

For Official Use
Respondent No:
Representation Number:
Received:

Lichfield District Local Plan 2040

Please return to Lichfield District Council by 5pm on 30th August 2021, by:

- Email: developmentplans@lichfielddc.gov.uk
- Post: Spatial Policy and Delivery, Lichfield District Council, District Council House, Frog Lane, Lichfield, WS13 6YZ.

This form can also be completed on line using our consultation portal: <https://lichfielddc-consult.objective.co.uk/portal>

PLEASE NOTE: This form has two parts:

- Part A: Personal details.
- Part B: Your representation(s).

Part A: Personal details

	1. Personal details ^{1 2}	2. Agent's details (if applicable)
Title		
First name		
Last name		
Job title (where relevant)		
Organisation (where relevant)	Tamworth Borough Council	
House No./Street		
Town		
Postcode		
Telephone number		
Email address (where relevant)	developmentplan@tamworth.gov.uk	

¹ If an agent is being used only the title, name and organisation boxes are necessary but please don't forget to complete all the Agent's details.

² Please note that copies of all comments received will be made available for the public to view, including your address and therefore cannot be treated as confidential. Lichfield District Council will process your personal data in accordance with the Data Protection Act 1998. Our Privacy Notice is at the end of this form.

Part B: Your representation

Where in the document does your comment relate:

Document	Section					
	Whole Document	Page Number	Paragraph Number	Policy Number	Appendix	Proposals Map
Lichfield District Local Plan 2040	X					
Sustainability Appraisal Report						
Other						

Question 1

Do you consider that the Local Plan 2040 complies with the Duty to Co-operate?

Yes		No	X
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The Council acknowledges that regular Duty to Co-operate meetings occur at officer level, where strategic cross-boundary issues are discussed, and that there is an existing Memorandum of Understanding and Statement of Common Ground in which it is agreed that Lichfield will seek to provide a proportion of Tamworth’s unmet housing and employment needs. Both of these documents are now a number of years old and may require updating. The Council would be happy to discuss revising these documents if it is considered necessary.

Within the Statement of Common Ground it states that work will continue to provide appropriate infrastructure to support developments with cross border impacts. The Council consider that further work is required to ensure appropriate mitigation measures are in place for the existing permitted developments on the border before any further development on the border is considered.

Q1a Please specify the reasons below:³

³ Continue on a separate sheet/expand box if necessary. Mark any additional pages with your contact details

Question 2

Do you consider that the Local Plan 2040 meets the legal and procedural requirements?

Yes	X	No	
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The Council has no specific comments to make on this point.

Q2a Please specify the reasons below⁴:

Question 3

Do you consider that the Local Plan 2040 is positively prepared?

Yes	X	No	
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⁴ Continue on a separate sheet/expand box if necessary. Mark any additional pages with your contact details

The proposed plan provides a strategy to meet the needs of Lichfield District and takes into account needs of neighbouring areas in terms of providing a contribution towards the unmet housing need of Tamworth and the wider Housing Market Area. In respect of Tamworth, this is secured through an existing memorandum of understanding and a separate statement of common ground. As stated above, the Council would be happy to discuss revising these documents if it is considered necessary.

The Council does have some concerns over the sustainability of the proposed development on the border with Tamworth which are set out elsewhere in this response.

Q3a Please specify the reasons below⁴:

Question 4

Do you consider that the Local Plan 2040 is justified?

Yes		No	X
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Q4a Please specify the reasons below⁵:

The highways evidence to support the proposed allocations is not currently available, and this is of particular importance for the sites adjacent to the Tamworth border where highways capacity is already a concern.

The Council notes that the reasons for the delay are beyond the control of Lichfield District Council, relating as they do to the ongoing global pandemic and the reluctance of Staffordshire County Council to carry out traffic survey work at this time. However, until such time as the highways evidence is available, the Council cannot agree that the proposals are based on proportionate evidence and therefore fully justified.

⁵ Continue on a separate sheet/expand box if necessary. Mark any additional pages with your contact details

Question 5

Do you consider that the Local Plan 2040 is effective⁵?

Yes		No	X
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The NPPF defines an effective plan as being “deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground”.

The Council acknowledges that Lichfield has agreed to provide for a proportion of Tamworth’s unmet need as well as providing for a proportion of the unmet need of the wider Housing Market Area. However the Council considers that more work is needed to ensure that cross-boundary issues are dealt with at the plan making stage and are not deferred until a planning application is submitted.

The experience of the Arkall Farm inquiry clearly demonstrated the issues that arise when cross-boundary issues are not dealt with at an early stage as the issue of mitigating the impact of the development within Tamworth was left to the two councils to agree and has still not been resolved. In order to avoid a repeat of this situation, the Council considers that it should be addressed in the plan rather than deferred until later.

