



**Tamworth Borough Council  
Local Development Scheme  
2018-2021**

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## Contents

|  |    |
|--|----|
| 1. Introduction.....   | 2  |
| 2. Regulatory, strategic policy and regional context .....                         | 2  |
| 3. Summary of current Local Development Documents .....                            | 4  |
| <i>Development Plan Documents</i> .....  | 4  |
| Tamworth Local Plan 2006-2031 .....  | 4  |
| Saved Policies of the Tamworth Local Plan 2001-2011 .....                          | 4  |
| <i>Other Local Development Documents and Supplementary Planning Documents</i> .... | 5  |
| Statement of Community Involvement (SCI) .....                                     | 5  |
| 4. New Local Development Documents .....   | 6  |
| <i>Development Plan Documents</i> .....  | 6  |
| <i>Other Local Development Documents and Supplementary Planning Documents</i> .... | 6  |
| Design SPD .....   | 6  |
| Revised Planning Obligations SPD .....   | 7  |
| 5. Joint working/duty to cooperate .....   | 7  |
| 6. Annual Monitoring.....  | 7  |
| 7. Resources .....   | 8  |
| 8. Programme Management and Responsibilities .....                                 | 8  |
| 9. Council Procedures and Reporting Protocols.....                                 | 9  |
| 10. Risk Assessment .....  | 9  |
| 11. Identified Priorities .....  | 10 |
| Appendix A .....   | i  |

## **1. Introduction**

The Local Development Scheme (LDS) forms part of the Development Plan for Tamworth and sets out the Council's programme for the preparation of Local Development Documents (LDDs) over a three-year period. The three-year programme includes informing the public and other stakeholders about opportunities to get involved with the plan-making process and to let them know the likely dates for involvement. The LDS is also required to set out a longer-term programme for document preparation beyond three years.

The Council is committed to the programme set out in the LDS because of the benefits that an up to date and effective development plan and supplementary policies can have, including:

- Community commitment to the future of the area;
- Providing a means for co-ordinating the activities of different departments, agencies and organisations;
- The role of plans in promoting regeneration and investment; by creating certainty and commitment to change and improvement;
- The need for a clear audit trail to link bids for public funds to a coherent and soundly based strategy for the area; and
- Providing a strongly justified basis for successful negotiations over development proposals and for developer contributions.

Stakeholder and community engagement is a fundamental requirement of the planning system. However in view of the limited production of LDDs and timescales in this LDS it is not considered necessary to formally consult on the preparation of this LDS but appropriate stakeholders will be notified of its adoption.

## **2. Regulatory, strategic policy and regional context**

### National policy and guidance

Preparation of the LDS is currently a mandatory requirement under the Planning & Compulsory Purchase Act 2004 (as amended). Guidance on their preparation suggests that the LDS should have regard to:

- Whether the scheme adopts a robust approach to its preparation and is 'fit for purpose';
- whether it is deliverable within realistic time-scales supported by sufficient resources in terms of manpower and funding; and
- whether it indicates a comprehensive approach to LDD production based on sound programme management and provides an easy to understand guide as to what LDDs are to be prepared and when.

### Regional context

Tamworth is part of a number of strategic areas and partnerships within the region including:

- Greater Birmingham & Solihull Local Enterprise Partnership (GBSLEP);
- Greater Birmingham Housing Market Area;
- Stoke on Trent & Staffordshire LEP; and
- Non-constituent member of the West Midlands Combined Authority (WMCA).

The spatial aspects of the GBSLEP's Economic Strategy, in particular its focus on job creation, have been taken forward through the Local Plan. The GBSLEP Strategic Economic Plan 2016 - 2030 (SEP) sets out a vision and strategy for delivering smarter, more sustainable and more inclusive growth in the area up to 2030 and as such future Development Plan Documents will be required to take account of the SEP.

