

Lichfield District Council

Local Plan: Strategy Examination

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Dear Mr King

1. I indicated at the end of the hearing sessions held in Lichfield between 24 June and 10 July 2013, that I would be writing to you to give my preliminary views on a number of matters.
2. Attached to this letter is an annex setting out my preliminary findings on the following points. Firstly, whether Lichfield District Council (the Council) has discharged its duty to co-operate as required by section 33A of the 2004 Act (as amended); secondly, whether the *Lichfield District Local Plan; Strategy* (the Plan)¹ makes adequate provision for the objectively assessed need for housing; thirdly, whether the Sustainability Appraisal² is a reliable piece of evidence; and fourthly, whether the various sites identified in the Plan as Sustainable Development Areas and the site identified as a Broad Development Location are deliverable or developable, whether they are viable, whether they are sustainable and whether they are the most appropriate when judged against reasonable alternatives?
3. While these preliminary findings are issued without prejudice to any final report that I may prepare, you will see that I am satisfied that the Council has discharged its duty to co-operate, that the Sustainability Appraisal is a reliable piece of evidence and that the Strategic Development Areas and the Broad Development Location identified in the Plan are soundly based. I am, however, concerned that the Plan as submitted is unsound in that it does not make adequate provision for the objective assessment of housing need contained in its own evidence base.
4. Two methods of rectifying this unsoundness were discussed at the hearings. One possibility would be to identify an additional site or sites through the forthcoming *Lichfield District Local Plan; Allocations* document, the other would be to do this through the Plan itself. To my mind finding a site or sites for an additional 900 houses is a strategic matter which should be dealt with through the Plan itself.

¹ CD1.1. Lichfield District Local Plan: Strategy.

² CD1.8. Sustainability Appraisal: Proposed Submission Local Plan Strategy (Updated)

5. The Council indicated at the hearings that it would be willing to identify a further site or sites to address such a shortfall, carry out the necessary Sustainability Appraisal, make any resulting main modifications to the Plan and consult on these - and that this process would not take more than six months or so. I would be grateful for confirmation that this is still the case and, if so, let me have a preliminary timetable for such works.

6. It may be of course that the main modifications will themselves prompt further representations. It is possible that these could be dealt with by written representations but if they could not then the hearings would need to be resumed. Any resumed hearing sessions would deal solely with matters raised in the further representations.

Yours sincerely

R. Yuille

Mr R Yuille
Inspector

Annex attached to the Inspector's letter to Lichfield District Council 28th August

Initial Findings

Duty to Co-operate.

Tamworth and Cannock

1. The Council has agreed with Tamworth Borough Council³ and with Cannock Chase District Council⁴ that provision should be made in the Plan for agreed amounts of housing to meet the needs of those neighbouring councils. The joint level of housing provision for South Eastern Staffordshire has also been agreed with those councils⁵. There is no specific requirement for the Council to meet the housing needs of any other council nor does it require any other council to help provide for its (Lichfield's) housing needs. No council has objected to the amount of housing proposed in the Plan.

East Staffordshire

2. In particular it has been confirmed⁶ that there is no need for the Council to make provision for any of East Staffordshire Borough Council's housing or employment needs or vice versa.
3. This is relevant to a proposal put forward by representors known as the Brookhay Villages and Twin Rivers Park, a scheme that straddles the boundary between the two council areas. This scheme does not feature either in the Plan or in the emerging local plan for East Staffordshire but both councils acknowledge that it is a strategic matter of importance that warrants further investigation to better understand its deliverability and potential benefits - particularly if it transpires that Birmingham City Council cannot accommodate its housing needs within its own area⁷.

Birmingham

4. Evidence that Birmingham may not be able to meet its own housing needs emerged relatively late in the preparation of the Plan. Consequently the Council proposes a main modification⁸ which recognises this and proposes collaborative working with Birmingham and other authorities within the Greater Birmingham and Solihull Local Enterprise Partnership to establish the scale of any shortfall and where it should be met. If this work points to a need for further provision for housing in Lichfield then the Plan will be reviewed.
5. This appears to me to be a pragmatic response to a changing situation. Given that it has yet to be established what the level of the shortfall in housing land will be or whether any of this shortfall will be met in Lichfield District, I do not consider that there is a need at this stage to commit to a review of the Plan or to include reference to such a review in a policy rather than in the supporting text.

³ CD3.1. Memorandum of Understanding: Meeting Tamworth's Housing Needs.

⁴ CD3.2. Memorandum of Understanding: Meeting the Needs of SE Staffordshire.

⁵ CD3.4. Meeting Development Needs in SE Staffordshire 2006-2028.

⁶ CD5.9. Statement of Common Ground with East Staffordshire Borough Council.

⁷ CD5.10. Memorandum of Understanding with East Staffordshire Borough Council.

⁸ HD58. LDC proposed Main Modifications. Main Modification 1.

Walsall

6. Walsall Metropolitan Borough Council raises no objection to the housing numbers in the Plan but is concerned that there is no explicit policy reference in the Plan to not undermining regeneration in neighbouring areas. However, at paragraph 9.6 of the supporting text, the Plan does include a reference to this effect and little would be achieved by incorporating this into policy.

Transportation and Infrastructure Provision

7. Even allowing for efforts to reduce the need to travel, the planned growth in housing and employment in the District is likely to lead to an increase in out commuting. If this is to be accommodated then improvements to the road network and to public transport provision will be needed.
8. The Council has co-operated with all the bodies responsible for highways and transportation provision in and beyond its area such as Staffordshire County Council, the Highways Agency, Centro and Network Rail. None of these bodies have raised concern that the housing and employment policies in the Plan are out of step with or compromise their strategies. Moreover these bodies are working with the Council to provide a range of highway and transportation improvements as set out in Core Policy 5 of the Plan.
9. While it is suggested by representors that more should have been done, particularly in improving rail links to Birmingham, it is difficult to see what else the Council could realistically have achieved.

Conclusion

10. On the basis of the evidence set out above I am satisfied that the Council has co-operated constructively, actively and on an ongoing basis with relevant bodies on the strategic matters of housing and transportation and in so doing has maximised the effectiveness of the plan making process. It has thus discharged its duty under the Planning and Compulsory Purchase Order Act 2004.

Housing Numbers

The Evidence Base

11. The Plan seeks to deliver 8,700 homes between 2008 and 2028 at a rate of 435 dpa. These figures are derived from the *Housing Needs Study*⁹ prepared jointly with Tamworth Borough and Cannock Chase District Council. This study is based on the 2008 CLG household projections which examined twelve demographic and employment led scenarios which in turn generated a broad range of housing demand of between 76 dpa and 630 dpa for Lichfield District over the plan period. This range was ultimately narrowed down to between 410 and 450 dpa.
12. With the publication of the 2011 CLG household projections the Council produced a *Housing Requirements Update* which concluded that the range of 410-450 dpa remained within an acceptable margin of tolerance despite changes to the growth forecasts¹⁰. A significant change between the 2008 and 2011 projections is that household representation rates (the factor used to convert population into households) are lower in the latter, reflecting the

⁹ CD2.20. Southern Staffordshire Housing Needs Study & SHMA Update.

¹⁰ CD5.5. Lichfield, Tamworth and Cannock Chase Housing Requirement Update paragraph 4.17.

