housing need to be delivered outside of Tamworth includes affordable housing need. In the recent planning permission (inset LDC reference for Manston view?) within LDC, a S106 was agreed for a proportion/all of affordable housing to meet AH needs arising from Tamworth.</p> <p>The Council does not consider that the proposed Main Modification should be changed.</p>
LPMM17	HBF	MM19	Paragraph 3.10	<p>Taking into account the unmet housing need of 825 for Tamworth the Local Plan has incorporated a review date of 2017/18. It is unclear why the identified unmet housing need has not already triggered a review of the Lichfield and North Warwickshire local plans and/or a Green Belt review in Tamworth. The 825 dwellings for Tamworth are overlooked in the GBS LEP and Black Country Strategic Housing Needs Study Stage 3 report.</p>	<p>Lichfield and North Warwickshire have committed to 500 dwellings each to meet Tamworth's needs. North Warwickshire has begun work on its allocations development plan document and the Lichfield LDS sets out that their allocations DPD will be adopted by March 2018.</p> <p>Tamworth has reviewed its Green</p>

LPMM18	B&S Aucott	MM33	Paragraph 5.10	<p>The Council's 5 year housing supply is not clear and on adoption seems precarious. Disagree with the Council's decision not to apply a 20% buffer to its housing shortage figure.</p>	<p>Belt as part of preparing this Plan and has not found any exceptional circumstances to amend the boundary. No deliverable sites were found in any event. The Council's consideration of the Green Belt is set out in its hearing statement response to 7.1 (document HS.05 page 37).</p> <p>In addition to this the Council has made provision for a supply of 4,916 dwellings over the plan period, to meet a housing requirement of 4,425 dwellings. It is clear that this supply sufficient to meet the requirement and allow for flexibility over the plan period.</p> <p>Tamworth's unmet needs have been considered in the GBS LEP study.</p> <p>The Council's case for meeting a 5 year housing land supply is set out in the joint statement with JVH Planning (HDR05).</p> <p>The Council does not consider that the proposed Main Modification should be changed.</p>	<p>The maps are indicative to demonstrate a scheme is</p>
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LPMM19	B&S Aucott	MM34	Policy HG2 Dunstall Lane	<p>which could be incorporated into the proposed allocation to maximise the developable area and to allow open space and recreation facilities to be delivered within the extent of the proposed allocation.</p> <p>Concerned about the triangular area shown as allotments. Whilst there are no objections to provision of allotments in association with the scheme, the current location is shown in a developable part of the site and it would be better located on land not suitable for built development.</p> <p>The term local centre exceeds the existing requirements for a shop on the site. Commercial advice is to locate the shop adjacent to the primary school to enable linked trips and for a shop to be viable.</p>	<p>deliverable. However, the Council is prepared to amend the Policies Map and SUE Maps if the Inspector agrees.</p>
<p>Modification does not state who will deliver the bridge link. In the absence of the County Council identifying sources of funding it is assumed that the owner would be required to fund it. Need to consider whether this obligation would be reasonable and would comply with CIL regulations.</p> <p>Site is adjacent to retail parks and close to the town centre and the residents would be able to access both using existing footpath and cycle network. Employment areas north of A51 could be</p>				<p>We request that the list of infrastructure requirements should remain as per the Submission version of the Plan and that the following paragraph should be added below the Required Infrastructure List.</p> <p>“In addition to the above, Staffordshire County Council and Tamworth Borough Council acknowledge that an additional pedestrian bridge over the river and flood relief channel (linking</p>	

	Hallam Land	MM26	Policy	<p>accessed by existing bridges. A pedestrian bridge over the river would be of relatively little benefit to residents, particularly when accessing employment areas to the north and of no benefit accessing the retail parks, town centre and employment areas elsewhere. Request for landowner to fund delivery of the bridge would fail the CIL tests and be unlawful.</p> <p>List of infrastructure requirements should remain as set out in the Pre-submission Local Plan. Suggested wording provided to make reference to the bridge and that the Borough and County Councils will work towards its funding and delivery.</p>	<p>the Dunstall Lane SUE with the A51 to the north) would increase accessibility to the proposed primary school on the site and to retail and other services at the Ventura and Jolly Sailor retail parks for residents who live to the north of the A51.</p> <p>Future residents of the Dunstall Lane SUE would also be able to achieve some journey time savings for pupils travelling to secondary school and for employees accessing the Lichfield Road Industrial Estate</p> <p>The two Councils will work towards delivery of the bridge, including securing planning permission for it and securing funding for its construction. The Council will seek financial contributions towards the construction of the bridge from development schemes in the surrounding area. The contributions paid by adjacent developers will be commensurate with the improvements to the accessibility of their development sites that would be delivered by the bridge.”</p>
LPMM20	Hallam Land	MM26	Policy	The mechanism for triggering an early	The October 2014 Memorandum of