#### *Sustainable Community Strategy & Other External Strategies*

The current adopted Sustainable Community Strategy covers the period 2008 - 2021 and has been written by local people and other organisations coming together through the Tamworth Strategic Partnership (TSP). The LDDs will have regard to the SCS and ensure that land-use requirements arising from that strategy are addressed. In turn, as it is updated, the SCS is expected to address issues that arise from those development requirements driven by the adopted Local Plan.

The Council has a number of strategies that have land-use implications and these will be taken into account in the preparation of LDDs insofar as the strategies accord with the Sustainable Community Strategy.

The Tamworth Local Transport Plan will have a key influence on future development patterns and the County Council will be a key consultee and advisor in the land use planning process. The Tamworth Place Strategy and Action Plan will play an important role in aligning objectives from the Local Plan, in particular focusing on regenerating the town centre.

#### *Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA)*

The requirements of the Strategic Environmental Assessment (SEA) Directive have been linked with regulations covering Sustainability Appraisals which require authorities to take account of social, economic and environmental considerations. From this flows the need for the process of LDD preparation to:

- Identify strategic alternatives;
- Collect base-line monitoring information;
- Predict significant effects more thoroughly;
- Secure greater consultation with the public and stakeholders; and
- Address and monitor the significant effects of the plan;

As part of the development of the Local Plan, the Council:

- Prepared a report on the significant effects of issues and options;
- Carried out consultation on the issues and options and accompanying reports;
- Took into account those reports and the results of consultation in decision making;
- Provided information when the plan was adopted to show how the results of the SEA were taken into account.

In order to comply fully with relevant regulations, the principles of SEA and the SA will be embedded into production of new LDDs from the start of preparation.

### **3. Summary of current Local Development Documents**

#### ***Development Plan Documents***

The following documents are considered to be Development Plan Documents.

#### **Tamworth Local Plan 2006-2031**

The Tamworth Local Plan was adopted in February 2016 and, along with the proposals map, is the main document of Tamworth's development plan. It sets out the policies and guidance for new development in Tamworth. It sets out the vision and spatial planning strategy for Tamworth, it states the ambitions and principles to guide the future of the area up to 2031 and allocates parts of the town for new homes and employment land required to meet local needs. It also includes policies to ensure that appropriate supporting infrastructure is delivered and the area's built and natural environment is protected and enhanced. The Local Plan aims to be sufficiently flexible to adapt to the changing circumstances during its life.

The Local Plan applies to the whole of the borough.

A timetable for monitoring and review of the Local Plan is included in Appendix A.

#### **Saved Policies of the Tamworth Local Plan 2001-2011**

The majority of the policies contained within the Local Plan 2001-2011 have been superseded by the policies contained within the adopted Local Plan 2006-2031 with the exception of policy EMP7 Working from Home which remains in effect.

The saved policy applies to the whole of the borough.

### ***Other Local Development Documents and Supplementary Planning Documents***

The following documents are not considered to be Development Plan Documents but are nevertheless an important part of the development plan for Tamworth.

#### **Statement of Community Involvement (SCI)**

The SCI sets out standards and the approach to involving stakeholders and the community in the production of all Local Development Documents and the assessment of planning applications through the development management process. It is the Council's service level agreement with the community and stakeholders.

The SCI applies to the whole of the borough.

A timetable for the periodic review of the SCI is included in Appendix A.

#### **Planning Obligations Supplementary Planning Document**

A revision to the previous (2007) Planning Obligations Supplementary Planning Document (SPD) was included in the previous LDS. This work has been completed and the revised SPD was adopted on 01 August 2018.

The document is intended to provide greater clarity and certainty to developers, landowners, the community and the Council by setting out how the Council will seek to collect contributions from developers to support the funding of appropriate infrastructure in Tamworth.

However, the Government published the revised National Planning Policy Framework (NPPF) around the same time, and policies contained within that document affect the content of the SPD. Therefore, while the recently adopted SPD is a current Local Development Document, an update is included within the future work programme to ensure that it remains in compliance with national planning policy and guidance.

