



Walsall Council

PLANNING COMMITTEE

28 November 2024

REPORT OF HEAD OF PLANNING & BUILDING CONTROL

Response to Lichfield Local Plan Issues and Options Consultation

1. PURPOSE OF REPORT

- 1.1 To consider and agree the council's response to the Lichfield Local Plan issues and options (regulation 18) consultation.

2. RECOMMENDATION

- 2.1 Agree the response as set out in the appendix, and authorise the Executive Director for Economy, Environment & Communities, in consultation with the Portfolio Holder for Regeneration, to submit the response to Lichfield District Council.
- 2.2 Authorise the Head of Planning and Building Control to amend the final responses as necessary.

3. FINANCIAL IMPLICATIONS

- 3.1 None arising directly from this report.

4. POLICY IMPLICATIONS

- 4.1 The supply of land for housing, employment and other land use requirements in Walsall and the wider Black Country and Birmingham area is heavily constrained, with much undeveloped land particularly in Walsall being Green Belt. We are therefore reliant on being able to 'export' some of our need to neighbouring authorities particularly in Staffordshire and Shropshire. Any under or over-supply in individual authority local plans will affect the amount of land that the other authorities will have to provide in their respective local plans.
- 4.2 Lichfield have begun to prepare a new local plan. This is to replace the former plan which was submitted for examination but then withdrawn in October 2023. The issues and options report does not allocate sites or provide preferences for where development will or will not be allocated in the new plan. However, it asks what the key issues are that the plan should address.

- 4.3 The plan is likely to have to be prepared under a new version of the National Planning Policy Framework (NPPF), based on the outcome of the government consultation in July 2024 which included proposals for a new standard method to calculate local housing need. This new method would, if introduced, substantially increase the annual housing requirement for the majority of local authorities, including Lichfield and Walsall. This increase would have to be reflected in the local plans.

5. LEGAL IMPLICATIONS

- 5.1 Local planning authorities are currently subject to a Duty to Cooperate with neighbouring planning authorities with regards to strategic cross boundary planning matters. The extent of engagement with neighbouring authorities will be tested as part of the examination of the respective authority local plans.
- 5.2 Local plans are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. The NPPF states that plans are 'sound' if, amongst other requirements, they seek to meet the area's objectively assessed needs; and are informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.

6. EQUAL OPPORTUNITY IMPLICATIONS

- 6.1 The Lichfield Local Plan will be required to ensure the needs of all sections of the community are met.

7. ENVIRONMENTAL IMPACT

- 7.1 The issues and options report is accompanied by a sustainability appraisal and Habitat Regulations assessment which will be updated as the plan is progressed.

8. WARD(S) AFFECTED

All.

9. CONSULTEES

Officers in Planning and Building Control have been consulted in the preparation of this report.

10. CONTACT OFFICER

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11. BACKGROUND PAPERS

All published.

Documents for the Lichfield Local Plan can be viewed at
<https://www.lichfielddc.gov.uk/localplan2043>

Appendix

Lichfield Local Plan – Proposed Walsall Response to Regulation 18 Issues and Options Report consultation

The report lists the issues that the council thinks need to be addressed by the plan, and asks 33 questions about them. The issues listed are:

- Identifying sufficient sites to meet housing needs and consideration of wider unmet needs.
- Significant housing development has taken place within and around our city and some of our existing towns and villages.
- There is a lack of affordable homes to meet the needs of our residents.
- Our growing and changing population, including an increase in the number of older persons.
- Regeneration opportunities exist including in Burntwood town centre and Lichfield city centre and across other settlements.
- There is a perception that infrastructure delivery has not kept up with new development.
- We need to protect our heritage and historic assets.
- There is a perception that the quality and design of recent new development has been poor.
- Identifying sufficient sites to meet our employment needs.
- Significant numbers of residents commute outside of the district for higher salaried job opportunities than exist within it.
- Significant reliance on the car as a method of transport and a lack of sustainable transport options.
- Pockets of deprivation exist within the district.
- Lack of overnight and longer stays within the district for tourists.
- Health inequalities and high levels of obesity in parts of the district.
- Tackling and adapting to the impacts of climate change.
- Protecting of our natural environment, including sites of international, national, and local significance.

The questions and the recommended responses from Walsall are as below:

1. Do you agree that the new local plan should cover the period of 2022 to 2043?

Agree. The plan should cover a 15 year period from the anticipated adoption date.

2. Do you agree that we need to review our existing local plan policies as set out at Appendix A?

We agree that existing policies should be reviewed but will reserve comments pending the publication of any new wording.

3. Do you agree with the proposed approach for the vision for the Local Plan 2043?

It is for the communities of Lichfield to agree the vision for their area. However, the fundamental vision for the plan should be to ensure that sufficient homes and jobs are provided for future residents, with necessary supporting infrastructure, and protection for the natural and built environment.