	Management Ltd.		SS1	<p>review of the local plan if Lichfield or North Warwickshire have not allocated sites through their development plans, leaves little scope for contingency in the event of slippage. If the review is triggered the problem will remain unresolved and it will fall back to Tamworth which cannot meet its full OAHN. This strategy does not encourage Lichfield and North Warwickshire to progress their site allocations documents and may encourage them to delay allocating sites. It could also compel Tamworth to allocate less sustainable sites which could be in the Green Belt, which would reduce the dwelling requirement for the other authorities.</p> <p>Concerns over lack of detail, broad locations or analysis of potential sustainable locations for the remaining 825 dwellings. The likelihood of a review is high as there is no agreement of how the remaining dwellings will be distributed and little progress with either Lichfield or North Warwickshire's allocations documents. North Warwickshire is also under pressure to resolve unmet need in Coventry and the Greater Birmingham HMA.</p> <p>Modification fails to address the deficiencies in the Plan and the Duty to Co-operate has not been adequately demonstrated.</p>	<p>Understanding agreed between the three authorities commits them to working together to deliver the remaining unmet need through their statutory development plans. North Warwickshire and Lichfield have published Local Development Schemes that indicate that they aim to have allocations documents adopted in 2016 and 2017.</p> <p>The modification is clear that Tamworth's unmet need can be met in adjoining authorities through allocations in a development plan or through the granting of planning permission.</p> <p>The Council does not consider that the proposed Main Modification should be changed, or that further work within the examination process is required.</p>
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LPMM21	Hallam Land Management Ltd.	MM27	Policy EN2	<p>Remove main modification and undertake further work to identify appropriate broad locations in neighbouring authorities as a minimum.</p> <p>Modification places emphasis on neighbouring authorities to deliver the plan's requirements without any firm commitment on broad locations or how the total number outside the borough will be distributed. This strategy does not encourage Lichfield and North Warwickshire to progress their site allocations documents and may encourage them to delay allocating sites. It could also compel Tamworth to allocate less sustainable sites which could be in the Green Belt, which would reduce the dwelling requirement for the other authorities.</p> <p>Tamworth has already undertaken a thorough Green Belt review. A review in 2018 is unlikely to present different conclusions to the previous work and these sites would still perform comparatively poorly in sustainability terms compared to locating development in neighbouring authorities close to Tamworth.</p> <p>Modification fails to address the deficiencies in the Plan and the Duty to Co-operate has not been adequately demonstrated.</p>	<p>Tamworth has reviewed its Green Belt as part of preparing this Plan. The Council agrees with the representative that there are no exceptional circumstances to amend the boundary and no deliverable sites were found.</p> <p>The Plan (through modifications) clearly sets out the key strategic issue of housing and where the housing needs arising from Tamworth will be met; within Tamworth, Lichfield District and North Warwickshire. The Plan then sets out the specific allocations of how Tamworth will meet its proportion of this need.</p> <p>The adopted development plans of North Warwickshire and Lichfield District already make provision for some 1,000 dwellings. Both documents have committed the Councils to review the appropriate policies to meet any remaining housing need arising from Tamworth, which the Tamworth Plan sets at 825 dwellings.</p>
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				Remove main modification and undertake further work to identify appropriate broad locations in neighbouring authorities as a minimum.	The Tamworth Plan has no statutory basis for allocating sites or broad locations in adjoining planning authorities. If those allocations do exist in adopted plans, it is reasonable to identify or refer to them within the Tamworth Plan. This has been done for the Lichfield Broad Development Location North of Tamworth.
LPMM22	Environment Agency	-		All changes recommended have been incorporated satisfactorily.	The Council's consideration of the Green Belt is set out in its hearing statement response to 7.1 (document HS.05 page 37). Support noted.
LPMM23	Coal Authority	-		No specific comments to make.	Noted.
LPMM24	Flatagant	MM17	New paragraph after 3.7	Support the modification to reduce Tamworth's OAN from 240-260 dpa to 230-250 dpa. 250 is at the higher end and will allow flexibility in delivering housing within Tamworth.	Support noted.
LPMM25	Flatagant	MM18	Paragraph 3.9	Although there has been a reduction in the number of houses to be provided outside Tamworth (now 1825), there is still a requirement for substantial sites to come forward within Lichfield and North Warwickshire. Mile Oak site provides the opportunity to supply c. 255 dwellings to contribute to Tamworth's need. Land is not constrained and is suitably located and should be endorsed for residential development.	The Tamworth Plan has no statutory basis for allocating sites or broad locations in adjoining planning authorities. It is for Lichfield District Council and North Warwickshire Borough Council to determine their strategy and make site allocations accordingly through their site allocations plans. The Council will continue to work with Lichfield District Council and