- fact that people are less likely to form households in poor economic times. When account is taken of this a figure of 430 dpa is arrived at¹¹.
13. The Council also produced a *Migration Scenario Addendum* which on the basis of the most recent migration trends gives a range of 379-393 dpa, figures which the Council concludes lend further weight towards justifying a figure towards the lower end of 410 to 450 dpa range¹².
 14. The *Housing Needs Study* and its associated documents were subjected to detailed demographic and statistical scrutiny - particularly by those arguing for a lower housing figure than proposed in the Plan - with matters such as migration rates, household representation rates, the inherent model volatility when dealing with small areas and the accuracy of iterative models as the length of projection increases, all being thoroughly canvassed.
 15. At the hearings, however, it was accepted that detailed arguments about such matters would achieve little because in any housing forecast, as opposed to a housing projection, policy considerations such as the need to boost significantly the supply of housing land¹³ would be the dominant factor.
 16. I regard this as a sensible approach. Certainly when it came to the detailed arithmetical points that were pressed at the hearings there was little to indicate that these would significantly affect the housing figures in the Plan. For example, I saw no compelling evidence to indicate that in its Employment Land Review¹⁴ the Council had overstated employment growth (a matter related to housing growth) because it had double counted inward migration¹⁵.
 17. Similarly, while it was accepted that the proportion of the 75+ age group who would live in institutional accommodation as opposed to in general housing was difficult to model, this would not be likely to have a significant effect on population forecasts in the early years of the Plan. If it were to become significant in later years this could be dealt with through a review of the Plan.
 18. One further methodological point that needs to be dealt with is that while the Housing Needs Study covers South Eastern Staffordshire (Cannock Chase, Lichfield and Tamworth), it does not include Birmingham - with which Lichfield District has strong migratory links. However, I do not regard this as a fundamental criticism.
 19. The Council prepared its Housing Needs Study with Cannock Chase and Tamworth not only because it had strong migratory links with them but also because it was expected to assist them in providing for their housing needs. As has been established when discussing the duty to co-operate, it only became apparent late in the day that there might be a need to assist Birmingham in meeting its housing needs and, if this turns out to be the case, the plan will be reviewed. I regard this as a pragmatic response to a developing situation and do not regard the *Housing Needs Study* as fundamentally flawed because it does not cover Birmingham.
 20. Overall I am satisfied that the *Housing Need Study* is a robust piece of evidence and that the broad range of housing figures it identifies provides an appropriate basis for determining the objective assessment of housing need. This was generally accepted at the hearings. That said, there were those who argued that the housing figures should be lower or higher than those proposed in the Plan. I will deal with these in turn.

¹¹ SQ-Mii-LA1. Supplementary Questions (ii) Table 6.4.

¹² CD5.5a. Addendum. Paragraph 3.2.

¹³ National Planning policy Framework. Paragraph 47.

¹⁴ CD2.32. Employment Land Review.

¹⁵ HD48 Employment. This note contains the Council's response on this point.

Lower Housing Figures

21. Those who argued for lower housing figures mention the importance of not derailing the regeneration agenda in Birmingham and the Black Country. They also referred to the increase in out commuting that would accompany housing growth in Lichfield District and the adverse consequences of this. They drew attention to the effect of the 2011 CLG household projections¹⁶ and lower migration trends¹⁷.
22. To my mind, however, while such factors may point to a figure towards the middle or lower end of the range of between 410 to 450 dpa ultimately selected in the Housing Needs Study, they do not provide evidence for a figure below that proposed in the Plan.
23. There are three reasons for this. Firstly, selecting a figure below that range would be to fly in the face of the policy of boosting significantly the supply of housing land, an aim that, as has already been established, should be a dominant consideration in any housing forecast.
24. Secondly, although the household representation rates in the 2011 CLG household projections are lower than those in the 2008 projections, this is a result of poor economic conditions that the latter projection took account of. However, over the longer term household representation rates have been rising and the fall in these rates identified in the 2011 projection is likely to have been driven by short term factors such as the impact of the recession, constraints on housing supply and constraints on mortgage lending. It is reasonable, therefore, to assume that beyond 2021 (the end of the period covered by the 2011 projection) household representation rates will resume their long term rise.
25. Thirdly, in migration is the key driver of population growth and hence household growth in Lichfield District. There is limited evidence to suggest that migration levels over the Plan period will fall significantly below past levels. Indeed the emerging evidence that Birmingham may not be able to accommodate its housing needs within its own borders gives credence to the argument that past in migration rates are likely to continue.
26. It is also the case that Lichfield District is and will remain an attractive place to live for local people and in migrants. In such a situation there would need to be strong evidence for abandoning long term migration rates with all of the implications this could have in terms of people who want a house not being able to afford one. No such strong evidence has been put forward.
27. For these reasons I do not consider the housing figures in the Plan should be reduced.

Higher Housing Figures

28. The reason put forward most strongly by representors arguing for increased housing numbers relates to the question of how the Plan deals with cross boundary provision. Briefly the argument put is as follows. The Plan seeks to deliver 8,700 homes over the period 2008-2028 (435 dpa) and on the face of it these figures sit within the 410-450 dpa range identified in the Housing Needs Study, a range that amounts to 8,200 – 9,000 dwellings over the plan period.
29. However, the 8,700 dwellings referred to in the Plan includes 1,000 dwellings to meet the needs of Tamworth and Cannock Chase Councils and when this figure is taken out, the Plan only provides 7,700 dwellings to meet the needs of Lichfield District (385 dpa) over the plan period – a figure that is below the range set out in the Housing Needs Study.
30. At the hearings the Council accepted that that the 410-450 dpa range in the Housing Needs Study did not include the 1,000 dwellings for Tamworth and

¹⁶ CD5.5. Lichfield, Tamworth and Cannock Chase Housing Requirement Update.

¹⁷ CD5.5a. Addendum.

Cannock Chase so it was indeed proposing a lower housing figure for Lichfield District than its own evidence indicated was needed. However, it considered that the important figure to look at was the 903 dpa for South Eastern Staffordshire as a whole (ie including Cannock Chase and Tamworth) and that this figure would be achieved.

31. I do not accept this approach. While the Council has quite correctly co-operated with its neighbours in preparing its evidence base, while it has signed memoranda of understanding with them relating to the delivery of housing and while Cannock Chase and Tamworth have each submitted local plans (the latter having been withdrawn) – the fact remains that the Council is not preparing a joint plan with its neighbours.
32. To rely on the figure of 903 dpa would be to rely on those other councils being able to deliver their share of overall housing provision. This is something that has not been tested and on which I have very limited evidence to formulate a view, even if it were appropriate for me to do so.
33. Given that there is no significant evidence to dispute the soundness of the figure of 1,000 dwellings to meet the needs of Cannock Chase and Tamworth, I consider that the figure which needs to be scrutinised is the 7,700 dwellings (385 dpa) proposed in the Plan to meet the needs of Lichfield District. This figure is below the Council's own objective assessment of housing need (410-450 dpa) set out in its housing needs assessment and the Council put forward no substantial reasons at the hearings as to why this should be.
34. There were those who argued that the housing figures in the Plan should be increased to 601 dpa, a figure derived from the forecast jobs growth scenario (Scenario F) in the *Housing Needs Study*. While such a figure would have the advantage of providing more affordable housing, for which there is an unquestioned need, there is insufficient evidence to indicate that such a high annual rate of housing could actually be delivered over the plan period.
35. While 601 dpa has been achieved on three occasions over the last 11 years and while the housing trajectory on the Plan anticipates figures in excess of this at times during the life of the Plan, it remains the case that achieving such a figure consistently over the plan period would require something in the order of a 40% increase in average net annual completions¹⁸.
36. I do not consider a figure of over 600 dpa to be provided consistently over the entire 20 year period of the Plan would be deliverable when this has not in the past been consistently achieved even during the boom years of construction. It would be well in excess of the long term average net annual completion rate. Plans are expected to be aspirational but they are also expected to be realistic¹⁹. I do not consider such a high figure would be realistic.
37. Other representors argued that the figure of 430 dpa produced by the Council²⁰ would be more appropriate. I agree. This figure is soundly based in that it takes on board the most recent household representation rates referred to above but is also aspirational in that for the later years of the Plan those rates will rise as the economy improves.
38. Raising the annual house building for Lichfield District from 385 dpa as proposed in the Plan to 430 dpa would involve an additional 45 dpa which over the 20 year plan period would amount to an additional 900 dwellings. The 7,700 dwellings proposed in the Plan to meet Lichfield District's needs would, therefore need to be increased to 8,600 dwellings. When the 1,000 dwellings to meet Tamworth and Cannock Chase's needs are added in this gives a figure of 9,600 dwellings.

