

Matter 1 Statement - The Duty to Cooperate

Prepared on behalf of Nurton Developments

Representor ID 12697 and 12680

Promoter of sites at Rising Lane, Lapworth and Loes Farm, Warwick



Chave Planning



UNDERSTANDINGDATA

with technical support from

edge analytics

Issue: whether the Council has complied with the duty to co-operate in the preparation of the Local Plan.

1) What are the genuinely strategic matters as defined by S33A(4) of the Planning and Compulsory Purchase Act?

1. No comment.

2) Who are the relevant local authorities and prescribed bodies in terms of cooperating on these strategic matters during the preparation of the Local Plan?.

2. No comment.

3) Is the Council's assessment of the extent of the Housing Market Area (HMA) correct? What is the evidence that supports this view? Is there evidence to support an alternative view of the extent of the HMA?

3. The housing market area used seems a sensible solution. The NHPAU / CLG work on housing market areas recommended a gold and silver standard of HMAs across England. It is worth noting that the "gold standard" splits Stratford upon Avon between the Birmingham and Coventry SHMA. The silver standard shows a smaller Coventry HMA, with Nuneaton and Bedworth, Warwick and Rugby, while the whole of Stratford upon Avon and North Warwickshire are included in the larger Birmingham HMA.
4. These require some further consideration when addressing the issue of wider unmet need.

4) What is the situation regarding commuting and migration patterns between authorities in the HMA? What are the interrelationships in terms of housing markets? In particular what are the relationships between Coventry and other authorities in terms of commuting, migration and housing markets?

5. For Coventry the following visualisations from Nomisweb's Census pages, help explain the key relationships with neighbouring authorities, covering migration and travel to work.

