



HOW

# Planning and Environmental Advisers

**WARWICK DISTRICT LOCAL PLAN  
STATEMENT ON BEHALF OF BARWOOD STRATEGIC LAND  
II LLP  
(REF: 12821)  
FOR THE EXAMINATION HEARING SCHEDULED FOR  
MATTER 1: 6 MAY 2015  
APRIL 2015**

HOW Planning LLP, 40 Peter Street, Manchester, M2 5GP  
Contact Partner: Gary Halman Telephone: 0161 835 1333

**MATTER 1: THE DUTY TO CO-OPERATE**

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## **EXECUTIVE SUMMARY**

This Statement is submitted on behalf of Barwood Strategic Land II LLP ('Barwood') and responds specifically to the Inspector's questions set out under Matter 1: The Duty to Co-Operate. This Statement focuses on those questions in relation to whether the Council has complied with the duty to co-operate in the preparation of the Local Plan.

Local planning authorities should use their evidence base to ensure that the local plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies in the Framework (paragraph 47).

The Economic Prosperity Board decided that the figures contained in the November 2013 Joint SHMA (HO04) for individual authorities should be used as the starting point for determining the amount of housing that should be apportioned to each Council. In applying the distribution identified in the November 2013 study to the September 2014 housing target there is a shortfall of 4,080 dwellings that have not been apportioned to any authority. The Council propose to work with the HMA to agree the process and timeline to ensure delivery of the HMA's full housing need. Barwood objects to the deferral of such an unresolved strategic housing issue.

There are major unresolved issues which the Council considers appropriate to defer to a review of the Local Plan. These issues should inform this Local Plan and, at the very least, the Local Plan should ensure sufficient flexibility to meet the housing needs of the district plus the unmet needs of the housing market area.

## **1. INTRODUCTION**

- 1.1 HOW Planning LLP (HOW) has been instructed by Barwood Strategic Land II LLP ('Barwood') to prepare and submit a Hearing Statement to the Examination of the Warwick District Local Plan ('the Local Plan'). This Statement should be read in conjunction with previous representations to the Publication Draft Local Plan (Document Ref: LP10) in June 2014, including all relevant appendices.
- 1.2 This Statement addresses a number of the questions raised by the Inspector under Matter 1: The Duty to Co-Operate. It sets out a summary position on the issues to be expanded upon at the Hearing sessions.
- 1.3 The purpose of this Statement is to detail Barwood's objections to the Local Plan in relation to Matter 1, with particular reference to the "soundness" of the plan as set out paragraph 182 of the National Planning Policy Framework ('the Framework').
- 1.4 Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended) imposes a duty to co-operate in terms of the preparation of a development plan document as far as it relates to a strategic matter. The duty came into effect in November 2011 and Warwick District Council ('the Council') is required to meet it in relation to overall housing provision within the Plan, amongst other strategic matters. The Framework clearly sets out the approach that should be taken in terms of identifying and meeting needs for development including housing and emphasises the need for co-operation and collaboration, particularly where housing markets cross administrative boundaries and where local planning authorities may not be able to accommodate development requirements wholly within their own areas.

## 2. THE DUTY TO CO-OPERATE

- 2.1 This matter relates to the duty to co-operate. This Statement focuses on those questions in relation to whether the Council has complied with the duty to co-operate in the preparation of the Local Plan.

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

- 3.1.1 The genuinely strategic matters as defined by S33A(4) of the Planning and Compulsory Purchase Act are: the level of housing provision; the jobs needed in the area; the Green Belt; retail and leisure provision; the provision of infrastructure; flood risk; waste management and the provision of minerals and energy; and conservation and enhancement of the natural and historic environment, including landscape. These issues are all detailed within the Council's Duty to Cooperate Statement (January 2015, LP22).
- 3.1.2 Barwood considers that the most fundamental strategic issues are those of housing provision, the jobs needed in the area and the Green Belt. These issues should be fully addressed within the Local Plan.

***Question 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?***

- 2.2 The Joint SHMA Addendum (HO08) examines the housing implications of the Cambridge Econometrics forecast and should be viewed alongside the Joint SHMA (HO04).
- 2.3 The SHMA Addendum estimates that to support the forecast job growth in Warwick would require the District to provide a minimum of 825 dwellings per annum over the period 2011-2031. Table 1 illustrates the housing need per annum for the HMA based upon the Cambridge Econometrics Labour Supply forecast and the level of housing need set out in each authority's Local Plan.

**Table 1: Housing Market Area Housing Need Based on Cambridge Econometric Forecasts, 2011-31**

<b>Authority</b>	<b>CE Labour Supply (Dwellings Per Annum)</b>	<b>Adopted/Emerging Local Plan Housing Need (Dwellings Per Annum)</b>
Coventry	1,060	1,125 – 1,180 (Emerging Local Plan, Sept 2014)
North Warwickshire	601	175 (Adopted Core Strategy (2011-2029), October 2014)
Nuneaton & Bedworth	513	422 (Nuneaton and Bedworth Borough Council Cabinet Report, 4 February 2015)
Rugby	571	540 (Adopted Core Strategy, 2010)
Stratford-on-Avon	976	540 (Submission Core Strategy, June 2014)
Warwick	825	714
<b>Total</b>	<b>4,546</b>	<b>3,516 – 3,571</b>

- 2.4 Question 13 discusses the objectively assessed need for housing for the HMA and the decision of the Economic Prosperity Board.