¹⁸ HD17. Matter 2 Housing Numbers. Paragraphs 4.5 & 4.8.

¹⁹ National Planning Policy Framework. Paragraph 154.

²⁰ SQ-Mii-LA1. Supplementary Questions (ii) Table 6.4.

39. This would involve a main modification to the Plan and the work it would entail would mean that the Plan would not be adopted before 2014 at the earliest. That being so the Plan, which runs to 2028, would only have a 14 year life - rather than the 15 year time horizon which the NPPF indicates would be preferable. The Council should, therefore, consider extending the end date of the Plan to 2029 and making the necessary adjustment to housing numbers.

Conclusion

40. I conclude that the Plan is not justified, and hence unsound, in that it does not make adequate provision for the objective assessment of need contained in its own evidence base. This unsoundness would be remedied by identifying a site or sites for an additional 900 houses.

Sustainability Appraisal

Background

41. The Sustainability Appraisal²¹ was the subject of much debate at the hearings. While it is not my role to comment on the legality of the Sustainability Appraisal it is necessary to establish whether it is a reliable piece of evidence.
42. In formulating its preferred spatial strategy the Council, through the Sustainability Appraisal and its precursor documents²², considered various ways of distributing differing levels of growth throughout the District. Early work included an assessment of four initial spatial options (town focussed development, town and key rural village focussed development, dispersed development and a new settlement option) together with an examination of several different directions of growth around Lichfield and Burntwood as well as consideration of the sustainability of rural settlements and cross boundary issues at Tamworth and Rugeley.
43. Later work involved the consideration of four alternative spatial strategies, these being various versions of the Fradley West option, the New Village option (north east of Lichfield) and the JVH option (which involved a range of sites throughout the District) together with the Brookhay Villages and Twin Rivers Park which emerged at an advanced stage in the plan making process. Consideration was also given to various combinations of sites which could deliver ten alternative Housing Growth Scenarios derived from the Housing Numbers Study²³.
44. A number of criticisms of the Sustainability Appraisal were made. I will deal in turn with the main points raised.

Congestion and Greenhouse Gas Emissions

45. The suggestion was made that the Sustainability Appraisal failed to identify, describe and evaluate the effects of cross boundary commuting in terms of increased congestion and greenhouse gas emissions. This is not the case. One of the objectives of the Sustainability Appraisal is to improve the availability of sustainable transport options to jobs and services and detailed targets and criteria have been devised to enable alternative strategies and sites to be assessed in this respect²⁴.

²¹ CD1-8. Sustainability Appraisal Proposed Submission Local Plan Strategy (Updated).

²² CD1-10 Sustainability Appraisal Proposed Submission Local Plan Strategy; CD1-14 Interim Sustainability Addendum; CD1-17 Sustainability Appraisal: Shaping Our District; CD 1-19 Interim Core Strategy Sustainability Assessment; and, CD1-23 Scoping Report for the Sustainability Appraisal.

²³ CD1-8 Sustainability Appraisal Update; page 123.

²⁴ CD1-8 Sustainability Appraisal Update; Sustainability Objective G page 98.

46. The results of this exercise have fed through into policies in the Plan such as Policy CP7 which seeks to balance housing and job provision and Policies CP5 and ST1 which seek to achieve sustainable transport. While it is always possible to suggest ways in which evidence could be elaborated on and improved, the Sustainability Appraisal deals with the matter of congestion and greenhouse gas emissions in a proportionate manner.

Lower Housing Figure.

47. As has already been established there is little evidence to suggest that the split between elderly residents living in institutions rather than households will have a significant effect on housing need in the early years of the Plan. A wide range of housing numbers were tested through the Sustainability Appraisal and there is no pressing need for a lower housing figure based on this consideration to have been specifically assessed.

Flexible Housing Target

48. It was suggested that a flexible housing target, one that increased towards the latter part of the Plan as the economy came out of recession, should have been appraised. However, this ignores the fact that housing growth is seen by the Government as a main driver in boosting the economy. A housing target which followed rather than helped drive the economy would be inconsistent with this approach.

Tamworth and Rugeley.

49. There is an undisputed need for more lower priced housing in the District. The suggestion was made that the option of accelerating housing provision on land adjoining Tamworth and Rugeley (where house prices are lower and where there is a prospect of improving rail services) should have been assessed. However, there is little to suggest that such an option would indeed have delivered a sufficient supply of housing early in the plan period or that it would necessarily result in cheaper housing. This was not an option, therefore, that the Council was bound to assess.

Mandatory Review

50. It would have been possible to include a requirement for a mandatory review of the Plan triggered, for example, by a failure to deliver a critical piece of infrastructure or by housing and employment provision getting significantly out of step. However, there is no requirement that a plan should contain such a mandatory review.
51. In this instance the Plan would be monitored annually and this could trigger a review of the Plan. Moreover, it is acknowledged in the Plan that a review may be necessary if it transpired that Birmingham was unable to meet its own housing needs within its boundaries.
52. In these circumstances the Council was not bound to appraise the option of incorporating such a mandatory review into the Plan.

Lack of Change in the Plan

53. It is difficult to substantiate the charge made at the hearings that the Plan has not changed as a result of the Sustainability Appraisal. The Plan has been in preparation since 2006 while the first document in the process of sustainability appraisal was produced in 2007²⁵. Over that period the strategy in the Plan has clearly changed and evolved and there is no reason to doubt that the Sustainability Appraisal has played a part in this.

²⁵ CD1-23 Scoping Report for the Sustainability Appraisal 2007

Errors and Inaccuracies.

54. The Sustainability Appraisal has been prepared over a long period, its scope is broad and its methodology complex. Some errors and inaccuracies have, therefore, inevitably crept in. However, there is no evidence²⁶ to suggest that these amount to major flaws that significantly undermine the reliability of the Sustainability Appraisal.

Not all alternative sites assessed.

55. Although the Sustainability Appraisal assesses a range of alternative sites that have been put forward it is criticised for not assessing every individual site suggested. However, I do not consider that there is an obligation on the Council to assess in detail every individual site put forward particularly if these sites are included within the scope of a more general option that has been assessed - such as, for example, the broad direction of growth south of Lichfield.

Equal Appraisal of Options: Relationship between Table A1 and Table F1

56. In Table F1 the Brookhay Villages alternative is assessed against a range of Sustainability Objectives including objectives G (Sustainable Transport) and I (Mixed and Balanced Communities). The Local Plan Spatial Strategy and all other options and alternatives are assessed against the same range of Sustainability Objectives (Table A1) but objectives G and I are divided into economic and social sub categories (G-Ec, G-Soc, I-Ec and I-Soc). This inconsistency, it was argued, throws doubt on whether all alternatives have been afforded an equal examination.
57. Although the basis for this sub division is not fully explained in the Sustainability Appraisal, the Council has subsequently confirmed which of the detailed criteria relating to these Sustainability Objectives are deemed to be economic and which social²⁷. On that basis it is clear that when appraising the Brookhay Villages Alternative, account was taken of both the economic and social aspects of Sustainability Objectives G and I²⁸. The various alternatives have, therefore, been equally appraised.
58. That said it would, as the Council acknowledged at the hearings, have been much better if the assessment of all alternatives had been presented in a consistent manner and if the economic and social sub categories had been clearly defined. These are points the Council should consider addressing in any future versions of the Sustainability Appraisal.