4. Do you agree with the key issues and objectives we have identified?

Yes, in respect of those that are relevant outside the district.

5. Do you agree that the standard method should be used as the starting point for setting out housing requirement, noting that this could become mandatory and increase significantly under proposed changes to national policy?

Given that the government consultation on changes to the NPPF and the standard method has concluded, it is now inappropriate to ask this question. We welcome however the acknowledgement in the report that Lichfield should consider whether it is able to assist in meeting the unmet housing need that exists within the housing market area.

Data published by ONS indicates that Lichfield is the largest single destination of out-migration from Walsall, with a net outflow of 680 people in the most recent published year (2022).

6. We will not be able to meet our housing requirements with existing sites, previously developed sites and other sites within our urban areas. Do you agree that we should look elsewhere in the district for sites, including potentially a new settlement, to meet our needs?

New housing and land for other uses such as employment should be provided in the most sustainable locations where residents have good access to existing or new services. Where additional housing is provided to meet needs arising from elsewhere in the housing market area, other than to serve purely local growth, this should be located close to the 'exporting' authorities, i.e. Birmingham or the Black Country. It may be that this aim can be best achieved through the development of a new settlement rather than through incremental additions to existing settlements, but this would be a matter for Lichfield to assess.

7. Which of the broad spatial options identified do you think is the most appropriate for the district or do you think there are any others options we should consider?

The report proposes four options, Option 1: Town focused, Option 2: Town and key village focused, Option 3: Dispersed development and Option 4: New settlement focused.

We have no views on these options provided, as we state in our response to question 6, any development that is intended to help meet needs arising from elsewhere in the housing market area, is located close to the 'exporting' authorities, i.e. Birmingham or the Black Country. We acknowledge that this could require a review of the Green Belt within Lichfield District.

8. Do you agree we should specify the exact level of affordable homes that we will require from a development?

The current Lichfield local plan seeks up to 40% affordable housing on qualifying sites (sites of more than 15 in Lichfield and Burntwood and 10 or more everywhere else). The exact percentage required is determined by a 'dynamic model' which considers the level which is likely to be currently viable each year. Lichfield consider there are two options for delivering affordable homes: maintain the current approach and determine the viable level of affordable homes each year; or include a specific requirement within the Local Plan which sets out the exact percentage of affordable homes which will be required.

The Lichfield plan is likely to require the provision of housing to meet need exported from Birmingham and the Black Country, so any affordable housing should also seek to meet those needs. A high proportion of that need is for affordable housing so the Lichfield plan should seek to maximise such housing. Unlike the Black Country, the majority of new build housing in Lichfield district will be on greenfield sites. These are normally more viable than brownfield sites.

We are unable to comment at this stage on the exact level of affordable housing that should be provided. We also recognise that viability can change frequently, for example due to alterations to interest rates and construction costs. This could make the use of a dynamic model helpful if it achieves the maximum amount of affordable housing that is viable at the point of construction. However, it is also recognised that such a model can cause a lack of clarity for longer term planning.

9. How do you think we should plan for meeting specialist housing needs within the district, should we identify specific sites for the needs of older people?

It is important to ensure an adequate amount of specialist housing is provided in appropriate locations, but restricting particular sites to such housing could affect the market value of sites and make developers less likely to secure funding.

10. Which approach in respect of self-build and custom housebuilding do you think is the most appropriate?

The report proposes three options: continue with the current approach which provides overall support for such development but leaves it to the housing market to deliver plots for custom and self-build when demand arises; identify and allocate specific sites for custom and self-build development which would be made available to those wishing to build their

own home; or require larger developments to include parts of their site to be set aside as serviced plots for custom and self-build development.

The demand for self and custom build is low, both in Lichfield and Walsall. In Walsall's case, a significant proportion of the new homes delivered each year are on single plots that are likely to be self build even if not specified as such. We therefore consider that continuing with the current market-led approach is most appropriate.

11. Which option, or combination of options, in respect of meeting the needs of gypsy and travellers do you think is most appropriate?

Lichfield have not been able to identify sufficient sites to meet their own needs but have adopted a criteria-based policy which identifies the locations where applications for new pitches to meet gypsy and traveller needs will be supported. We note that the call for sites in the district has only resulted in one site being suggested. This is within the Green Belt close to Brownhills.

Unlike general housing, where the total amount required and the need to ensure it is located where there are links to exporting neighbouring authorities may justify the use of land in the Green Belt, the land requirement for traveller sites is low. There is potential to use previously developed land or land beyond the Green Belt. We do not therefore consider that the use of Green Belt should be considered. We would support the continued use of a criteria-based policy to deal with individual planning applications.

