

North Warwickshire Borough Council

Draft Submission Local Plan 2011-2033



North Warwickshire
Borough Council

Regulation 19 – Consultation Response Form

Completed representation forms can be emailed to; planningpolicy@northwarks.gov.uk or posted to the Forward Planning Team at; Forward Plans, North Warwickshire Borough Council, The Council House, South Street, Atherstone, CV9 1DE

All information supplied will be made available for public inspection

Please use a separate representation form for each paragraph, policy, site allocation that you wish to comment on

Representations received after 31/1/2018 will not be considered

The Council reserves the right not to publish or take into account any representations which it considers offensive or defamatory

Section 1 - Personal Details

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Organisation (where relevant):	Tamworth Borough Council
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Please note that representations must be attributable to named individuals or organisations at a postal address. Anonymous representations will not be accepted.

Agent Details (if applicable) Please note that if agents' details are provided all correspondence will be through them.	<i>Name</i>	
	<i>Company</i>	
	<i>Address</i>	
	<i>Telephone</i>	
	<i>Email</i>	

Section 2 - Your Representation (please tick where necessary)

2.1 Please indicate which part of the Draft Submission Local Plan this representation relates to?							
Paragraph reference		Policy reference number	LP6 LP7 LP9 LP39 LP40	Site Allocations	H7 H13	Sustainability Appraisal	

Please use a separate representation form for each paragraph, policy, site allocation that you wish to comment on.

2.2 Do you support or object to the above?

Support	LP7 LP9 LP39 (part)	Object	H7 H13
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2.3 Do you consider the Draft Submission Local Plan to be legally compliant?

Yes		No	
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2.4 Do you consider the Draft Submission Local Plan to be compliant with the Duty to Cooperate?
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Yes		No	X
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2.5 Do you consider the Draft Submission Local Plan to be Sound?

Yes		No	X
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2.6 If you think that the Draft Submission Local Plan is <u>not</u> sound, this is because it is:
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Not Positively Prepared	X	Not Justified	
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Not Effective	X	Not Consistent with National Policy	
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The above are the tests set out in paragraph 182 [Examining Local Plans] of the National Planning Policy Framework (March 2012).

2.7 Within this section, please provide details of why you do or do not consider the Draft Submission Local Plan to be legally compliant, sound or in accordance with the Council's Duty to Co-operate. Please be as precise as possible.

LP6 Amount of development sets out NW Housing requirement of a minimum 5808 net dwellings to be built by 2033, an aspiration to deliver a further 3790 and around 100 hectares of employment land. The housing requirement should encompass Tamworth's unmet housing need and although 500 units are included in the minimum figure, the remaining balance is contained within the aspirational 3790 and is not seen as a firm commitment. North Warwickshire's housing requirement should be either the minimum amount of 5808 or the maximum of 9598. Tamworth's view is that Policy LP6 should clearly specify the maximum number of 9598 as this would include the unmet need arising from Tamworth. In its current form, Policy LP6 conflicts with the Duty to Co-operate as the commitment to meet Tamworth's housing need is not clearly articulated.

Through the Duty to Co-operate discussions, North Warwickshire has stated its willingness to meet the balance of Tamworth's housing need together with Lichfield District Council. However with the plan having been extended to 2033 housing delivery has been prioritised to meet local need. Tamworth's need and that of the HMA will be in addition to the minimum requirement and will be achieved through over-delivery. Site allocations are shown to meet the full need over the plan period yet Policy LP6 falls short of providing a positive statement and commitment to housing delivery for wider needs. Tamworth has consistently requested a clear commitment to meeting the remainder of its unmet need including a specific figure which the plan fails to do. Whilst Tamworth understands that North Warwickshire are intending to meet Tamworth's housing need, Tamworth objects to the absence of a clear commitment and process to identify the developments that will meet the Tamworth housing need.

The plan has been extended to 2033 and the housing requirement has been adjusted. The reliance on over-delivery calls into question North Warwickshire's commitment and ability to deliver the wider housing requirement that includes the unmet need from Tamworth and the Housing Market Area. The lack of a housing trajectory means that there is no indication of housing delivery on an annual basis or a five year period to see whether sufficient housing will be delivered in the right place and at the right time over the plan period. Tamworth is as keen as North Warwickshire that monitoring is effective and that developments come forward in a timely manner. Prioritising local need and delivery will mean that any contribution to meet Tamworth's need or the HMA needs will be towards the end of the plan period. Since the plan periods associated with the adopted Tamworth Local Plan 2006 to 2031 and North Warwickshire Draft Submission Local Plan 2011 to 2033 no longer align there is a risk that the full requirement will not be delivered within the timeframe required and Tamworth has no option but to object to this proposal. Furthermore, North Warwickshire have signed a Memorandum of Understanding with Birmingham City Council to look to deliver 10% of their unmet need and this would appear to directly assign the increased numbers to Birmingham City Council. If the numbers are to be attributed to the wider HMA area then a wider MOU would be required and that point can only be reached when the full amount is quantified and agreed with all authorities and the distribution of these numbers also agreed. As these issues are not agreed and accepting that there could be a revised requirement, the plan should consider a possible early review.

LP7 Housing Development promotes a diverse housing mix that provides for wider needs as well as aspirational densities. The statement on infrastructure is entirely appropriate in that only developments that can provide the necessary infrastructure will come forward and Tamworth supports this approach.

Policy LP39 Land Allocation contains land to the east of Polesworth and Dordon (H7) and land to the west of Robey's Lane, adjacent Tamworth (H13) that Tamworth does not support and reasons are outlined below.