#### **Community Infrastructure Levy (CIL)**

The CIL Charging Schedule came into effect on 01 August 2018 and sets out the various chargeable rates for development on which the levy is collected. The monies collected via the levy will be put towards the provision of infrastructure projects identified on the Regulation 123 list which accompanies the charging schedule. The CIL is closely linked to the Planning Obligations SPD and the Infrastructure Delivery Plan and applies to the whole of the borough with geographical exceptions applying to certain forms of development.

The CIL Charging Schedule will be subject to periodic review to ensure it remains appropriate and up to date.

## **4. New Local Development Documents**

### ***Development Plan Documents***

The following DPDs are to be prepared during the timeframe of the LDS.

#### **Tamworth Borough Council Local Plan 2021-2036**

On 06 April 2018, regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations took effect. Regulation 10A requires local planning authorities to complete a review of their local plan every five years starting from the date of adoption of the plan. The Tamworth Borough Council Local Plan 2006-2031 was adopted in February 2016, so in order to comply with regulation 10A, a review of the Local Plan is required by February 2021.

The current adopted Local Plan 2006-2031 contains a number of triggers for an early review of the Plan, however these were inserted before Regulation 10A came into force. The Council determined, by way of a Cabinet decision dated 05 July 2018, that a full review and update of the Plan would be undertaken with a view to adopting the new Plan in 2021.

The new Local Plan will apply to the whole of the borough.

A timetable for the preparation and adoption of the new Local Plan is included in Appendix A.

### ***Other Local Development Documents and Supplementary Planning Documents***

The following documents are not considered to be Development Plan Documents but are nevertheless an important part of the development plan for Tamworth and are/will be, where relevant, a material consideration in the determination of planning applications.

#### **Design SPD**

This will set out key guidelines to enhance the quality and distinctiveness of places when developing in Tamworth. The document will seek to raise the quality of the built environment, including the historic environment, and ensure that high standards of design are achieved throughout the borough. It will also provide guidance to assist applicants in complying with the requirements of historic environment policies set out in the Local Plan and to provide guidance on how the Council expects the historic environment to be taken into account in the development management process.

The document will apply to the whole of the borough.

A timetable for the production and adoption of the Design SPD is included in Appendix A.

### **Revised Planning Obligations SPD**

As set out in section 3 above, the current Planning Obligations SPD has only recently been adopted; however, the publication of the revised NPPF means that the document already requires a review, and the changes are such that a period of consultation would be required.

A timetable for the production and adoption of the updated document is included in Appendix A.

The document will apply to the whole of the borough.

### **5. Joint working/duty to cooperate**

North Warwickshire Borough Council is currently in the process of adopting a new local plan and Lichfield District Council will shortly be commencing work on a new local plan. The opportunity therefore does not exist at present to produce joint Development Plan Documents with neighbouring authorities. However, it will be necessary for the Council to engage with adjoining authorities and Staffordshire County Council to ensure that the Development Plan provides a realistic and functional framework. This will include joint preparation of evidence where appropriate.

It is the Councils intention to continue to engage with both Lichfield and North Warwickshire to address any issues that cannot be dealt with within the borough. The three local authorities have committed to co-operate on strategic planning issues to deliver the remaining unmet need of 825 dwellings and a minimum of 14 hectares of employment land for Tamworth through a statement of common ground.

The Council is also a non-constituent member of the West Midlands Combined Authority and so will be required to collaborate with other members of the Combined Authority on issues which could affect the wider Combined Authority area, such as a strategic review of Green Belt land.