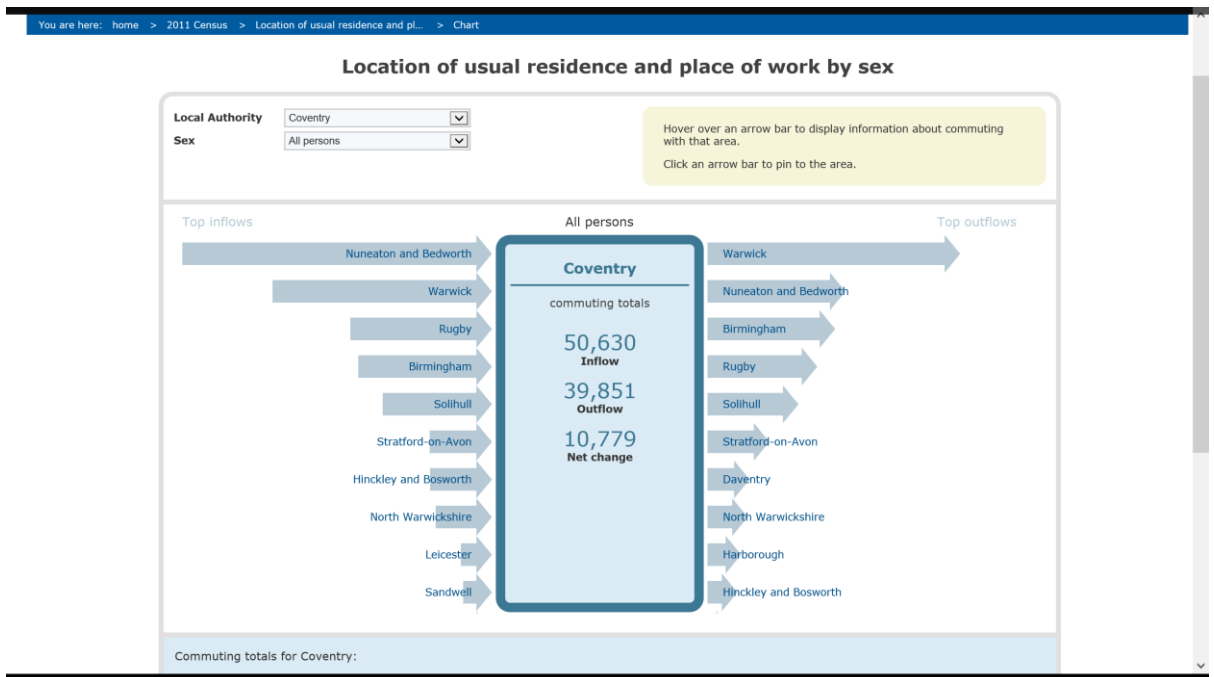


Figure 1

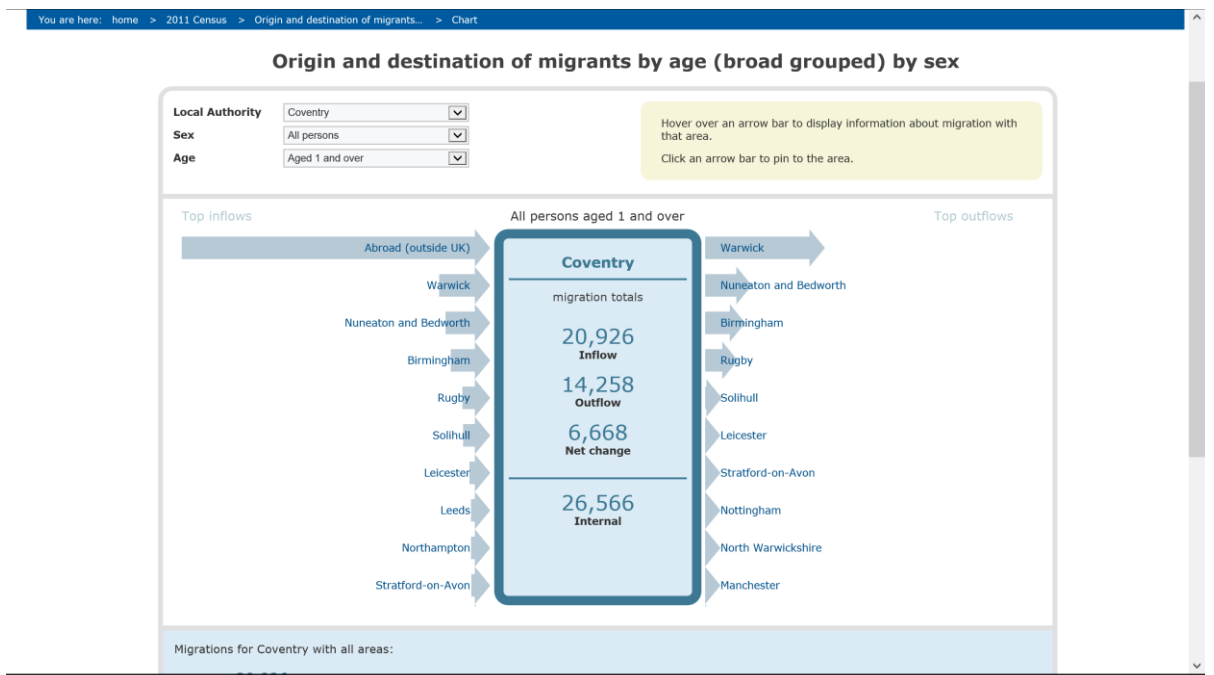


Figure 2

5) How do these interrelationships affect Warwick District specifically?

6. The Census extract included below shows the strength of the relationship with Coventry. The influence of both Coventry and to a lesser extent Stratford is clear.

