

9th January 2013**REPORT OF THE PORTFOLIO HOLDER FOR ECONOMIC DEVELOPMENT AND ENTERPRISE****Tamworth Borough Council's Response to neighbouring Local Authorities Local Plan Consultations – North Warwickshire and Birmingham****EXEMPT INFORMATION**

N/A

PURPOSE

The report seeks to inform Members on:

- The Pre-Submission Publication Draft of the North Warwickshire Core Strategy in accordance with Regulations 18, 19 and 20 of the Town and Country Planning (Local Planning) Regulations 2012 and particular the Duty to Co-operate (Localism Act 2011)
- The Options Consultation (Housing and Green Belt) of the Birmingham Development Plan, in accordance with the Duty to Co-operate (Localism Act 2011)

and:

- Seek Cabinet approval of the comments to be made in response to the Birmingham Consultation
- Endorse the comments already made in response to the North Warwickshire Core Strategy and endorse the proposal to send a further letter to North Warwickshire in support of their Local Plan submission.

RECOMMENDATIONS

1. **Approve comments to be made on the Birmingham Development Plan – Options Consultation**
2. **Advise Birmingham City Council of Tamworth Borough Council's desire to work with them on the further development of their plan.**
3. **Endorse the comments already made on the North Warwickshire Core Strategy Consultation and follow up with additional letter, confirming Cabinet support.**

EXECUTIVE SUMMARY**North Warwickshire**

North Warwickshire's Core Strategy is to be submitted to the Secretary of State, this is the final round of consultations. Previously comments were submitted giving general support, but queries in some places; this was endorsed by the Portfolio Holder and the LDF Working Group.

This latest consultation closes on the 20th December, due to timings it has not been possible to seek approval of these comments by Cabinet prior to their submission; however it has been agreed with the Director of Communities Planning and Partnerships, Head of Planning and the Portfolio Holder for Economic Development and Enterprise that comments would be sent in before the deadline, and latterly endorsed by Cabinet. The Policy manager at North Warwickshire has agreed to this approach.

North Warwickshire's Core Strategy acknowledges that Tamworth is unable to fully meet its future housing need of 5,500 dwellings within its own boundary during the life of its Local Plan (2006 – 2028). Through the preparation of a collaborative evidence base; the South Staffordshire Housing Needs Assessment and Tamworth Future Development and Infrastructure Study, which led to the production of a joint Memorandum of Understanding it has been agreed that 1,000 dwellings of Tamworth's housing need will be met outside of the Borough; 500 dwellings in the administrative boundary of North Warwickshire Borough Council and 500 dwellings in administrative boundary of Lichfield District Council.

The comment form for the North Warwickshire Consultation is attached to this report. The submitted comments acknowledge that North Warwickshire will meet a proportion of Tamworth's need, however we feel that a more positive approach should be sought and reflected in their Core Strategy. In addition to this comments have been made on Gypsy and Traveller accommodation, in that, Tamworth would be open to collaborative work in seeking specific sites. Comments have also been made on the Birch Coppice and Hams Hall employment site and how they provide jobs and go towards meeting more than local needs.

It is important to demonstrate to North Warwickshire Borough Council that Tamworth Borough Council supports the strategy and policy of the North Warwickshire Core Strategy; which helps to meet a proportion of Tamworth's housing needs between 2006 and 2028. It has been proposed that a further letter is sent to confirm this, by doing so it will add further weight in demonstrating that both Council's have considered the strategic implications of Tamworth's housing needs and that the duty to co-operate has been met.

Birmingham

Birmingham's population has been projected to grow by 150,000 people by 2031, this equates to roughly 80,000 new homes and 100,000 new jobs. Birmingham will not be able to provide land for this level of growth in the urban area alone, one option is to develop in parts of the city's Green Belt.

Birmingham City Council estimates that their urban area could accommodate up to 43,000 new homes and between 5,000 to 10,000 in the Green Belt, this leaves a 32,000 to 27,000 shortfall.

This consultation deals only with potential Green Belt sites and does not discuss the short fall in housing or where it may go. However, it does mention that this shortfall is likely to be located outside of their administrative boundary and in other authorities through the duty to co-operate. Technical work is included in the Green Belt Options Appendix, but no Sustainability Appraisal have been carried on these options.