12. What do you think are the main issues or deficits in our existing infrastructure provision?

Infrastructure requirements, including any possible cross-border needs, will be identified through the plan preparation process once potential site allocations are considered.

13. Do you agree we should continue to seek contributions from developers to deliver infrastructure?

Yes, where necessary to support new development in accordance with regulation 122 of the CIL regulations.

14. Do you agree with the proposed approach to heritage assets and the historic environment? Are there any other specific heritage and built environment issues that should be addressed?

This is not a cross-border matter and we have no comments to make.

15. Do you agree with the use of the Lichfield District Design Code to supplement policy and set clear guidelines for the design of future development in the district?

This is not a cross-border matter and we have no comments to make.

16. Do you agree that we should continue to prioritise previously developed sites and sites within our existing employment areas to meet our employment needs before considering new sites?

We agree that the redevelopment of previously developed sites should be prioritised. However, the provision of sites for employment should take account of evidence of need for sites of different sizes, including the recently published West Midlands Strategic Employment Sites Study. Land within existing employment areas may not be suitable for some needs, especially the need for larger units.

To date, Lichfield district has not been able to assist in meeting neighbouring authorities' employment land needs. The shortfall of employment land supply to serve the needs of the Black Country is less severe than for housing, taking account of offers already made to export to other authorities. However, we consider that Lichfield should explore the potential to provide additional land for employment, as a contribution to meeting the needs of neighbouring authorities especially those within the FEMA.

17. Which of the broad spatial options identified [for employment development] do you think is the most appropriate or do you think there are other options which we need to consider?

We note that the report identifies three broad locations around Bassetts Pole, west of Tamworth and at Wall Island, all of which could assist in meeting need for employment land arising from Birmingham and the Black Country.

18. Do you agree with the approach to identifying our town centre boundaries and the focus on regenerating Burntwood town centre and Lichfield city centre?

Provided any proposals do not undermine the vitality and viability of centres in Walsall, we have no comments to make.

19. Do you agree with our vision to provide a wider range of higher value employment opportunities within the district?

We note that this objective is aimed at reducing the need for residents to travel outside the district to access higher salaried jobs elsewhere. We welcome the desire to reduce commuter journeys, however it is important that this does not result in companies relocating from elsewhere into the district, resulting in a loss of employment in the former locations.

20. Do you agree with the direction to reduce the reliance on the private car and the ambition to improve alternative sustainable modes of travel?

Yes, we support this ambition.

21. Do you agree with the need to address pockets of deprivation within the district, by improving access to education, skills, training, health and employment opportunities?

This is not a cross-border matter and we have no comments to make.

22. Do you agree that we should aim to support the tourist economy, and encourage overnight and longer stays, with Lichfield city being the focal point?

This is not a cross-border matter and we have no comments to make.

23. We want to make it easier for our residents to live a healthy and active lifestyle, by planning for the protection and delivery of open spaces, leisure and recreation facilities. Do you agree?

This is not a cross-border matter and we have no comments to make.

24. How ambitious should the council be in requiring carbon reduction standards for all developments?

This is a matter for Lichfield to determine and we have no comments to make.

25. Are there any specific measures that you would like to see that could help to mitigate the impact of flooding?

This is a matter for Lichfield to determine and we have no comments to make.

26. Do you agree that the council should support the delivery of low carbon and renewable energy infrastructure?

This is a matter for Lichfield to determine and we have no comments to make.

27. Should the council establish standards that exceed the statutory 10% biodiversity net gain requirement for development?

This is a matter for Lichfield to determine and we have no comments to make.

28. Do you agree with the proposed approach to supporting the development of green networks across the district? Are there any specific green infrastructure issues that should be addressed?

This is a matter for Lichfield to determine and we have no comments to make.

29. Do you agree with the proposed approach to protecting the countryside?

The countryside areas in Lichfield district adjacent to Walsall's boundary are in the Green Belt so have similar protections to those proposed for open countryside. However, this is a matter for Lichfield and we have no other comments to make.

30. Do you agree that the Local Plan should contain a specific policy for the protection and management of trees, woodlands and hedgerows? Are there any other related issues that should be addressed?

This is a matter for Lichfield to determine and we have no comments to make.

31. Do you agree with the proposed approach to enhance and protect the district's landscape character? Are there any other landscape character issues that should be addressed?

This is a matter for Lichfield to determine and we have no comments to make.

32. Are there any other natural environment issues that the Local Plan 2043 should consider?

This is a matter for Lichfield to determine and we have no comments to make.

33. Do you agree that the evidence and other documents listed in Appendix B will be sufficient to support the Local Plan 2043?

We have no other comments to make.