

Tamworth Local Plan Examination:

Key Matters Discussion Note

These notes provide a summary of the issues initially identified by the Inspector in the form of questions, and they will form the basis of the Examination Hearings. These questions may be refined in the light of representations received prior to the Examination Hearings.

Theme 1 - Overall strategy, housing provision and distribution and sustainability (Policies SS1-2; HG1-7; EN1-2; and SU6-7; and Appendix A)

1. Legal Requirements: *Does the Plan meet all its legal requirements (e.g. in relation to the Local Development Scheme; Sustainable Community Strategy; Statement of Community Involvement; and Local Development Regulations, 2004, as amended in 2008)?*

2. Duty to Co-operate(DTC): *It is necessary for the Inspector to consider whether the Council has fulfilled its duty under Section 33A of the Act, so as to maximise the effectiveness of the plan making process when planning for strategic matters that cross administrative boundaries.*

2.1 *Has the Council worked collaboratively with other authorities and organisations during plan preparation on strategic planning matters that cross administrative boundaries?*

2.2 *In particular, has the Plan's approach to determining its housing requirements and provision been consistent with that of neighbouring authorities? [A critical factor is that the Duty to co-operate (DTC) is incapable of modification at a later stage].*

2.3 *Has the Council worked or liaised with the relevant bodies set out in the PPG? How has the Council also co-operated with the relevant Local Enterprise Partnership (LEP) and Local Nature Partnership (LNP)?*

2.4 *What particular outcomes can the Council point to in relation to DTC?*

3. Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA):

3.1 *Is the spatial strategy of the Plan supported by the SA and HRA?*

3.2 *Have reasonable alternatives been considered in the SA?*

3.3 *Which adverse effects identified by the SA require significant mitigation, and how is the Council addressing these issues?*

- 3.4 Does the SA report meet all the requirements of the 2004 Regulations?

4. Spatial strategy and housing need:

- 4.1 Is the overall spatial strategy of the Plan based on a sound assessment of Tamworth's demographic, economic and social needs, environmental characteristics, physical constraints and relationships with surrounding areas, in accordance with national policy?
- 4.2 Is the Plan's assessment of the household needs for Tamworth over the plan period (to 2031), which is explained in paragraphs 3.6-3.16, as equating to 250 dwellings pa, based on the most up-to-date and robust objective assessment of housing need (OAHN) for the Borough?
- 4.3 Does the figure in paragraph 4.2 above need to be amended in the light of the 2012 based household projections? In particular, are the Plan's demographic and migration change assumptions realistic? Has any allowance for existing unmet housing need been factored in?
- 4.4 Are the forecast job growth figures for Tamworth realistic? Are they taken account of in the overall assessment of Tamworth's housing needs?
- 4.5 What other factors should be taken into account in determining the overall housing provision for Tamworth over the plan period? For example, what weight should be given to the national Planning Practice Guidance (PPG) covering aspects such as market signals, and historic suppression of household formation rates?
- 4.6 Should the Plan include a policy which states that, should the Plan's monitoring indicate that an on-going 5 year deliverable and a subsequent 10 year supply of developable housing land can no longer be sustained to meet Tamworth's needs, the Council will review its housing land provision and negotiate with neighbouring authorities if appropriate, to bring on-stream additional housing as required?
- 4.7 Is the Council confident that the Plan makes provision for a 5 year housing land supply on identified specific and deliverable sites?
- 4.8 In terms of previous rates of housing delivery and the delivery target(s) that have been in place over the last 10 years, should the appropriate 'buffer' to ensure choice and competition (as set out in the Framework, paragraph 47[2]) be 5% or 20%? Should this buffer be factored in over the first 5 year period or for the plan period as a whole?
- 4.9 Bearing in mind the relatively tight boundaries around Tamworth, what should be the appropriate area in which to consider and plan

for the provision of housing and other development to meet the Borough's needs?