***Question 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.?***

- 2.5 The Council's letter to the Inspector, dated 27 February 2015 (EXAM 2A) provides an update of Table 2 to Document LP20. The update advises that the HMA authorities are comparing SHLAA methodologies to agree a shared methodology to be used alongside all SHLAAs. Additionally, work on a Joint Green Belt Study is progressing, with a stage 1 report anticipated to be published in May/June 2015. As such, it is clear the HMA as a whole has not assessed potential capacity in the same manner. It would be premature to advance the Local Plan without the benefit of this new strategic evidence.

***Question 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?***

- 2.6 According to the emerging New Coventry Local Development Plan (2011 – 2031) (September 2014, EXAM 6), the authority over the Plan period has capacity for 22,500 – 23,600 new homes (1,125 – 1,180 dpa), depending on Green Belt issues which area still under consideration. At best, therefore, Coventry could meet its OAN as identified within the 2013 SHMA (HO04). At worst, it would have a small shortfall of 1,100 dwellings (55 dpa) against the assessed need. If considered against the OAN determined in the 2014 SHMA Addendum, Coventry’s unmet need would rise to 12,620 – 13,720 dwellings. This is need that should be accommodated within other parts of the HMA.

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

- 2.7 The key issue for Warwick District in addressing unmet needs from other authorities within the HMA is the requirement to allocate a greater quantum of land to ensure there is sufficient flexibility in the Local Plan to meet the unmet needs of the HMA. As addressed within Barwood’s response to Question 14, provision should be made in the draft Local Plan to deliver any unmet needs in Coventry, and any other overspill from neighbouring HMAs.
- 2.8 Barwood recommends the inclusion of additional reserve sites that would be developed if Warwick was required to deliver the unmet needs for the HMA, otherwise the sites could become an available housing allocation should the Council not be able to demonstrate a deliverable five year housing land supply. This would reduce pressure on the Council’s already extremely high reliance on windfall sites, and allow the Council to ensure that the District grows in a sustainable manner. The Asps would provide a sustainable development option. Without the inclusion of additional sites the Plan would fail to satisfy paragraph 14 of the Framework, which requires Local Plan to provide sufficient flexibility to adapt to rapid change.



**Question 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?**

- 2.9 Paragraph 1.24 of the Publication Draft Local Plan (LP10) states that it has been agreed by the Coventry and Warwickshire sub-region authorities that any housing shortfall arising from within the Greater Birmingham area will be, if required, addressed through an early review of the Local Plan. This approach is supported by the Coventry and Warwickshire and South East Leicestershire Economic Prosperity Board (LP20), as part of a coordinated review process.
- 2.10 Although the principle of this approach is supported, Barwood consider that this commitment to an early review should be explicitly included within a Policy, as is the case for the unmet needs arising from the Coventry and Warwickshire HMA and draft Policy DS20 (although Barwood contest the approach for the unmet needs within the HMA – see Questions 13 and 14). This approach would ensure consistency with the Framework which states at paragraph 14 that *'local plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change.'*

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

- 2.11 The Local Plan proposes a target of 12,860 new homes over the Plan period 2011-2029, equating to 714 dwellings per annum. Whilst the target is based on the Joint SHMA (HO08), this assessment relates to Warwick District in isolation and consideration of the wider HMA is deferred to a later plan review, in which the Coventry and Warwickshire authorities will reassess their needs and targets in a co-ordinated process.
- 2.12 Local planning authorities should use their evidence base to ensure that the local plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies in the Framework (paragraph 47).

2.13 The Coventry and Warwickshire Joint Committee for Economic Growth and Prosperity resolved, at its meeting of November 2014, to agree the recommendations contained within the '*Process for addressing the HMA's full housing requirement*' report. The recommendations are set out as follows:

- Recommendation 1: Reaffirm 4,004 dwellings per annum as the OAN for the Coventry and Warwickshire HMA.
- Recommendation 2: In recognition that Coventry City will not be able to accommodate the housing levels indicated in the Joint SHMA Annex (Table 1 above), it agrees the distribution endorsed by the Board on 10th October 2014, to accommodate some of the City's housing need, subject to a robust capacity study being undertaken.
- Recommendation 3: Where, via such a study, any of the Warwickshire Districts can demonstrate that its capacity cannot meet the figure endorsed by the Board on 10th October 2014, the further shortfall will be added to sub regional additional housing need element.
- Recommendation 4: Agree the process and timeline set out in the Table 2 above to ensure delivery of the HMA's full housing need and that the process is commenced prior to the end of November 2014 as set out in the timeline.
- Recommendation 5: Agree that each of the six Local Planning Authorities within the HMA seek to formally sign off the recommendations of this report by February 2015.

