

2 March 2015

Dear Mr Fox,

Tamworth Local Plan Examination

Thank you for your letter dated 26 February 2015 and informing us that the examination can proceed to a PHM and then Examination Hearings. Our response to your questions and proposals are in blue below.

Draft Examination Programme

I will now set out what I consider to be a draft programme which would be 'workable' from my point of view.

Firstly, I would like to hold a PHM on Friday 27 March, starting at 10:00hrs. In my experience, these meetings are often well attended, and careful thought needs to be given to the capacity of the venue.

The Council can confirm that Friday 27 March for a 10am start is suitable for the PHM. We have booked the Tamworth Assembly Rooms located in the Town Centre, which should have more than ample capacity for the PHM. We will liaise with the Programme Officer to finalise details and arrangements in due course. We hope that a letter can be circulated this week to inform interested parties.

Secondly, turning to the main Examination Hearings, I note your request for these Hearings to start by 28 April. Unfortunately, I have some appeal related work in the weeks leading up to this date, which rule out this time for me. However, this date also seems to be very close to the start of your paternity leave, and bearing this in mind and also taking into account Programme Officer leave, the earliest realistic start date for the Examination Hearings would be Tuesday 9 June; if this date is mutually acceptable, I would aim to hold three days of Hearings that week (9-11 June), and three days the following week (16-18 June), with Friday 19 June reserved for contingencies/site visits.

The Council accept that it is not possible to commence the hearing sessions before the start of May and that a start date in June is suitable. However, we would request that the first set of hearing sessions starts 16-18 June, with the following week 23-25 June for the second set, and the 26 June reserved for site visits and any outstanding matters.

Please can we be advised when it is likely that the Matters for the examination will be issued and an indication for when responses need to be received?

Council's response to Inspector's initial concerns

Turning to the responses in your letter of 23 February, whilst I am willing to start the clock ticking on the Examination Hearings, I do have some further comments, which are set out below:

1. **Sustainability Appraisal (SA) Options:** You make reference to a possible 8th SA option which you describe as hypothetical and therefore unreasonable. Whilst I accept your reasoning, I think there needs to be an option which looks at how the Council is proposing to meet part of its objectively assessed housing need (OAHN) outside the District. This could point to the sustainability (or otherwise) of pursuing this additional amount of housing, and could look at both the total additional amount, or limit it to the 2x500 dwellings committed by North Warwickshire BC and Lichfield DC. It is also worth bearing in mind that SAs are often challenged in the High Court, and it will of course also be open to scrutiny during the Examination, as will the Council's view that it cannot meet its OAHN within its Plan Area.

The Council acknowledge that SA issues are often a ground for challenge in the High Court and therefore we want to be certain what it is we are being asked to do. Please could the Inspector provide clarification to the Council on this area of concern? Also could the Inspector please indicate when he would like this work prepared for, by the hearing sessions, or another date? The Council is prepared to carry out additional work, but we need to ensure that; we are clear of what we are being asked; that what we are doing is necessary and; to minimise scope for legal challenge.

2. **Housing Delivery:** I am satisfied, on the basis of your responses to my questions (i) – (v), to let these matters be considered at the Examination. In particular, I now have the background to understand why you consider that Cannock Chase cannot be considered for addressing any of Tamworth's OAHN.
3. **Green Belt:** I am satisfied, from noting your reasons for not releasing any of the Green Belt within Tamworth for housing development, for this matter to be considered at the Examination. Clearly, I will need to come to a view on the openness of the Green Belt when I visit this part of the Plan Area.
4. **Employment Land:** Whilst I note your point about criteria, there are sections within both *the Framework* and the PPG which refer to the need for local plans to show the appropriate amount of detail (the what? when? and where? questions). *The Framework* also refers to employment allocations. You also have the risk, if you are just identifying criteria for employment land in another authority, of this being reviewed by the neighbouring authority in a way that may not necessarily be helpful to Tamworth. However, later in the paragraph you identify sufficient employment land situated very close to

the Tamworth boundary to comfortably bridge this gap. Whilst I am satisfied, on the basis of this information, that your policy stance on employment land can be considered at the Examination, its delivery both inside and outside the Borough boundary may have potential soundness implications.

To clarify does the Inspector require any further information from the Council before you issue your Matters for the examination sessions?

5. **Gypsies and Travellers' Accommodation:** I still find your comments vague on this issue. Although I consider that the Council's policy HG7 can be considered at the Examination, I will be looking for evidence to show how the Council is progressing in its collaborative search with other authorities to make meaningful progress, in line with the Government's PPTS.

To clarify does the Inspector require any further information from the Council before you issue your Matters for the examination sessions?

6. **Affordable Housing (AH):** Your response to my question is satisfactory and I consider that the Council's AH policy can be considered at the Examination.
7. **Appropriate level of detail for Sustainable Urban Extensions (SUEs):** I note your helpful comments and consider that the Council's proposals for showing the appropriate amount of detail within the SUEs and possibly other key sites can be considered at the Examination.

Other procedural points

Although I will prepare a comprehensive Guidance Note in good time for the PHM, I also have to ask the Council if it wishes any main modifications to be recommended by the Inspector in order to resolve any unsoundness concerns.

Yes the Council wishes that main modifications are recommended to resolve any issues of soundness.

It would be helpful, in the interests of progressing the Examination effectively, for the Council to respond to the points I have made in this letter, including the suggested programme, as soon as possible.

Please do not hesitate to reply if you require further guidance or clarification on anything in this letter.

Yours sincerely



Alex Roberts

Development Plan Manager

Tamworth Borough Council