- 4.10 *With reference to the concept of a Housing Market Area (HMA) in the Framework, paragraph 47[1], and the work undertaken in the Southern Staffordshire Districts Housing Needs Study, does the appropriate area for the consideration of Tamworth's housing needs comprise the Borough of Tamworth and the adjoining areas of North Warwickshire Borough and Lichfield District?*
- 4.11 *What roles should other areas within the West Midlands HMA, such as Cannock Chase and Birmingham, play in relation to either meeting part of Tamworth's housing needs or in Tamworth meeting part of their housing needs?*
- 4.12 *The Plan states that the Borough relies on neighbouring authorities to provide about 2,000 houses out of the total OAHN of 6,250 dwellings (paragraph 3.10 of the Local Plan). With this in mind:*
- (i) Is this quantum objectively based in terms of the amount of OAHN that could be developed on available land free of constraints within the Borough?*
 - (ii) Is its delivery within the plan period realistic in terms of the commitments by the relevant adjoining authorities, and the overall viability of sites?*
 - (iii) Are the broad locations of the sites for Tamworth-related development outside the Borough sustainable in terms of their relationship to the town of Tamworth and other considerations such as transport infrastructure and flood risk?*
- 4.13 *Does the household needs assessment for Tamworth fully take into account the Borough's affordable housing (AH) needs? The AH needs figure in the Plan (paragraph 5.21) of 183 dpa is clearly undeliverable. However, what is the reasoned basis for the significantly lower provision of 40 AH units pa in policy HG4, and what is the Council's view regarding the likely consequences of the remaining 'unmet' AH need of around 143 dpa? Is the Plan figure of 40 dpa deliverable?*
- 4.14 *Is the provision of specialist housing (housing for the elderly; housing for the disabled; and student housing) a strategic matter for Tamworth?*
- 4.15 *Is policy HG3, for regeneration priority areas, justified and realistic in terms of viability and resource considerations?*

5. Distribution of housing development:

- 5.1 *Is the Plan's distribution of overall housing development, including indicative levels of housing growth for Tamworth, as set out in the Plan and the SHLAA, justified and at the right level of detail for a Local Plan?*

- 5.2 *Are the specific housing sites identified in policy HG1 justified and deliverable within the plan period?*
- 5.3 *In the light of the requirements in the Framework for clear policies on what will be permitted and where (paragraph 154), is the level of detail on the Policies Map appropriate?*

6. Deliverability of housing:

- 6.1 *Is the overall level of housing provision deliverable, especially in relation to viability? In particular, is there adequate justification for the supply that is expected from existing commitments, identified opportunity sites and small windfalls?*
- 6.2 *Are the assumptions in the Plan relating to housing densities justified?*
- 6.3 *In all other respects, are there reasonable prospects that an appropriate range of housing by size and type will be delivered through the implementation of the Plan?*

7. The Green Belt and other physical constraints on new housing:

- 7.1 *Should the Green Belt, as indicated in policy EN2, continue to be a permanent constraint on the development of new housing throughout the plan period?*
- 7.2 *Are there any likely development scenarios which would amount to the very special circumstances required to justify the development of new housing in the Green Belt?*
- 7.3 *Is the Plan relying on the release of any housing sites which are located within other areas of physical constraint, such as areas of high flood risk, or best and most versatile agricultural land, and if so, is this justified and realistic?*

8. Gypsy and Traveller Accommodation:

- 8.1 *Has the quantitative need for gypsy and traveller accommodation been assessed realistically?*
- 8.2 *Is policy HG7, which does not identify specific sites but instead sets out a list of criteria for future G&T sites, justified, especially in relation to national policy (Planning Policy for Traveller Sites; March 2012)?*

9. Sustainable Urban Extensions (SUEs): *Are the following SUEs positively prepared, justified and deliverable, and in particular in relation to accessibility to community facilities; impact on the highway network; layout and design aspects; green infrastructure; community cohesion; and sustainable energy and drainage?*

- 9.1 *Anker Valley SUE*
- 9.2 *Tamworth Golf Course SUE*
- 9.3 *Dunstall Lane SUE*

- 9.4 *What is the appropriate level of detail for these SUEs which should be included in the policy wording and in the inset diagrams?*

Theme 2 – The economy, the town centre and retail, office and cultural development (Policies EC1-7)