LPMM26 LPMM27	Flatagent	MM22 MM24	Paragraph 3.14 HG1	Note the amendment in the number of dwellings to be delivered throughout the plan period. Understand that the 175 increase is due to the SUEs being fully allocated within the SHLAA further to overcome flooding concerns but there is still a need for Lichfield District Council and North Warwickshire Borough Council to allocate land for Tamworth's needs. Site at Mile Oak is considered to be suitable and achievable site for housing within Lichfield that will serve Tamworth's needs.	North Warwickshire Borough Council to seek solutions through a range of options to meet Tamworth's unmet needs outside of the borough boundaries. The Tamworth Plan has no statutory basis for allocating sites or broad locations in adjoining planning authorities. It is for Lichfield District Council and North Warwickshire Borough Council to determine their strategy and make site allocations accordingly through their site allocations plans. The Council will continue to work with Lichfield District Council and North Warwickshire Borough Council to seek solutions through a range of options to meet Tamworth's unmet needs outside of the borough boundaries.
LPMM28 LPMM29 LPMM30 LPMM31 LPMM32 LPMM33 LPMM34 LPMM35 LPMM36	Forest	MM18 MM19 MM20 MM21 MM22 MM23 MM24 MM25 MM26	Para 3.9 Para 3.10 Para 3.11 Para 3.13 Para 3.14 Appendix A Policy HG1 Para 5.3 Policy SS1	Numbers and data in modifications will not come to fruition, they should be revised downwards and based on the forthcoming 2014 based population projections and revised and updated household formation data. Current data is unsound and unrealistic. Action needs to be taken to bring Tamworth back into growth to avoid decline. Evidence indicates that assistance from adjacent authorities will not be required before 2026 at the earliest. Extend the plan period to 2036 will give greater flexibility and opportunity to bring sites forward.	There is no evidence to suggest that the household projections are unsound. Extending the plan period would increase the overall housing target but no further site have been identified in Tamworth.

LPMM37	Forest	MM30	Policy EC2	<p>Modification is reasonable but there has been a lack of progress in bringing this site forward. It needs to be brought forward to stimulate growth. Modification lacks certainty, reviewing retail requirements by 2020/21 if progress has not been made is totally unsatisfactory. There should be increased certainty; the same applies to the Police Station and Magistrates Court sites.</p> <p>Site also potentially contains important archaeological and historic interest. Site investigation undertaken after planning permission could delay the works. On site work should be brought forward.</p> <p>Reconsider modification to increase certainty of implementation and explore potential to bring forward archaeological works.</p> <p>Put together mixed use scheme to include housing. Investigate possibility of increasing educational facilities in the town centre.</p>	<p>Comments noted.</p> <p>In terms of the archaeological interest, there is high potential for below ground archaeological remains to survive on town centre sites (reference the Tamworth Extensive Urban Study, K8, and the Heritage Impact Assessment, K9). An applicant will be required to undertake as a minimum a desk based archaeological assessment, which may identify the need for on-site fieldwork, to understand the nature of the archaeological resource. This includes the Gungate and Spinning School Lane sites. The findings of the archaeological assessments will need to be submitted as part of any application.</p>
LPMM38	Forest	MM17	New paragraph after 3.7	<p>2012 populations have been found to be unaffordable. There is an acute shortage of affordable houses to rent in Tamworth and a high number of households on low pay zero hours contracts. This has resulted in Tamworth having the highest level of out migration in Staffordshire. Tamworth is in decline and just allocating surplus housing on greenfield sites will</p>	<p>There is no evidence to suggest that the household projections are unaffordable. The 2012 SNPP datasets are the latest robust information from Government, the PPG requires that these are used as a 'starting point' in assessing housing need.</p>

LPMM39	Staffordshire County Council	-	-	not work. It is important to return to growth as soon as possible. A significant number of the modifications have arisen from responses and comments from the County Council. Note that the housing requirement figure has increased by 7 units per annum. No issue with the increase in principle subject to mitigation, particularly highways and education. Strategy for new educational infrastructure should be able to cope providing no new/additional large sites come forward. Cost is likely to increase as additional capacity will need to be found. Policy already exists to secure developer contributions and land is provided in the SUEs, so no cause for concern.	Comments and support noted.
LPMM40	Lichfield District Council	MM17	New paragraph after 3.7	Fully support main modifications MM1-MM7, MM10-MM12, MM14, MM34. OAN of 250 dwellings per annum is at the top of the range. Modification does not recognise that Tamworth cannot meet its full OAN within the borough and is relying on neighbouring authorities. Whilst constraints should not be applied when calculating the full OAHN, however, where there are significant constraints the LPA should consider the implications for the delivery of the OAHN and be realistic about the availability and viability of land. Account should be taken of any constraints that may restrain an authority from meeting its need.	The Plan (through modifications) clearly sets out the key strategic issue of housing and where the housing needs arising from Tamworth will be met; within Tamworth, Lichfield District and North Warwickshire. The Plan then sets out the specific allocations of how Tamworth will meet its proportion of this need. The reasons for Tamworth not being able to meet the OAN are