Not all options assessed in the same level of detail

59. It was suggested that not all options have been assessed in the same level of detail with Brookhay Villages, unlike other options, having a separate table (Table F1) devoted solely to it. To my mind this is largely a matter of presentation, probably prompted by the fact that Brookhay Villages was a late comer to the process and was thus appraised separately. The important point is that, as has already been established, all options have been appraised against the same Sustainability Objectives and the same Appraisal Framework²⁹ has been applied to each option. Consequently, while the amount of commentary may vary between options, I am satisfied that they have been assessed in same level of detail.

²⁶ SQ-M3ii-LDC1 contains the Council's response on this matter.

²⁷ HD56. Joint Hearing Notes BDW/LDC. Paragraphs 7(b) and (c), page 5 and paragraph 2, page 7.

²⁸ HD56. Joint Hearing Notes BDW/LDC. Paragraphs 2a-2d, pages 4 and 5.

²⁹ CD1-8 Sustainability Appraisal Update. Table 11.2, page 96.

Individual sites in the Council's chosen strategy not assessed separately

60. It was suggested that the individual sites proposed by the Council were not assessed separately in the Sustainability Appraisal but rather the overall strategy proposed was assessed as a whole. The point has been made that this makes it difficult to compare the proposed new village at north east Lichfield to individual sites forming part of the Council's strategy.
61. In fact assessments of the individual sites and groups of sites selected by the Council are contained in the Sustainability Appraisal³⁰. It is true that Table A1 compares the Council's chosen strategy as a whole with various options including the new village at north east Lichfield, but this is a legitimate approach as that new village was being promoted as an alternative to the Council's strategy as a whole.

Need to Pursue the Best Performing Option/The Relationship Between Table F.2 and Table F.3.

62. As has already been established the Sustainability Appraisal assessed a number of alternative levels of housing growth or Housing Growth Scenarios. Part of that assessment (Table F.2) involves looking at how different Housing Growth Scenarios could be delivered by varying combinations of sites - or variants as they are known. Representors were concerned that the top performing variants had not been taken forward into the Plan.
63. However, the Council has made clear³¹ that the purpose of Table F.2 not to select the best performing variant but to understand the likely impact of each variant. Rather than being used as a filter to reduce the number of variants it is used to build up an overall picture of the potential impact of the different Housing Growth Scenarios, an overall picture which takes into account broader less site specific matters. This overall picture is set out in Table F.3.
64. The conclusions set out in Table F.3 are not, therefore, arrived at by simply comparing the various scores set out in Table F.2 or averaging out various totals for each Housing Growth Scenario. Rather a series of judgements were made as set out in the comments which follow Table F.3³². The fact that a particular variant performs well in Table F.2 does not, therefore, mean that it will perform well in Table F.3.
65. While this is a complicated approach, it is nonetheless a legitimate way of attempting to take into account both the spatial and non-spatial implications of various Housing Growth Scenarios. The fact that this approach relies on a series of judgements does not invalidate it, such judgements are at the heart of any such process.

Need to Assess all Housing Growth Scenarios

66. The Sustainability Appraisal does not assess all of the housing Growth Scenarios identified in the Housing Needs Study. In particular it does not assess the two economic growth scenarios (F and G) which gave the highest housing figures.
67. However, while the Housing Needs Study identified a broad range of housing requirements (a range of between 76 and 630 dpa) which included these two scenarios - it also, quite legitimately sought to refine that range. In so doing it excluded 'outliers' such as Housing Growth Scenarios F and G which produced housing requirements that were inconsistent with the majority of other scenarios which clustered around the 400-460 dpa range. This is a reasonable approach.

³⁰ CD1-8. Sustainability Appraisal Update. Tables 16.1 to 20.1.

³¹ HD56. Joint Hearing Note BDW/LDC. Paragraphs 1-10, pages 10 and 11.

³² CD1-8. Sustainability Appraisal Update. Pages 263 to 267.

Conclusions

68. The Sustainability Appraisal is not a simple document. The commonest criticism of it is that it is hard to understand. There is some truth in this - indeed the Council was itself hard pressed at times to explain its intricacies and only did so by way of additional explanatory notes. However, a document of this scope is necessarily complex and while parts of it require close reading, its main points are clearly drawn out in the non-technical summary. Having considered the various criticisms made of the Sustainability Appraisal I am of the opinion that it is a reliable piece of evidence.

The Appropriateness of the Spatial Strategy

Background.

69. This section seeks, firstly, to establish whether the Strategic Development Allocations and the Broad Development Location identified in the Plan are sustainable, whether they are deliverable or developable and whether they are viable. Secondly, it considers whether these sites are the most appropriate having considered reasonable alternatives.
70. In dealing with this second point consideration is given only to whether certain sites should have been chosen in preference to the sites selected by the Council. No consideration is given to whether certain sites should be chosen in addition to those selected by the Council – that is a matter that is likely to be dealt with subsequently. To put it simply, we are dealing with an 'A' instead of 'B' analysis not an 'A' plus 'B' analysis.
71. The Strategy in the Plan seeks to concentrate major growth within the urban area, at a Broad Development Location on the edge of an urban area and at five Strategic Development Allocations (SDA's) four of which are on the edge of urban areas – the fifth being Fradley which is centred on a former airfield. Other than that, development will for the most part be focussed on Key Rural Settlements ie those having the widest range of facilities and judged to be the most capable of accommodating growth.
72. On the face of it this is a sustainable strategy as it makes use of existing facilities and infrastructure in the urban areas, provides opportunities to travel by means other than the private car and reduces the need to travel. This is borne out by the findings of the Sustainability Appraisal which, for the reasons set out above, can be treated as a reliable piece of evidence. However, it is necessary to look at individual sites that go to make up the strategy in more detail.

South Lichfield SDA.

73. This site is located on the southern edge of Lichfield relatively close to the city centre. The development of this site would enable the construction of a link of the Lichfield southern By-pass.
74. The long term development potential of a sizeable proportion of this site is recognised in the existing Lichfield District Local Plan where it is designated as an Area of Development Restraint – that is a site which it is not essential to keep open for Green Belt purposes. The remainder of the site is in Green Belt but it is proposed that this land will be kept in open uses such as playing fields and green infrastructure. An as yet undetermined planning application for 450 houses has been submitted on the site³³.
75. The benefits of such an urban extension in terms of sustainability have already been mentioned, more information is contained in the Sustainability

³³ A request has been made that the National Planning Casework Unit that the planning applications concerning the SDA's at Fradley, Streethay and South Lichfield be called in for determination by the Secretary of State. A detailed response is awaited.

Appraisal³⁴. While it is important not to overstate the extent to which future occupants of this site would walk, cycle or use public transport, the fact remains that these options would be open to them. The site is, therefore, sustainable in these respects.