The consultation details Green Belt options A to D (further detail and maps in the background papers), all of which are in the North East to East of Birmingham and approximately 6km to 7km from Tamworth's southern boundary, each of these options has been considered for Housing and Employment. Each Green Belt option could provide between 5,000 and 10,000 new homes, they have all been assessed on; environmental, biodiversity, infrastructure, agricultural, Green Belt and minerals factors. However, none have assessed the strategic implications with adjoining authorities, Tamworth has not been consulted on a technical basis prior to this consultation and to my knowledge nor have any other authorities. Assessing the Strategic Implications and working with neighbouring local authorities is a key element to the National Planning Policy Framework, more importantly it is a legal requirement under the Localism Act 2011.

All the Green Belt options but in particular B, C and D could have a strategic implication for Tamworth. The impact upon strategic and local highways, access to retail, leisure and employment sites in Tamworth needs to be assessed, also of great importance is the impact that 10,000 new homes would have on the deliverability of new housing development in Tamworth. These 10,000 proposed new homes dwarfs the level of growth in Tamworth and South East Staffordshire as a whole, and it is unlikely that the market demand will sustain the

proposed sites in Birmingham in addition to those in Tamworth and beyond and these proposals could therefore have an impact on the viability of Tamworth's Local Plan and impact on the viability of specific sites. All of these strategic impacts need to be fully considered and assessed.

This consultation has no detail on Gypsy and Traveller proposals.

It is recommended that Tamworth Borough Council works closely with Birmingham to ensure that their proposals do not have an unmitigated and negative impact on the Borough, and also to assist both Councils in discharging their Duty to Co-operate. It should be noted that officers are working at the Greater Birmingham and Solihull Local Enterprise Partnership on planning matters.

The comment form for the Birmingham Development Plan Consultation is attached to this report.

RESOURCE IMPLICATIONS

There are no financial implications arising from this report.

LEGAL/RISK IMPLICATIONS BACKGROUND

North Warwickshire

The statutory procedure governing the preparation and adoption of Development Plan Documents is contained in the Planning and Compensation Act 2004 and the Town and Country Planning (Local Planning) Regulations 2012. Failing to adhere to these requirements could result in a Local Plan being found 'unsound' at an examination.

It is important that the North Warwickshire Core Strategy is found sound as it will provide 500 homes for Tamworth's housing need; support from adjoining Local Authorities will help fulfil their legal duty to co-operate.

The progression of the North Warwickshire Core Strategy will be beneficial to the forthcoming examination of Tamworth's Local Plan, as it will demonstrate to the appointed Inspector that the Memorandum of Understanding is being followed through by all parties.

Birmingham

The statutory procedure governing the preparation and adoption of Development Plan Documents is contained in the Planning and Compensation Act 2004 and the Town and Country Planning (Local Planning) Regulations 2012. Failing to adhere to these requirements could result in a Local Plan being found 'unsound' at an examination. In particular Birmingham's development plan will need to adhere to the duty to co-operate in the Localism Act 2011 and also detailed in the 2012 regulations.

It is important that the strategic impacts of all the Green Belt options in Birmingham are fully appraised for their impact on Tamworth, any assessment should detail if there any implications and how these can be mitigated. It will be important for Birmingham to show how they have worked with other authorities in assessments and finding appropriate mitigation, failing to do so will put into question the Legal Compliance and Soundness of their development plan during their examination by a Planning Inspector.

SUSTAINABILITY IMPLICATIONS

There are no sustainability issues arising from this report.

BACKGROUND INFORMATION

Please see Background Papers – for links to the North Warwickshire Core Strategy and

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LIST OF BACKGROUND PAPERS

North Warwickshire Core Strategy -

http://www.northwarks.gov.uk/download/downloads/id/4387/pre-submission_core_strategy_consultation_document

Birmingham Development Plan Options Consultation and Green Belt Options Appendix – this also includes the maps showing the Green Belt options.

<http://www.birmingham.gov.uk/cs/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobheadername1=Content->

[Disposition&blobkey=id&blobtable=MungoBlobs&blobwhere=1223517224126&ssbinary=true&blobheadervalue1=attachment%3B+filename%3D190446Appendix_2_-_Consultation_Document.pdf](http://www.birmingham.gov.uk/cs/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobheadername1=Content-Disposition&blobkey=id&blobtable=MungoBlobs&blobwhere=1223517224126&ssbinary=true&blobheadervalue1=attachment%3B+filename%3D190446Appendix_2_-_Consultation_Document.pdf)

APPENDICES

North Warwickshire Consultation Response

Birmingham Consultation Response