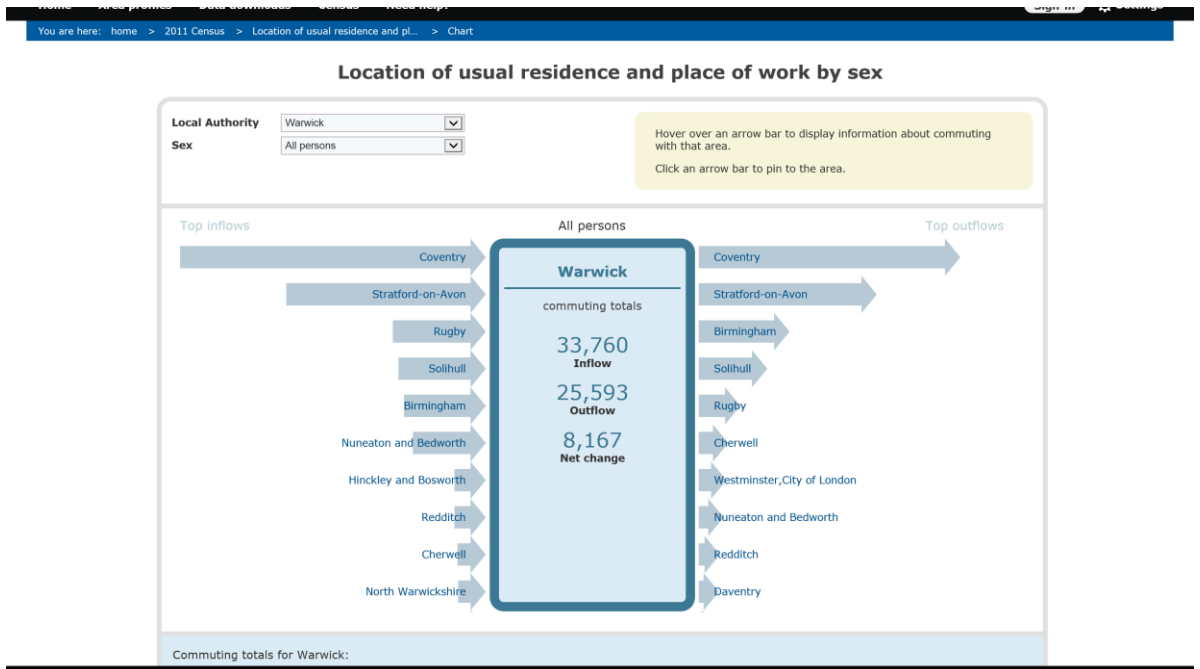


Figure 3

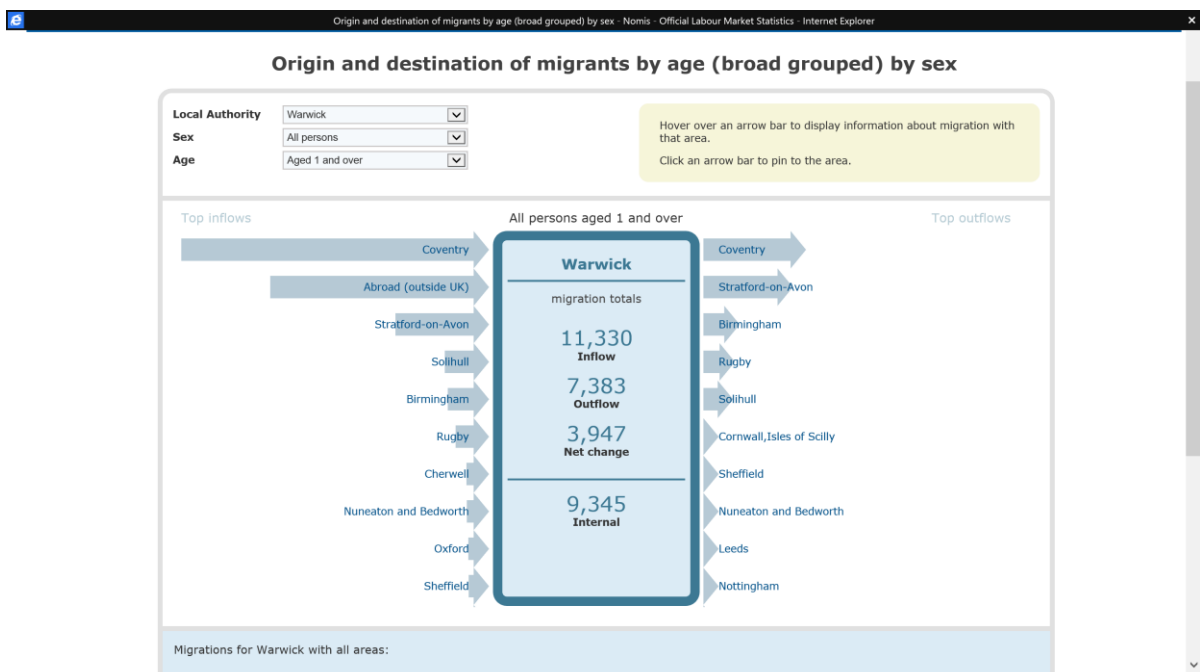


Figure 4

6) When did co-operation with other authorities on overall housing provision within the HMA begin?

7. No comment.

7) What form has co-operation taken? Has it been ongoing during the preparation of the Local Plan?

8. No comment.

8) To what extent is there agreement between the authorities in the HMA regarding the level of objectively assessed need for housing (OAN) for the HMA and individual authorities? Is this as set out in the 2014 SHMA Addendum?

9. There is acknowledgment in the SHMA (HO04) but not enough of a response in the plan of the serious issues of unmet need from both outside the SHMA area (from the Birmingham area) and within it (Coventry).
10. There are flaws in the technical work of the SHMA, chiefly the use of the 2011 interim sub national population projections.