76. Nonetheless, the site will generate additional trips by car and it was the effect that these would have on roads in the vicinity and the role that developing the site would play in completing the southern by-pass which were the principal unresolved issues discussed at the hearings.
77. Dealing firstly with the issue of the southern by-pass, the uncompleted section of this road runs between Birmingham Road and London Road under the railway bridge a short distance to the east of Birmingham Road. It is common ground that this section of by-pass needs to be completed in the plan period. Previously the Council had taken the view that the completion of the by-pass was a pre-requisite for developing the South Lichfield SDA.
78. However, while the developer of the site proposes to construct, at their own expense, the section of by-pass between London Road and the railway, they do not control the land necessary to complete the link to Birmingham Road. The Council regards this as acceptable and no longer requires the completion of the by pass as a condition of developing the site.
79. The completion of the final section will be the responsibility of Staffordshire County Council (the County Council) which will make a bid for the necessary funding. The indications are that there will not be a willing seller for this land and if that proves to be the case the County Council proposes to seek Compulsory Purchase Order powers to acquire the land.
80. Compulsory Purchase procedures are generally time consuming and there is no guarantee as to their outcome. However, given that this would be the last link in a by-pass that will play an important part in traffic management for the City as a whole and given that the Plan runs until 2028, I consider that there is a reasonable prospect of the by-pass being completed in the plan period.
81. On a slightly different point it was suggested that a site that requires a piece of infrastructure as costly as a section of the by-pass is neither sustainable nor viable and that there are more economic sites that could be developed. However, this overlooks two facts. Firstly, the role of the additional section of the by-pass is not simply to serve the site, it will assist in the completion of the by-pass which will have wider benefits to the City. Secondly, the evidence is that the development of the site is a viable proposition³⁵. This was confirmed by the developer at the hearings who made clear that the proposed scheme would pay for the section of by-pass to be provided and allow for an adequate profit.
82. As to the effect that developing this site would have on the nearby roads, it is common ground that local roads, particularly London Road, are congested at peak times. Access to the site as proposed in the scheme for which planning permission is sought has changed over time, the latest proposal involves three linked junctions onto London Road where only one exists at present.
83. Although concern was expressed at the hearings about the effect that this would have in highway terms, traffic modelling carried out in support of the planning application on the site indicates that - assuming the existing modal split, taking account of all proposed uses on the site and assuming either that the by-pass has been completed or that it has not - the effect on local roads would not be severe.

³⁴ CD1-8 Sustainability Appraisal Update. Table 16.1. Pages 198-200.

³⁵ CD5.6. Initial Strategic Sites Viability Assessment: Summary Report. Table 4.2.6.

84. Based on this and other highway evidence produced in the run up to the hearings³⁶, the Highways Agency, which has issued a holding objection, and the County Council both unequivocally confirmed at the hearings that all outstanding highway objections to the development proposed on this site could be overcome. On that basis I am satisfied that the site is capable of being accessed and in this respect the selection of the site as a Strategic Development Allocation is soundly based.
85. Those opposing the development of the site pointed out that they had not seen or had the opportunity to comment on the latest modelling information. However that information relates to the latest junction design which is a matter to be dealt with as part of the planning application – something that is beyond the scope of the Examination. The purpose of the Examination is to decide whether the allocation is soundly based. To do this it is not necessary to know the full details of the proposed access but to be satisfied that an access is capable of being provided. The evidence indicates that it is.
86. Drawing together my findings on the South Lichfield SDA I conclude that it is in a suitable and sustainable location, there are no insurmountable technical barriers to its development, it is deliverable in the sense that it is in the control of a developer with a confirmed intention to develop it, it is viable and there is a reasonable prospect of housing coming forward on it within the next 5 years. The decision to allocate the site as a SDA is, therefore, soundly based.

Other Sites South of Lichfield

87. Other sites to the south of Lichfield, at Deanslade Park and Cricket Lane, were promoted at the hearings but these were put forward as additional sites rather than as alternative sites and as such fall beyond the scope of this report.

East Rugeley SDA.

88. This SDA is located on the eastern edge of Rugeley, a market town in the neighbouring district of Cannock Chase. It consists of three sites; the Power Station site on which planning permission has been granted for, and development commenced on, a scheme including some 600 houses; the Borrow Pit Land which has a capacity of approximately 450 houses; and the British Waterways site with a capacity of some 80 dwellings. 500 of the approximately 1,130 dwellings on this SDA would be to meet the needs of Rugeley.
89. Retail and community facilities are planned within the development. The SDA, which relates well to Rugeley and involves the reclamation of brownfield land, is in a suitable and sustainable location³⁷ and that part of it covered by the existing planning permission is certainly deliverable. The Borrow Pit site needs to be filled before it can be built on and given that Rugeley Power Station produces less ash than previously, this process is unlikely to be completed before 2021.
90. There is a reasonable prospect of this site being available at that time; the British Waterways site could be available earlier. These parts of the SDA are, therefore, developable. The SDA as a whole is viable³⁸ and there are no substantial technical or environmental reasons why it should not be developed.

³⁶ CD2.14 Transport Appraisal of Spatial Strategy for Lichfield City Addendum & SQ-M3iii-LDC1 Joint Statement of Persimmon Homes, Lichfield District Council, Staffordshire County Council and (in part) the Highways Agency.

³⁷ CD1-8. Sustainability Appraisal Update. Table 19.1, page 215

³⁸ CD5.6. Initial Strategic Sites Viability Assessment: Summary Report. Table 4.2.6

91. The decision to allocate this site as a SDA is, therefore, soundly based.

Alternatives Sites at Rugeley

92. An alternative put forward was that the nearby Key Rural Settlement of Armitage with Handsacre should accommodate more growth. This settlement has a range of local facilities and is close to Rugeley Town Station but the option put forward would involve alterations to the Green Belt boundary to the west, south and south east of the settlement. The Rugeley SDA, by contrast, is not in Green Belt.
93. Green Belt boundaries should only be altered in exceptional circumstances. Given that there is an alternative credible site outside the Green Belt capable of helping to meet both the Council's and Rugeley's housing needs then it is reasonable for the Council to select that site.

East of Burntwood Bypass SDA

94. This site is well related to the urban area of Burntwood and within walking distance of existing services and facilities. It is in a suitable and sustainable location³⁹ and there are no technical or environmental reasons why it should not be developed. It was allocated as an industrial site in the 1990's and it was hoped that road improvements in the area would enhance its attractiveness to the market. They did not and following investigation of the sites potential⁴⁰ it was decided that there was no reasonable prospect of it being developed for that purpose.
95. The site has no ownership constraints and it was reported at the hearings that a development partner was shortly to be appointed with a view to submitting a planning application in the near future and starting building on site within 5 years. The indications are that the viability of the site is marginal⁴¹ but this would improve as and when the economy recovers. The Council also indicated that if economic viability were to prove an issue it would look again at its affordable housing requirements. The evidence is, therefore, that the site is, developable and that its selection as an SDA is well founded.

Alternative Sites at Burntwood

96. Earlier versions of the Plan proposed a broad direction of growth to the south and south east of Burntwood. This included a site at Highfields Road and a site south east of Burntwood in the vicinity of Hammerwich both of which were promoted at the hearings. An additional site at Meg Lane, which lies to the north of Burntwood was also promoted at the hearings.
97. Following public objections to the extent of Green Belt releases that developing to the south and south-east would cause the Council elected to pursue an approach of limiting Green Belt release and bringing forward brownfield sites. It was assisted in this by the fact that further housing sites within the urban area had come forward - including the site at Mount Road Industrial Estate.
98. It was suggested that reliance should not be placed on urban sites because their viability for housing had not been established, indeed a viability assessment of the Mount Road site prepared by a representor⁴² concluded that it was not viable for housing.
99. However, there is no suggestion that the Mount Road site is likely to come forward in the short term, the Council's assessment is that the site is

³⁹ CD1-8. Sustainability Appraisal Update. Table 17.1. Pages 205-206.

⁴⁰ CD2-32. Employment Land Review. Pages 89-91

⁴¹ CD5.6. Initial Strategic Sites Viability Assessment: Summary Report. Table 4.2.6

⁴² HD33. Mount Road Industrial Estate Viability Assessment

developable in the next 5-10 years⁴³. Any improvement in market conditions over that time would have a positive effect on that site's viability as would any flexibility shown by the Council in affordable housing requirements. It cannot, therefore, be concluded that urban sites such as this will not come forward.

100. There is, therefore, no clear advantage in the suggestion that one or other of the greenfield sites referred to above should be allocated for housing either to replace urban capacity sites or to provide additional capacity should the East of Burntwood Bypass SDA not deliver the number or type of housing anticipated.
101. All of these other sites are in Green Belt and, to repeat a point made earlier, Green Belt boundaries should be altered only in exceptional circumstances. Moreover, one of the purposes of Green Belt is to assist in urban regeneration by encouraging the recycling of urban land. It is difficult to see how releasing housing sites in the Green Belt as an alternative to developing urban sites or the East of Burntwood Bypass SDA would assist the regeneration of Burntwood, which is one of the Strategic Objectives of the Plan.
102. The alternative sites put forward at Burntwood are not, therefore, preferable to the strategy proposed in the Plan of focussing development in the urban area on land outside the Green Belt.