The employment allocation of 8.5 ha at Relay Park is supported by Tamworth which is assumed to fall under extant permissions and is therefore not shown as an allocation. It would be helpful if the plan was clear to that effect. However, as North Warwickshire is well aware the site is affected by the HS2 project and the site will be lost within the plan period. Lichfield District Council will commit to allocating 6.5 ha of employment to meet Tamworth's unmet need and together with 8.5 ha proposed by North Warwickshire will result in 15 ha. The Tamworth Local Plan identified an employment need of 32 ha of which Tamworth allocated 18 ha within the plan. The unmet need amounted to a minimum of 14 ha, however no further work has been carried out to identify how much land over and above 32 ha is needed, partly due to the

uncertainty over how much of the unmet housing need will be met in the two neighbouring authorities and where it will be met. It is not clear if North Warwickshire has taken account of meeting Tamworth's unmet housing need on the identification of the quantum of employment land required.

H7 Land to the east of Polesworth and Dordon (160.8 ha) will impact on the strategic highway network in particular the B5000, A5 and M42. The impacts are felt within Tamworth and although the STA considers the traffic situation in Tamworth it is unclear if the development proposals within Tamworth are included in the analysis. There is concern that the highway improvements suggested in the STA are tentative in nature when there should be clear requirements set out in order to deliver the full aspirations of the Local Plan. The process for identifying and collecting contributions for strategic highway infrastructure are not made clear and the projects and funding requirements are not carried forward into the Infrastructure Delivery Plan. There would need to be assurances that the necessary infrastructure improvements can be delivered and can be fully funded. The HS2 project will be under construction during the plan period and the impact of these works should be reflected.

There will need to be a consideration of impacts on services and facilities within Tamworth that residents from these developments would use and necessary mitigation and contributions should be directed to Tamworth. In the absence of due consideration, Tamworth objects to this policy.

H13 Land west of Robey's Lane (66.1 ha) promotes the location of 1270 new dwellings adjacent to the Tamworth border and adjoining the former municipal golf course site. This policy specifies primary access to be provided through the Golf Course development so that the site is effectively served through Tamworth. The potential to provide a suitable access has not been tested and may not be possible due to the need for third party land, lack of consideration of engineering feasibility or the consideration of impact on the local highway network. Tamworth is concerned that the access may not be deliverable and its provision is outside the control of both authorities and therefore objects to this policy.

The proximity of the site to Tamworth will mean that future residents would look to Tamworth as the nearest centre for day to day needs such as retail, leisure, sport and health facilities. This will create additional demand on Tamworth's services and facilities. In terms of sports facilities, The Sport England Sports Facilities Calculator provides an indication of the range of demand that this development would create for such facilities and a requisite contribution required for the provision of facilities to meet the new demand. The calculator indicates that the development should provide a contribution of £1,080,985 towards sports facilities and Tamworth should be the destination for the contribution as the nearest centre. It is also Tamworth's view that the development would assist in meeting Tamworth's housing need and consequently should provide affordable housing and a mix of housing that accords with policies within the adopted Tamworth Local Plan. Nomination rights to these properties should be given to Tamworth Borough Council residents.

2.8 Within this section, please specify any modifications that you consider necessary to ensure that the Draft Submission Local Plan is legally compliant, sound and in accordance with the Council's Duty to Co-operate. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

LP6 should clearly set out North Warwickshire's housing requirement and a commitment to meet the balance of Tamworth's unmet housing need. North Warwickshire should clearly set out their approach to meeting Tamworth's unmet need that also considers contributions to meeting affordable housing needs and identifying and mitigating impact on infrastructure within Tamworth. As with North Warwickshire's commitment to providing 500 units to meet Tamworth's unmet need, the additional units to meet the 825 shortfall should be agreed with Lichfield and reflected within the plan. The time period for the delivery of these units should be set to 31st March 2031 to align with the Tamworth adopted Local Plan. This would assist transparency and effective monitoring. A Statement of Common Ground should be prioritised as a way of articulating the relevant contributions each authority will make to assisting neighbouring authorities to deliver their respective Local Plans.

The Tamworth Local Plan identified an unmet need of 14 ha of employment land. No further work has been carried out to identify how much land over and above 32 ha is needed, partly due to uncertainty over how much of the unmet need will be met in North Warwickshire and Lichfield and where it will be met.

North Warwickshire should set out how they have taken account of meeting Tamworth’s unmet housing on the identification of the quantum of employment land required.

Allocations H7 and H13 are not appropriate. H7 will require a detailed consideration of infrastructure and impact on Tamworth which so far has not been proven as deliverable. H13 proposes a Masterplan to be formulated for the site to be agreed with the Council prior to development taking place. The Masterplan should consider the impact of development on the local highway network and possible mitigation as well as policies within the Tamworth Local Plan in respect of Housing Mix, affordable housing and contributions to infrastructure within Tamworth. Tamworth would welcome discussions to clarify these points.

Section 3 – Hearing Sessions

3.1 Please indicate if want to participate in the hearing sessions for the oral part of the examination process?	Yes
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3.2 If you wish to participate in the hearing sessions please indicate why you consider this to be necessary

To allow the Inspector the opportunity to explore the issues raised in more detail with the objective of removing the objections.

Please note that the appointed Planning Inspector, not the Council, will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in the examination.

Signature		Date	
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If you require further information and guidance on the latest consultation phase of the Draft Submission Local Plan, please refer to the Frequently Asked Questions document which is available on the Council’s website: www.northwarks.gov.uk or contact the Forward Planning Team on 01827 719499/451.

Comments received after 31/1/2018 will not be considered

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