9) What is the evidence that the level of need in individual authorities and the HMA as a whole will be met i.e. in terms of capacity assessments/SHLAAs/Green Belt studies etc.?

11. There is no conclusive evidence that the level of need in individual authorities and the HMA as a whole will be met. Rather, the evidence points towards the level of need in Coventry (and therefore the HMA as a whole) not being met.

10) Will there be unmet needs within the HMA? In particular will there be unmet needs in Coventry? If so, what is the scale of this unmet need?

12. It is known that, on the basis of the 4,004 homes per annum sought to be achieved across the HMA, there is a shortfall of 234 houses per annum (4,680 in total between 2011-2031) arising from unmet need in Coventry (para 3.2, LP20).
13. Coventry City Council consulted on a 'New Coventry Local Development Plan (2011 - 2031) Delivering Sustainable Growth' in September 2014 (EXAM6). This set out at section 6 that the City Council can only accommodate 16,500 new homes within the existing urban area during this period. This is set against the needed figure of 23,600 (1,180 homes per annum) at para 3 of LP20, leaving a minimum of 7,100 homes to be found (355 homes per annum).
14. Adding together the potentially unmet needs from these two sources, it is known that 11,780 additional homes will have to be found either in Coventry's Green Belt, or outside its administrative boundaries, or in a combination of both. Given that Coventry City Council has stated that the Coventry Green Belt holds the potential for between 6,000 and 7,100 homes (Section 6, EXAM6) it is crystal clear that there will be significant unmet needs that should be accommodated elsewhere.

11) What are the issues as far as Warwick District is concerned in addressing unmet needs from other authorities i.e. Coventry?

15. The issue seems to be that the work on the Warwick Local Plan has progressed to a degree that Warwick District Council is unwilling to delay the adoption of the Local Plan in order to

address the identified, unmet need. In other regards, there is potential for the district to accommodate unmet need from Coventry.

12) What is the situation regarding housing needs beyond the HMA i.e. Greater Birmingham affecting the HMA? What form has co-operation with other relevant authorities taken? What has been the outcome?

16. Following the examination into the Birmingham Development Plan (BDP) late last year, the Inspector drew interim conclusions that further work needed to be done to arrive at the OAN (para 20, EXAM7). Nevertheless, the assessment of OAN at that stage had identified a need for at the very least 89,000 new dwellings in Birmingham for the period 2011 – 31. The Birmingham Development Plan proposes 51,100 new homes in Birmingham between 2011 and 2031, leaving a substantial shortfall to be provided in neighbouring areas.
17. Para 4.6.1 of the Duty to Cooperate Statement (LP24) notes that there is a likelihood that at least some Councils within the Coventry and Warwickshire HMA will be approached to accommodate some growth from neighbouring housing market areas. It has therefore been agreed that any housing shortfall arising from outside the HMA will also be addressed using the approach agreed for the HMA.

13) Has the issue of unmet need within the HMA or beyond been addressed and resolved?

18. No, the issue of unmet need has not been fully addressed nor resolved. This will be explained further under Q14.

14) How does the Local Plan deal with the issue? Is this an appropriate approach?

19. Needs arising in Greater Birmingham have been considered in the recent examination of the Stratford upon Avon Core Strategy (CS). The Inspector concluded that, although various parties from the development sector argued that the unmet need from Birmingham arises now, the Inspector could not accept this claim when the respective Councils have yet to determine or agree the quantum of the shortfall to be met within Stratford (para 67, EXAM8). However this was in the context that the Council had put forward a reserve sites policy in order to address reservations that a review would not be capable of meeting the need at the point at which it was identified. The Inspector found that, at the point where the scale of the need crystallizes, the reserve sites policy would enable the Council to meet that need much earlier than a review. It would also be less resource intensive. Noting that the Birmingham Development Plan (BDP) is at a similar stage of preparation, the Inspector felt that it would appear to be counterproductive to proceed to adopt the CS only to have to move straight on to a review once the BDP has been adopted. He said that a reserve sites policy would better reflect paragraph 14 of the Framework, which says a plan should meet OAN with sufficient flexibility to adapt to rapid change.