North of Tamworth

103. A Broad Development Location, capable of accommodating 1,000 dwellings, is proposed to the north of Tamworth on land to the east and west of the railway. Half of these houses would meet needs arising within Tamworth Borough. It is common ground that the development of this land should be planned comprehensively with the adjoining Anker Valley Sustainable Urban Extension proposed in the Tamworth Local Plan. However, the Inspector examining that plan expressed concern about the deliverability and developability of that proposal and this plan was subsequently withdrawn.
104. Clearly the development of the Broad Development Location is linked with the Anker Valley scheme. Both would, for example, rely on improvements to the local highway network - possibly involving the construction of the Anker Valley Link Road - and sites within the Broad Development Location would help fund such improvements. It is also the case that without the Anker Valley scheme, the development of the land to the east of the railway within Lichfield would result in a salient of built form jutting into the countryside and poorly related to the urban area.
105. Representors pointed out that the Anker Valley scheme had been around for many years and had not been delivered even during previous boom times. The Council acknowledged at the hearings that this scheme was a work in progress with much needing to be done before its delivery can be assured.
106. However, Tamworth Borough Council confirmed at the hearings that the Anker Valley scheme remains an integral part of its Local Plan. It also confirmed that it is working with interested parties to establish schedules of the land uses proposed, the infrastructure required and the relevant constraints and mitigation measures needed together with funding information and timetables for delivery, including indications of what development can take place before key infrastructure is delivered.
107. Finally it confirmed that a planning application within Anker Valley for 500 dwellings was imminent and in that context it is relevant to note that a recent study indicates that the local road network could accommodate

⁴³ CD2.23. Strategic Housing Land Availability Assessment 2012. Table B.32, page 64.

- between 300 and 500 dwellings before the Anker Valley Link Road was brought forward⁴⁴. Some representors suggested this figure could be higher.
108. The situation is, therefore, that there is no certainty that the Anker Valley scheme will come forward and certainly I am not in a position to prejudge the outcome of the examination into the Tamworth Local Plan. However, on the basis of the information available there appears to be a reasonable prospect that it will, given the firm commitment to it by Tamworth Borough Council.
109. If this proves not to be the case the Council will need to reconsider its position when preparing the *Lichfield Local Plan: Allocations* document when it will be considering the Broad Development Location in more detail.
110. At the present time there is sufficient evidence to support the allocation of the proposed Broad Development Location in the Plan. Land shown within it is, or has the potential to be, well related to the urban area of Tamworth with the range of facilities that this provides. It is, in other words, in a suitable and sustainable location⁴⁵. The various sites within the Broad Development Location are developable in the next 6 to 15 years⁴⁶ and they are assessed as having medium viability when considered in conjunction with the Anker Valley site⁴⁷. The allocation of this Broad Development Location is, therefore, soundly based.

Alternative Sites at Tamworth

111. An alternative approach suggested by representors to catering for development needs in the area was to develop on the edge of Fazeley, a Key Rural Settlement a short distance to the west of Tamworth where the Council is promoting development within the defined urban area. It was pointed out that development on the edge of Fazeley has previously been assessed and found to be somewhat more sustainable than developing to the north of Tamworth⁴⁸. Such an approach would not be dependent on development at Anker Valley.
112. However, Fazeley, unlike the land north of Tamworth, is in Green Belt and development in the manner proposed would involve an alteration of Green Belt boundaries, something which should only be done in exceptional circumstances. It is quite legitimate for the Council, therefore, to select an option which - although somewhat less sustainable - avoids developing in Green Belt.

Streethay SDA

113. The Streethay SDA is located on the eastern edge of Lichfield. It is within walking distance of a range of services and facilities within the City including Lichfield Trent Valley Station. A planning application for 700 houses, shops and a care village together with additional parking for the nearby station is being considered by the Council⁴⁹.
114. The Streethay SDA is well related to Lichfield City. Of particular significance is its proximity to Lichfield Trent Valley Station and the opportunity it offers to improve on the existing limited provision of parking at that station. Clearly if this station is to be used to its full potential then improvements to it will need to be made, including the provision of disabled access, and the

⁴⁴ CD5.2. Upper Gungate, Staffordshire. Executive Summary, page 3.

⁴⁵ CD1-8. Sustainability Appraisal; pages 208-212 including Table 18.1 and Map D.2 on page 242.

⁴⁶ CD2.23. Strategic Housing Land Availability Assessment 2012 Tables B267-269, pages 216-219.

⁴⁷ CD2.31 Tamworth Future Development and Infrastructure Study. Table 8.7 page 75, Option F.

⁴⁸ CD2.31 Tamworth Future Development and Infrastructure Study. Table 9.1 page 78, Option F.

⁴⁹ A request has been made that the National Planning Casework Unit that the planning applications concerning the SDA's at Fradley, Streethay and South Lichfield be called in for determination by the Secretary of State. A detailed response is awaited.

Council is working with other interested bodies to this end. Nonetheless the proximity of this station to the SDA and the opportunity it would offer to the future occupants of the SDA to use the train is an important point in its favour.

115. There are, however, no plans to improve the frequency of train services to Birmingham and the fact remains that future occupants of the site will be largely reliant on the private car. Access to the site would be onto Burton Road, a busy approach road to the City with a nearby junction onto the A38. While Burton Road is undoubtedly congested at peak times neither Staffordshire County Council nor the Highways Agency have raised an objection in principle to the proposed SDA.
116. The Highways Agency has put in a holding objection to the planning application on this SDA pending the production of a Traffic Assessment, an assessment that has apparently been completed but which, at the time of the hearings, had yet to be submitted. However, holding objections from the Highways Agency are not uncommon on major schemes such as this and Staffordshire County Council confirmed at the hearings that the access arrangements proposed in the planning application were, in its view, acceptable in principle. There is, therefore, a reasonable prospect of an acceptable form of access to this site being devised.
117. A small part of this SDA is within the safeguarded area of the preferred route of HS2 (the proposed national high speed rail link) which would run nearby on a raised viaduct across the A38 and the Cross City Railway Line. However the Plan makes clear that development of this SDA would require appropriate mitigation measures in relation to the high speed railway and on that basis HS2 have raised no objection to its proposed designation.⁵⁰
118. The Council has received a formal response on its consultation with HS2 regarding the planning application on this SDA as has the developer of the site both of which confirm that the proposed development would not give rise to conflicts with the line of the route⁵¹.
119. Streethay is not administratively part of the City and concerns were expressed that its identity as a separate community would be submerged by the development of the SDA. This is a matter which, to a large extent could be addressed through the detailed design of the site. Some sense of separation could, for example, be achieved by suitable positioning of open space.
120. The Streethay SDA is, therefore, in a suitable and sustainable location⁵² and there are no technical or environmental constraints to its delivery that cannot be overcome. The site is in the control of a developer with a confirmed intention to develop and there is a reasonable prospect that houses will be built on it in the next five years. The site is therefore, deliverable. Moreover, the evidence is that the site is economically viable⁵³- a point confirmed by the developer. The proposal to allocate the Streethay SDA is, therefore, soundly based.

Alternative Sites to the North East of Lichfield

121. The proposed new village to the north east of Lichfield is discussed subsequently in this report.

⁵⁰ HD62. Consultation response from HS2

⁵¹ HD61. Letter to Pegasus regarding East of Lichfield (Streethay) SDA & HD63 - HS2 Response to East Of Lichfield (Streethay) SDA Planning..