10. Employment

- 10.1 *Are the expectations in the Plan for employment growth (including 32 ha of new employment land) soundly based on a coherent framework? Are there any changes in the Plan needed in response to the Government's Growth Agenda?*
- 10.2 *The Plan also identifies a significant shortfall (14 ha) of employment land which needs to be identified in neighbouring authorities and then implemented within the plan period. Is this figure justified, and what steps has the Council taken to secure the implementation of this land for employment purposes?*
- 10.3 *Are the specific employment sites identified in policy EC6 justified and deliverable within the plan period?*
- 10.4 *Is the protection of strategic employment areas in policy EC7 in accordance with national policy, such as paragraph 22 of the Framework? For example, what would be the parameters of an 'independent assessment', in relation to attractiveness to the market, and over what period of time?*
- 10.5 *Does the Plan address the need for a housing/employment balance? What is the current level of self-containment, and are there plans to increase it? Is there a balance between housing provision and maintaining an adequate supply of employment land?*

11. Town centre retail and office growth and cultural development

- 11.1 *Is the Plan's retail provision for Tamworth town centre appropriate and deliverable within the plan period?*
- 11.2 *Is there a need for greater locational and/or qualitative guidance for retail development within or adjacent to the town centre or elsewhere?*
- 11.3 *Is the convenience retail provision sufficient for the rest of the plan period?*
- 11.4 *Is the Plan's stance on office growth (paragraph 4.76) justified and effective?*
- 11.5 *Does policy EC5 provide a justified and effective framework for the development of culture and tourism in Tamworth?*

Theme 3 – Infrastructure, including transport, green infrastructure, social infrastructure, implementation, phasing and monitoring (Policies EN3-6; and SU1-3; and Appendices B-E)

12. Flood and Pollution Risk and Climate change

- 12.1 *Is policy SU4 justified and deliverable in relation to flood risk?*
- 12.2 *Is policy SU5 justified and deliverable in relation to the risk of pollution?*
- 12.3 *Does policy SU3 provide a sustainable basis for addressing both the causes and effects of climate change? Should the policy include any targets? If not, how can the success of the policy be measured?*

13. Infrastructure delivery

- 13.1 *Do policy IM1 and the Infrastructure Delivery Plan (IDP) (Appendix 2) provide sufficient guidance for the successful implementation of the Plan?*
- 13.2 *Which infrastructure schemes are critical to the successful implementation of the Plan? Are these schemes viable?*
- 13.3 *What is the relationship between the Plan and the Greater Birmingham and Solihull Local Economic Partnership (LEP)?*
- 13.4 *Does the Plan provide the necessary strategic guidance for the preparation of the Community Infrastructure Levy (CIL), including identifying the infrastructure gap which the CIL would help to bridge?*
- 13.5 *Do policies SU6 and SU7 provide a sustainable basis for meeting the community and recreational needs of the Borough?*

14. Transport

- 14.1 *Has the capacity of the transport infrastructure been assessed, and does the Plan provide a deliverable framework for improvements that are required?*
- 14.2 *Do policies SU1 and SU2 provide a strategic focus for identifying and delivering transport schemes in Tamworth?*
- 14.3 *Is the IDP sufficiently focused on the key transport requirements, including what, when, how and by whom they will be delivered?*
- 14.4 *Are parking and access issues properly addressed in the Plan?*
- 14.5 *Should the Plan set modal shift targets to promote sustainable transport?*
- 14.6 *Does the Plan provide a robust strategy for public transport links and to encourage pedestrians and cyclists?*

15. Green Infrastructure and the historic environment

15.1 *Do policies EN1-6 provide a clear and integrated framework for conserving, managing and increasing the Borough's Green Infrastructure?*

15.2 *Does policy EN6 provide an appropriate and realistic framework for the conservation of the Borough's historic environment?*

16. Renewable energy

16.1 *Is the Plan sufficiently focused to provide meaningful guidance on the Plan's requirements for renewable energy?*

17. Development management

17.1 *Does the Plan provide sufficient guidance to cover aspects for new development, such as high quality of design and impact on living conditions for future occupiers and neighbouring residents?*

18. Uncertainties and risks

18.1 *Overall, does the Plan take sufficient account of uncertainties and risks? Is it reasonably flexible?*

19. Monitoring

19.1 *How will the monitoring arrangements work? Should this matter be addressed as a policy?*

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