### **6. Annual Monitoring**

The Council is currently required to monitor annually how effective its policies and proposals are in meeting the objectives of the Local Plan. The Localism Act removes the requirement to submit to the Secretary of State an Annual Monitoring Report, but the duty to monitor remains by requiring an Authority's Monitoring Report to be made available to the public on at least an annual basis. The Authority's Monitoring Report should contain information on the following:

- Progress towards the production and adoption of any documents outlined in the LDS and, if preparation is behind schedule, the reasons for this;
- Details of any DPDs or SPDs outlined in the LDS that have been adopted within the period covered by the report;
- Details of any Local Plan policies that the Council are not implementing including the reasons why and the steps to be taken to ensure implementation;
- Details of the progress towards delivery of the number of net additional dwellings and affordable dwellings as outlined in the Local Plan;
- Where there is an adopted CIL, a summary of the income and expenditure from CIL during the reported financial year;
- Headline data on the demand for self-build and custom housebuilding revealed by the self-build and custom housebuilding register.

As a result of monitoring the Council will consider what changes, if any, need to be made and will bring forward any such changes through a review of the LDS as appropriate.

## 7. Resources

The following in-house resources will be made available for preparing local development documents:

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|--|-----|
| Head of Managed Growth, Regeneration and Development | 5%  |
| Senior Planning Policy and Delivery Officer          | 90% |
| 2 x Planning Policy and Delivery Officers            | 90% |
| Development management Service team                  | 5%  |
| Economic Development Service Team                    | <1% |

Consultants will be engaged on specific projects where there is a requirement for specialist skills or if there is a lack of capacity in-house.

The effective LDS was based on the budgetary setting process for 2016-2017 and the forward planning budgetary arrangements still hold good. The budget setting process for 2018-2019 and beyond will need to include appropriate consideration of resources to deliver the LDS programme.

## 8. Programme Management and Responsibilities

Management responsibilities for each area of work include:

Assistant Director Growth and Regeneration (programme overview)

Senior Planning Policy and Delivery Officer (day to day programme staff & resource management).

The LDS and preparation of LDDs is reported to the Corporate Management Team meetings as appropriate.

Monthly meetings are held between the Assistant Director Growth and Regeneration and the Senior Planning Policy and Delivery Officer to ensure lines of communication are working and to review progress. E-mail and shared work directories are used to facilitate joint working and link all officers engaged on the project and a Development Plan Team meeting is held on a regular basis.

## **9. Council Procedures and Reporting Protocols**

The Council's procedures and reporting protocols are set out in the Tamworth Borough Council Constitution which is updated periodically and is available to view on the Council's website.

The role of the Corporate Management Team will be to ensure that the evidence base is robust and that real (and audited) community & stakeholder engagement takes place where appropriate.

## **10. Risk Assessment**

In preparing the Local Development Scheme, it is considered that the main areas of risk relate to:

### Staff resources

Having regard to the current staff levels there is a risk to the delivery of the LDDs as set out in the LDS should the Council be unable to recruit appropriately qualified/experienced staff or where existing staff leave or there is a prolonged absence. The Council has established good working relationships over the years with specialist consultants who have an understanding of the town but their support is subject to available budget allocations and procurement processes.

### Political conflicts

This has been reduced by having a commitment by all parties to a process that will ensure that actions are taken through Cabinet and endorsed by Council to ensure the submission of DPDs to PINS for examination of "soundness" are to agreed time-scales. There is also a cross-party working group established to guide the development of Development Plan documents.

### Capacity of PINS and other agencies to cope with demand nation-wide

This is not something which the Council can influence, however early warning will be given to PINS of any part of the work programme which is required to go through an examination.

### Legal challenge

The risk of legal challenge will be minimised by ensuring that DPDs are "sound" and founded on a robust evidence base and well-audited stakeholder & community engagement systems.

Programme slippage

This will be affected if resources are not secured or they are reduced. Slippage of any planned part of the programme could have a knock-on effect on later parts of the programme. The programme attempts to ensure that the milestones are not affected should there be a need to put contingency arrangements in place.

**11. Identified Priorities**

Priorities flow from:

Policies and proposals set out in the Tamworth Local Plan 2006 - 2031;

The need for a review and update of the current Local Plan;

New legislation and regulations; and

Local Plan monitoring.

Priorities are:

- Production and adoption of a new Local Plan; and
- Production and adoption of a Design SPD.