LPMM41	Lichfield District Council	MM18	Paragraph 3.9	<p>Paragraph should explain how constraints have been considered when selecting the OAN of 250 dwellings per annum.</p>	<p>set out within the proposed Plan within sections 3.6 to 3.16 in the submitted Plan. The Site Selection Paper (A5) sets out the specific reasons for individual sites not being allocated.</p> <p>Account has been taken of how Tamworth will meet the OAN and therefore the Plan's housing requirement has been reduced accordingly. The remaining OAN should be delivered in the adjoining authorities of Lichfield District and North Warwickshire.</p> <p>There is no justification from the evidence base to suggest that development needs being met outside of Tamworth are un-viable. It was clear from the examination hearing sessions that there are numerous sites being promoted as available and deliverable to meet Tamworth's unmet housing and employment needs.</p>
			<p>Support this modification but it could be expanded to acknowledge that should further capacity be found within the borough this will be monitored and reduce level of growth required outside the borough.</p> <p>Suggested wording provided for a redraft</p>		<p>The proposed Modifications to the Plan reduce the number of dwellings to be delivered outside of Tamworth, which the Council considers to be a positive step.</p> <p>Whilst the proposed housing requirement of 177dpa is a</p>

LPMM42	Lichfield District Council	MM26	Policy SS1	<p>of paragraph 3.9: “Should further capacity for residential development be identified, above that identified within the Tamworth Borough Local Plan, then this will be monitored and may lead to a reduction in the requirement to be delivered beyond the Borough boundary”.</p>	<p>minimum and a suitable future housing supply has been allocated, it is not possible to identify other sites that may come forward at this point in time. If that was possible, those would have been allocated.</p> <p>The development industry requires certainty from Local Plans, by having a potentially fluctuating housing need arising from Tamworth, would not be positive planning.</p> <p>The Council does not consider that the proposed Main Modification should be changed, or that further work within the examination process is required.</p>
			<p>Policy should be flexibly worded to allow any increased capacity found within Tamworth to be removed from the 1825 outside the borough.</p> <p>Suggested wording provided for a redraft of Policy SS1: “Therefore approximately 1,825 new homes will be delivered outside of the Borough within locations which assist the delivery of Tamworth’s strategy and those of its neighbours”.</p>		<p>The proposed Modifications to the Plan reduce the number of dwellings to be delivered outside of Tamworth, which the Council considers to be a positive step.</p> <p>Whilst the proposed housing requirement of 177dpa is a minimum and a suitable future housing supply has been allocated, it is not possible to identify other sites that may come forward at this point in time. If that was possible, those would have been allocated.</p>

LPMM43	Lichfield District Council	MM28	Paragraph 6.9	<p>Modified Policy EN2 is not strong enough in terms of a commitment to a Green Belt review. If an early review of the Tamworth Local Plan is undertaken this must be accompanied by a further Green Belt review to consider all options to accommodate the borough's housing needs within the boundary. Part of the shortfall in the GBSLEP area arises from Tamworth not being able to meet its OAN. All authorities should consider a Green Belt review using consistent methodology. This modification does not commit to such a review and is not consistent with the approach being considered across the wider HMA.</p> <p>Suggested wording provided to text proposed by MM29: “In the event that land has not been brought forward to meet the balance of</p>	<p>The development industry requires certainty from Local Plans, by having a potentially fluctuating housing need arising from Tamworth, would not be positive planning.</p> <p>The Council does not consider that the proposed Main Modification should be changed, or that further work within the examination process is required.</p>
<p>Tamworth has reviewed its Green Belt as part of preparing this local plan and has not found any exceptional circumstances to amend the boundary. No deliverable sites were found in any event. The Council's consideration of the Green Belt is set out in its hearing statement response to 7.1 (document HS.05 page 37).</p>					

				<p>Tamworth's housing and employment needs sustainably by the end of 2017/18 as set out in SS1, the Council will undertake a review of its Green Belt boundaries to reassess whether there is potential land to meet the housing need. Should further work within the wider housing market area indicate the need for further Green Belt Review, then Tamworth Borough Council will undertake such a review".</p>	
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