20. The Inspector went on to find that Stratford DC had met the DtC (para 68). However this was clearly on the basis that the Council had included a reserve sites policy. No such policy is included in the submitted Warwick Local Plan.
21. The Warwick Local Plan proposes to deal with the issue of unmet need through arrangements set out under Policy DS20. Policy DS20 suggests that the Plan will be reviewed if housing need evidence (arising outside the District or as a result of changing conditions within the District) demonstrates that significant housing needs should be met within the District and cannot be adequately addressed without a review. However, given that this action is only triggered once the need is identified, the policy is not effective. The needs within and outside the HMA are extensive and have an immediate effect on what is required to be allocated in this Plan. This is not a situation where there is a very modest deficiency in the required provision which will arise only towards the end of the Plan period. Further, of significant importance, is that the Local Plan only plans for enough sites/development that meets what the Council suggests is their objectively assessed need (a point that we disagree with in other Matters, and suggest is insufficient). The Plan should have accommodated headroom which could have been through policy or identified reserve sites for meeting future needs that could come forward and would be triggered by this new Policy if they had been incorporated into the Plan to begin with.
22. The similar situation in Stratford upon Avon District was only accepted by the Inspector on the basis that a reserve sites policy was included. An extract from this reserve sites policy is set out below for information:

'the Site Allocations Plan will identify Reserve Housing Sites providing flexibility to ensure that the District can meet in full its agreed housing requirement (the share of the housing needs arising in Stratford-on-Avon District Council 17 SDC Consolidated Hearing Modifications the Coventry and Warwickshire Housing Market Area to 2031) and/or to respond to the need to meet housing need arising outside the Coventry and Warwickshire Housing Market Area (HMA). The location of any reserve sites will reflect the settlement pattern and maintain the overall balance of distribution of development set out in Policy CS.15. Reserve sites will have the capacity to deliver up to 10% of the total housing requirement to 2031. Reserve sites will be released in the following circumstances:

- To bring forward alternative sites to respond to an identified shortfall in the amount of housing being delivered;*
- To contribute to meeting any identified additional need for housing in relation to a net growth in jobs at Jaguar Land Rover arising from development of the employment allocation at Gaydon Lighthorne Heath;*
- To contribute to meeting within the District any identified shortfall in housing across the Coventry and Warwickshire HMA as demonstrated through the agreed outcomes of ongoing joint working between the Coventry and Warwickshire local planning authorities;*
- To contribute to meeting any housing needs arising outside the Coventry and Warwickshire HMA that it is accepted through co-operation between the relevant councils as needing to be met within the HMA and most appropriately being met within the District.*

In accordance with Policy CS.xx, the Council will bring forward a review of the Core Strategy if it is evident that the required scale of additional housing site provision is beyond that which can properly be addressed within the context of the Site Allocations Plan process’.

23. It is not possible to pursue the same policy in Warwick District. Stratford upon Avon’s Core Strategy was to be followed by a Site Allocations Plan, which could provide a boost to housing provision. Warwick District is proposing a Local Plan, which can only provide further housing allocations through a review. In the absence of a reserve sites policy, the Plan does not reflect paragraph 14 of the Framework, which says a plan should meet OAN with sufficient flexibility to adapt to rapid change. There is overwhelming evidence that rapid change will be needed to accommodate the OAN from the HMA and beyond.

15) What are the implications for compliance with the duty to co-operate of not addressing this issue at this stage?

24. It is noted that the Inspector for Stratford upon Avon Core Strategy found that there is no clear basis to identify a failure to meet the DtC in Warwickshire (para 62, EXAM8). However there remain issues of soundness which have been discussed under the responses to other questions.

16) What additional work is required to address and resolve the issue of fully meeting OAN for the HMA? What progress has been made? What agreements are in place?

25. The HMA authorities have agreed to carry out a review in the form of a Joint Core Strategy for the whole of the sub region starting no later than 2017, to be complete by 2020, relating to a period to 2041 (but recognising the need to start earlier if required to meet other housing needs from outside the HMA). This will be informed by a two stage Green Belt review, to be complete by the end of March 2016. This is considered to represent a major plan making process; not just a partial review. There is huge potential for delay and a significant risk that the end of the currently proposed plan period will be approached before there is any firm action to fully meet the OAN.

17) In overall terms has the Council engaged constructively, actively and on an ongoing basis in maximising the effectiveness of the preparation of the Local Plan? What has been the outcome of co-operation and how has this addressed the issue of housing provision?

26. Whilst it may be concluded that the Council has engaged constructively, actively and on an ongoing basis to meet the DtC, the outcome is still that the OAN for the HMA is not fully met.

Questions 18) – 21)

27. No comment.