⁵² CD1-8. Sustainability Appraisal Update. Table 16.1, pages 198-200 (where Streethay SDA is considered as part of the appraisal for Lichfield City). HD34 contains other references from CD1-8.

⁵³ CD5.6. Initial Strategic Sites Viability Assessment: Summary Report. Table 4.2.6.

Fradley SDA

122. The existing housing provision at Fradley consists of an older, smaller residential area known as Fradley Village and a more recent, larger area known as Fradley South. The latter area is set on an old airfield as is the adjacent employment park, the largest employment location in the District. Some of this employment land has been judged to be surplus to requirements.⁵⁴
123. The proposed SDA at Fradley consists of some 750 houses on brownfield land formerly allocated for employment uses and some 250 houses on a greenfield site to the north of Hay End Lane. Land to the east of Gorse Lane would be retained in employment use.
124. Fradley is defined as a Key Rural Settlement in the Plan. The question was raised as to whether it was a sufficiently sustainable settlement to warrant that designation. Alternatively it was argued that, given the amount of development allocated to it, it should have been given another designation more akin to that of a main settlement. However, these are largely semantic points – more important is whether it is a suitable and sustainable location for the level of growth proposed.
125. Judged in terms of accessibility by public transport to then existing services and facilities, Fradley has not previously been identified as one of the most sustainable rural settlements⁵⁵. However, the provision of further housing would create the opportunity to bolster the provision of facilities in the settlement⁵⁶. Furthermore, Fradley's potential to provide a suitable location for development outside the Green Belt has been recognised in previous plans and much of the development now proposed would make use of previously developed land - which is a point in its favour⁵⁷.
126. There is no substantial evidence to suggest that there are insurmountable technical or environmental constraints to the development of this SDA. It is outside the safeguarding zone for the preferred route of HS2 (the proposed high speed link) and there is little to indicate that the presence of a nearby pig farm would cause any air quality or odour problems that could not be dealt with at the planning application stage. Concerns about existing views across the site north of Hay End Lane could also be dealt with at the planning application stage.
127. There was discussion at the hearings about whether additional school facilities should be in the form of an extension to the existing school or on a new school site – with the existing school governors favouring the latter approach. It was confirmed that either approach could be accommodated in emerging proposals for the SDA. The Fradley SDA is, therefore, in a suitable and sustainable⁵⁸ location.
128. Both of the proposed housing sites are controlled by developers who have expressed a firm intention to develop them. The Council has resolved to grant planning permission for a 750 house scheme on the land formerly allocated for employment while a planning application for 250 dwellings on the greenfield site has been lodged with the Council⁵⁹. These sites are, therefore, deliverable. The evidence is that these sites are economically viable⁶⁰ - something which the developers confirmed at the hearings.

⁵⁴ CD2-34. General Employment, Existing Estates and Land Allocations: A Market Assessment, page 44.

⁵⁵ CD2.69 Rural Settlement Sustainability Assessment 2011

⁵⁶ CD1-1 Lichfield District Local Plan: Strategy, Policy Frad2 page 124.

⁵⁷ National Planning Policy Framework, paragraph 111.

⁵⁸ HD30 Updated Sustainability Appraisal: Fradley, particularly Table 20.1 on page 220.

⁵⁹ A request has been made that the National Planning Casework Unit that the planning applications concerning the SDA's at Fradley, Streethay and South Lichfield be called in for determination by the Secretary of State. A detailed response is awaited.

⁶⁰ CD5.6. Initial Strategic Sites Viability Assessment: Summary Report. Table 4.2.6.

129. The decision to allocate the Fradley SDA is, therefore, soundly based.

Alternative Sites at Fradley

130. It was suggested that brownfield land to the east of Gorse Lane currently allocated for employment should be used for housing rather than the greenfield site to the north of Hay End Lane. This proposal has attracted some local support.
131. The Council has identified a lack of physical and social cohesion between the older part of the settlement at Fradley village and more recent housing at the former airfield⁶¹. The development of the land to the north of Hay End Lane is intended to help consolidate the two parts of the settlement. The ability to expand the existing school into this development area thus enabling children from all parts of the village to be educated together could have assisted in this process but is no longer supported by the school governors.
132. Nonetheless the aim of consolidating the community is a worthwhile one and the development of the land north of Hay End Lane for housing would help provide some physical connection between the two parts of the settlement as well as providing for additional playing fields and space for a public house/restaurant.
133. Although the land to the east of Gorse Lane has the benefit of being a brownfield site, it is in a more peripheral position and I see no overriding advantages in developing that site in preference to the Hay End Lane site. The same considerations and the same conclusions apply to land to the west of Gorse Lane insofar as it was promoted as an alternative to the Hay End Lane site.
134. The question of whether smaller, non-strategic sites at Fradley, such as the site controlled by the Booth Trustees, should be developed for some form of housing is a matter that would more appropriately be dealt with through the preparation of the *Lichfield District Local Plan: Allocations* document.
135. Land to the west of Gorse Lane was essentially promoted as an additional rather than an alternative site and thus falls beyond the scope of this report.

Rural Areas

136. In addition to Fradley, which has been discussed above, five Key Rural Settlements have been identified in the Plan (Fazeley, Shenstone, Armitage with Handsacre, Whittington and Alrewas). These settlements have been selected following an assessment of the sustainability of all rural settlements⁶². It is proposed that they would accommodate some 12% of the housing growth in the District (1,025 dwellings). This figure is made up of sites within the boundaries of these settlements which are judged to be deliverable or developable⁶³ (sites with an estimated capacity of some 585 dwellings) and sites which will be identified through the *Lichfield District Local Plan: Allocations* document (sites with a capacity of some 440 dwellings).
137. The ability of these settlements to accommodate this level of growth in suitable, sustainable, deliverable and developable locations was not questioned at the hearings. On the contrary the suggestion was made that these figures would not reflect the sustainability credentials of the settlements and should be increased.
138. However, these figures are expressed as a minimum. There is a possibility, albeit one considered by representors to be remote, that more houses could be allocated through the *Lichfield District Local Plan: Allocations* document or through Neighbourhood Plans/Community Plans. It is also the case that such an approach would increase the amount of land to be released from Green

⁶¹ CD2-71. Fradley spatial Strategy Report, pages 35 and 36.

⁶² CD2-69 & CD2-70 Rural Settlement Sustainability Study dated 2011 and 2008 respectively.

⁶³ CD2-23 Strategic Housing Land availability Assessment 2012

Belt, something that should be contemplated only in exceptional circumstances. There is no clear evidence as to why such an approach would be superior to the strategy proposed by the Council of focussing development on large sites on the edge of principal settlements on land for the most part outside Green Belt – particularly as the evidence already discussed indicates that these sites are capable of delivering the required number of houses in suitable and sustainable locations.

139. It was also pointed out that Little Aston has not been identified as a Key Rural Settlement even though it has been assessed as one of the most sustainable of the rural settlements. The reasons for this are partly that it is not a freestanding settlement but an adjunct to the West Midlands conurbation and partly that it has few potential housing sites within its boundaries.
140. As a result additional development there would involve the release of Green Belt land in a position where there is a particular need to check the unrestricted sprawl of large built up areas and to safeguard the countryside from encroachment. The decision not to take this approach- which would conflict with two of the purposes of Green Belt – is, therefore, soundly based.

Alternative Strategies

The JVH Alternative Strategy

141. The JVH Alternative consists of a combination of sites at Burntwood (Meg Lane), Armitage with Handsacre, Fazeley and Little Aston. These sites have been dealt with previously in this report when considering the Burntwood SDA, the Rugeley SDA and the rural area. As established there, these sites offer no clear advantages over the sites selected by the Council principally because they rely on the release of Green Belt sites.

New Village Option: North East Lichfield.