2.14 The distribution of the confirmed HMA annual requirement of 4,004 units is set out Table 2. The Economic Prosperity Board decided that the figures contained in the November 2013 study for individual authorities should be used as the starting point for determining the amount of housing that should be apportioned to each Council. In applying the distribution identified in the November 2013 study to the September 2014 housing target there is a shortfall of 4080 dwellings that have not been apportioned to any authority. As outlined in Recommendation 4, the HMA are required to agree the process and timeline to ensure delivery of the HMA's full housing need.

- 2.15 It is clear that the issue of unmet need within the HMA has not been addressed or resolved. This significant strategic housing issue needs to be effectively resolved as soon as possible through the plan making process.

**Table 2: Proposed Annual Distribution of Housing**

<b>Authority</b>	<b>Annual Proposed Distribution (2011-2031)</b>
Coventry	1,414
North Warwickshire	175
Nuneaton & Bedworth	495
Rugby	660
Stratford-on-Avon	540
Warwick	720
<b>HMA Total</b>	<b>4,004</b>

***Question 14: How does the Local Plan deal with the issue? Is this an appropriate approach?***

- 2.16 Draft Policy 20 (Accommodating Housing Need Arising from Outside the District) suggests that the fact that the Plan does not currently make allowances for accommodating housing need outside the District does not render it out of date, and sets out that a review can be undertaken in the event that unmet need needs to be accounted for in the District. Given the likelihood that the District will need to absorb some of Coventry's need, Barwood strongly recommend that the Council should be clearly establishing the needs arising from other local authorities under the duty to cooperate at this stage, so that the Plan can be soundly prepared accordingly.
- 2.17 Barwood considers that the approach taken in the Local Plan is not appropriate and provision should be made in the draft Local Plan to ensure that there is provision to meet housing need outside the District.

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

- 2.18 The key implication for compliance with the duty to co-operate of not addressing the issue of unmet need within the HMA at this stage is that the draft Local Plan,

at the point of adoption, would not effectively resolve strategic housing issues. The mechanism for genuine co-operation and collaboration is in place, however the timing of the submission of the Local Plan for Examination is to the detriment of the duty to co-operate.

- 2.19 The report of the Coventry and Warwickshire and South East Leicestershire Economic Prosperity Board (LP20) sets out the components of a coordinated review process, which may take the form of a Joint Core Strategy or review of some, or all, adopted local plans. The agreement on a shared SHLAA methodology and the completion of a Joint Green Belt Study form two aspects of work required as part of the coordinated timetable. Barwood does not consider that these strategic issues should be deferred to a Local Plan review when the evidence could be used to inform Local Plans. It is not appropriate to undertake a whole review of the Local Plan early in the Plan period. This would not provide a Local Plan with a sound basis on which planning decisions can be taken.

***Question 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?***

- 2.20 Barwood does not consider that the engagement with the HMA authorities has maximised the effectiveness of the preparation of the Local Plan. There are major unresolved issues which the Council considers appropriate to defer to a review of the Local Plan. These issues should inform *this* Local Plan and, at the very least, the Local Plan should ensure sufficient flexibility to meet the housing needs of the district plus the unmet needs of the housing market area. As addressed at Question 11, the allocation of a number of reserve sites would provide the flexibility to ensure unmet needs are delivered on sustainable sites.

### 3. CONCLUSION

- 3.1 The purpose of this Statement is to detail Barwood's objections to the Local Plan in relation to Matter 1, with particular reference to the "soundness" of the plan as set out paragraph 182 of the National Planning Policy Framework ('the Framework').
- 3.2 Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended) imposes a duty to co-operate in terms of the preparation of a development plan document as far as it relates to a strategic matter. The duty came into effect in November 2011 and Warwick District Council ('the Council') is required to meet it in relation to overall housing provision within the Plan, amongst other strategic matters. The Framework clearly sets out the approach that should be taken in terms of identifying and meeting needs for development including housing and emphasises the need for co-operation and collaboration, particularly where housing markets cross administrative boundaries and where local planning authorities may not be able to accommodate development requirements wholly within their own areas.
- 3.3 The Economic Prosperity Board decided (November 2014) that the figures contained in the November 2013 Joint SHMA (HO04) study for individual authorities should be used as the starting point for determining the amount of housing that should be apportioned to each Council. In applying the distribution identified in the November 2013 study to the September 2014 housing target there is a shortfall of 4,080 dwellings that have not been apportioned to any authority. The Council propose to work with the HMA to agree the process and timeline to ensure delivery of the HMA's full housing need. Barwood **strongly objects** to the deferral of such an unresolved strategic housing issue.
- 3.4 There are major unresolved issues which the Council considers appropriate to defer to a review of the Local Plan. These issues should inform this Local Plan and, at the very least, the Local Plan should ensure sufficient flexibility to meet the housing needs of the district plus the unmet needs of the housing market area.

**HOW Planning LLP**

**April 2015**

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**HOW Planning LLP**

40 Peter Street  
Manchester M2 5GP  
T: 0161 835 1333  
howplanning.com