Q5a Please specify the reasons below:

Question 6

Do you consider that the Local Plan 2040 is consistent with the National Planning Policy Framework?

Yes	X	No	
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The Council has no specific comments to make on this point

Q6a Please specify the reasons below⁶:

Question 7. Please set out what modification(s) you consider necessary to address your representations. You will need to say how this change will address the concerns and it would be helpful if you could put forward your suggested revised wording to any policy or text. Please be as precise as possible⁶.

The Council is seeking assurances that appropriate infrastructure will be provided to mitigate potential impacts on Tamworth, not only highways but such things as sport and leisure facilities too. As has become evident from the situation at Arkall Farm, securing appropriate mitigation for cross-boundary issues through the application process is difficult, and so the Council would expect to see an appropriate mechanism secured up front through including it in the local plan. Seeking to secure mitigation solely through inclusion in an Infrastructure Delivery Plan and/or Infrastructure Funding Statement would not be appropriate as these subject to regular changes so would not provide assurances in the long-term. The Council would seek any solution to apply to the whole plan, not just the proposed allocation at Fazeley, in order to allow it to apply to any other future development on or near the border.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and suggested modification, as there will not normally be a subsequent opportunity to make further representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues they identify for examination.

Question 8. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral	
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⁶ Continue on a separate sheet/expand box if necessary. Mark any additional pages with your contact details

examination	
Yes, I wish to participate at the oral examination	X

Question 9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The Council would like to resolve the issues raised prior to the examination if possible and would welcome discussions with Lichfield in order to achieve this. If the issues are unable to be resolved prior to examination, the Council would like the opportunity to participate as the issues raised are of strategic important to Tamworth.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature ⁷ :	
Date:	

If you require this form in an alternative format please contact Spatial Policy and Delivery team on 01543 308192 or developmentplans@lichfielddc.gov.uk

Representation forms can be downloaded from the Council's website at www.lichfielddc.gov.uk/localplan2040. A paper copy can be provided by calling 01543 308192 or emailing developmentplans@lichfielddc.gov.uk

All responses received by 5pm on 30th August 2021 will be considered, late responses will not be accepted under any circumstances. Individual acknowledgement of receipt will not be possible.

Please note that copies of all comments received and the names of who submitted them will be made available for the public to view and therefore cannot be treated as confidential. Lichfield District Council will process your personal data in accordance with the Data Protection Act 1998. Our Privacy Notice can be viewed at <https://www.lichfielddc.gov.uk/privacy> or contact us for a copy to be sent to you.

Representations may be accompanied by a request to be notified at a specified email address or postal address of the following:

- The submission of the Plan for independent examination under Section 20 of the Planning and Compulsory Purchase Act 2004.
- The publication of the recommendation of the person appointed to carry out the independent examination
- The adoption of the Plan.

Lichfield District Council ('the Council') will process your personal data in accordance with the Data Protection Act 1998 and (when in force) the General Data Protection Regulation ('GDPR').

We are required to provide certain information to you:

Data Controller

⁷ Please sign the box if you are filling in a paper copy. The box can be left blank if you are filling in an electronic copy

The Council is the Data Controller. Our address is Frog Lane, Lichfield, Staffs, WS13 6YY, telephone 01543 308000 and email developmentplans@lichfielddc.gov.uk

We are represented by a Data Protection officer who can be contacted by emailing dpo@lichfielddc.gov.uk.

Why do we process your information?

To fulfil our statutory duty.

What entitles us to process your personal information?

Processing is necessary for the performance of a task (general development management) carried out in the public interest or in the exercise of official authority vested in the Council.

Who might see your personal data (recipients)?

We may share your information with officers of the Council employed to work in other service areas.

How long do we store your data for?

It is impossible to state a definite retention period. The Council will have received and recorded your personal data for a particular purpose(s). When the Council no longer needs your data for these purposes it will either be destroyed or deleted.

Your rights

- Access - you have a right to know if we are processing your data. We will tell you either way. If we are processing your data you have further rights such as to be provided with a copy of it.
- Rectification – if we are holding inaccurate information you can ask us to correct it.
- Erasure- in certain circumstances you can ask us to destroy or delete your information
- Restriction – in certain circumstances you can ask us to put a hold on the processing of your information
- Objection – again you can ask us to stop processing your personal data.

Complaints

If you are unhappy with the way we process your personal data then please speak to us in the first instance. Notwithstanding this you have the right to complain to the Information Commissioner. Their contact details can be accessed by clicking here: <https://ico.org.uk/>