142. Various versions of this alternative have been put forward during the emergence of the Plan but it was confirmed at the hearings that what is now being promoted is a 2,000 house new village. A scheme for 750 dwellings has been the subject of pre-application discussions and this would form the first phase of the new village. It is envisaged that a large proportion of the 2,000 houses proposed could be delivered in the plan period.
143. There is nothing to suggest that such a scheme would not be viable and it is common ground that such a proposal would be developable and it may well be that the 750 dwelling scheme is deliverable - although little in the way of detailed evidence is provided about matters such as how it would link to the A38 and the local road network.
144. It is common ground that this is a sustainable site but there is disagreement as to whether it is more sustainable than the strategy proposed by the Council. The Sustainability Appraisal concludes that it is not.⁶⁴ The promoters of the site disagree and have carried out their own Sustainability Appraisal to demonstrate their point.
145. However, this exercise simply makes the point that such assessments are based on a series of judgements and such judgements can vary. There is, however, no substantial evidence to suggest that the judgements in the Sustainability Appraisal are awry or that they are based on inaccurate information.
146. To take the example of flood risk, when considering this the Council's Sustainability Appraisal gives this new village option a score of '0' meaning that it would have no effect. This appears to be sensible since, while the risks of flooding caused by any development on the site could be effectively

⁶⁴ CD1-8. Sustainability Appraisal Update. Table A1, page 229.

managed it would not offer opportunities to reduce flood risk in the wider area. In other words it will not have a positive or negative impact in terms of flood risk. There is no reason, therefore, to think that the Sustainability Appraisal is flawed in this respect.

147. It is also difficult to see how a strategy which proposes to focus housing development in one location rather than a variety of locations would meet the Plan's Strategic Priorities of consolidating the sustainability of, and supporting regeneration initiatives in, Lichfield, Burntwood and Key Rural Settlements as well as developing and maintaining sustainable rural communities. It is also questionable how effective a site relatively remote from Tamworth and Rugeley would be in meeting the housing needs of those settlements.
148. While the promoters of this scheme confirmed that in preparing detailed technical and environmental work for the 750 house scheme they would 'have an eye' to the scheme for 2,000 houses – there is relatively little information about the masterplanning of this new village. Clearly this has an effect on the depth to which it can be assessed and more detailed debates could take place on whether this new village would put additional pressure on existing facilities in Lichfield or conversely whether it would help support them. Similar debates could take place on biodiversity, heritage and townscape.
149. However, on the information available, there is no clear indication that the proposed new village at north east Lichfield would be a more suitable or sustainable alternative than the strategy selected by the Council in the Plan.

Brookhay Villages and Twin Rivers Park (Brookhay Villages)

150. This alternative, which emerged at a late stage in the preparation of the Plan, consists of new settlement planned on 'Garden City' principles which would straddle the boundary between Lichfield District Council and East Staffordshire Borough Council. It would be on land which has been or is soon to be worked for gravel extraction.
151. The settlement would include housing, retail, leisure, health, sports, recreational and employment uses together with the construction of two new rail stations, major junction improvements on the A38, improved bus services and cycle/footpath links.⁶⁵ In total it would involve the construction of up to 7,500 dwellings⁶⁶ and it is estimated that some 8,000 jobs would be created.⁶⁷
152. It is common ground that the site as a whole is developable and the promoter of the site has given varying estimates of the number of houses that could be delivered in the plan period - earlier evidence gave a figure of 2,500 dwellings⁶⁸ while a more recent figure is 1,200 dwellings over the period 2016-2020 at a rate of up to 300 dwellings per annum⁶⁹.
153. The promoter of the site is satisfied that the scheme would be economically viable although few detailed figures as to costs and values are provided⁷⁰.
154. The evidence is that Brookhay Villages would be a sustainable proposal⁷¹ and there is no evidence to suggest that it would face insurmountable technical or environmental objections.

⁶⁵ SQ-M3ii-LG1. Appendix A. Brookhay Villages and Twin Rivers Park. Deliverability and Viability Report to Landowners, paragraphs 2.1-2.6.

⁶⁶ See above paragraph 2.5.

⁶⁷ HD43. Notes Submitted to Assist the Inspector by BDW Trading Ltd. Paragraph 4.1.7

⁶⁸ MMI-40 M4. Council's Hearing Statement on Matter 4. Paragraph 1.7.

⁶⁹ SQ-M3ii-LG1-Appendix A. Brookhay Villages and Twin Rivers Park. Deliverability and Viability Report to Landowners, appendix B.

⁷⁰ See above Chapter 6.

⁷¹ CD1-8 Sustainability Appraisal Update. Paragraphs 14.8 to 14.12 and Table F, page 258.

155. The Highways Agency has no objection in principle to the proposed junction improvements on the A38⁷². The Environment Agency agrees in principle with the approach being taken to determining the flood compensation required and acknowledge that it could improve the available floodplain⁷³. Network Rail has confirmed that it is happy to engage in discussions of a new station in the Alrewas area.⁷⁴
156. Nonetheless Brookhay Villages is an ambitious undertaking and much would need to be done if, as planned, all highways, rail infrastructure and much of the drainage infrastructure were to be provided by 2020⁷⁵. In particular work on the proposed new stations, an eye catching advantage of this proposal, appears to be at a very preliminary stage with the promoters of this scheme accepting at the hearings that the letter from Network Rail in fact says very little.
157. Moreover, as with the new village proposed to the north east of Lichfield, Brookhay Villages would concentrate housing in one location. As with that other proposal it is difficult to see how such an approach would meet the Plan's Strategic Priorities of consolidating the sustainability of, and supporting regeneration initiatives in, Lichfield, Burntwood and Key Rural Settlements as well as developing and maintaining sustainable rural communities. It is also questionable how effective a site relatively remote from Tamworth and Rugeley would be in meeting the housing needs of those settlements.
158. As has already been established earlier in this report the Council acknowledges that the Brookhay New Villages proposal is a strategic matter of importance that warrants further investigation to better understand its deliverability and potential benefits - particularly if it transpires that Birmingham City Council cannot accommodate its housing needs within its own area. This is something that would be likely to take place through a review of the Plan. However, there is no clear evidence at this time which suggests that the strategy of concentrating development at Brookhay Villages would be more appropriate than the strategy proposed by the Council in the Plan.
159. Moreover, Brookhay Villages is quite correctly being promoted as a single proposal that would be planned comprehensively. However, as has already been noted, the scheme would involve land in both Lichfield District and East Staffordshire Borough and if it were to progress would need to be included in the Local Plan for each area. The evidence at the hearings was that the scheme does not feature as a proposal in the emerging plan for East Staffordshire.
160. There would be little merit, therefore, in me recommending that, in effect, the Plan should unilaterally propose this scheme, a scheme which requires comprehensive and cross boundary planning, without clear evidence that it was supported by the neighbouring council. There is no evidence at this time that such support would be forthcoming.
161. This comment is not intended as a criticism of either council as this scheme only emerged relatively late in the day. Rather it is intended to point out the procedural difficulties of promoting this scheme without clear evidence of cross boundary agreement.

⁷² HD40. Letter from the Highways agency (21/06/13) regarding Brookhay Villages.

⁷³ HD42. E Mail from Environment Agency (03/07/13) regarding Brookhay Villages.

⁷⁴ HD41. Letter from Network Rail (10/06/13) regarding potential new station in Alrewas area.

⁷⁵ SQ-M3ii-LG1-Appendix A. Brookhay Villages and Twin Rivers Park. Deliverability and Viability Report to Landowners, appendix B.

Conclusion

162. I am satisfied on the available evidence that the proposed Strategic Development Allocations and the Broad Development Location identified in the Plan are either deliverable or developable, they are viable and they are sustainable. I am also satisfied that these sites are the most appropriate having considered reasonable alternatives.

The Next Steps

163. An overall summary of my initial findings together with my suggestions for the next steps are set out in paragraphs 3 to 6 of the letter accompanying this annex.