

# WARWICK DISTRICT LOCAL PLAN EXAMINATION

## MATTER 1 – THE DUTY TO CO-OPERATE

### Statement by:

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on behalf of  
Hallam Land Management (8278)  
William Davis (8278)

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## 1. INTRODUCTION

1.1 Hallam Land Management and William Davis are part of the 'Client Group/Consortium' represented by Barton Willmore in relation to the strategic matter of housing and, specifically, the Objective Assessment of Need (OAN) in the HMA. As a consequence, whilst this statement will by necessity refer to various components of the housing requirement, insofar as they relate to the Duty to Co-operate and the need to illustrate the points made, this should not be interpreted as commentary, or otherwise, on those aspects covered by Barton Willmore in its representations and statements on behalf of the Consortium. For these reasons, no responses are provided in this statement to Questions 3 – 9.

***Q10. Will there be unmet needs within the HMA? In particular, will there be unmet needs in Coventry. If so, what is the scale of the unmet need?***

10.1 Yes, there will be unmet needs within the HMA: principally in Coventry.

10.2 In September 2014, Coventry City Council published a paper entitled 'The New Coventry Local Development Plan (2011 – 2013; EXAM6) which includes an explanation of 'Identifying Objectively Assessed Housing Need' with particular reference to the GL Hearn Study (H004) and its subsequent Addendum (H008). The OAN for Coventry in the original Study is given as 1,180 dwellings per annum (dpa) whilst that

in the Addendum, which is based on the latest ONS data, is 1,811; an increase of 631 dpa.

- 10.3 The report (EXAM6) continues by considering ‘The Supply of Housing Land’ and in so doing states that on the basis of the Addendum’s analysis *“at this stage a shortfall of up to 13,720 homes could be realised if it were applied solely to Coventry”*, although in the context of Coventry and Warwickshire as a whole, *“only 4,000 of these homes are not already being planned for through respective Local Plan processes”*.
- 10.4 It is understood that this calculation is the basis of the annual shortfall of 234 dwellings identified across the HMA in the report to the Economic Prosperity Board (EPB) on 21 November 2014. (LP20).
- 10.5 Coventry City Council is still at a fairly early stage in the preparation of its Local Development Plan and, as part of the consultation undertaken on the document published in September 2014, has sought the views of interested parties on the ‘Options for Meeting Housing Need’. Three scenarios were presented; namely:
1. Protect the Green Belt, which it is stated would deliver up to 16,500 dwellings with the remaining housing need redistributed to Warwickshire outside of the Coventry Green Belt.
  2. Building within the boundary, which would enable all of the City’s needs to be met whatever the amount and the current designation of the land.
  3. Sustainable growth which it is stated would enable Coventry to accommodate as much growth as possible within its own boundary *“including on its least sensitive and ‘valuable’ greenfield and Green Belt land and then working with Warwickshire authorities to accommodate the remaining need in the most appropriate and sustainable way”*.
- 10.6 It is therefore apparent that unless extensive areas of land within Coventry’s administrative area are removed from the Green Belt (an

unlikely proposition) the unmet need or shortfall could, on the basis of the GL Hearn Assessment, be in the order of 14,000 dwellings.

**Q11. What are the issues as far as Warwick District is concerned in addressing unmet needs from other authorities in Coventry?**

11.1 The issue for Warwick District is the need to co-operate and agree the amount of the unmet need for housing arising in Coventry and elsewhere; and then the locations for these new dwellings.

11.2 In so doing, it must be recognised that Warwick District has significant sustainable development opportunities which could make a major contribution to meeting the unmet needs of the HMA.

**Q.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?**

12.1 In the Council's response to the Inspector's request for clarification (Exam 2A dated 27 February 2015) it is stated in paragraph 10 that, whilst the Coventry and Warwickshire HMS authorities "*are fully aware that it may be necessary to meet some of the housing requirements of the Greater Birmingham area, this remains very uncertain*". The Council then seeks to rely on the review mechanism set out in Policy D20 of the draft Local Plan (LP23a) and referred to in Table 2.11 of LP20.

12.2 The uncertainty referred to by the Council arises, in part, as having held a number of hearing sessions, the Inspector conducting the Examination into the Birmingham Development Plan 2031 has so far only been able to provide his interim findings (EXAM7). A number of these interim findings are pertinent to the consideration of the approach being pursued through the Warwick District Local Plan, including:

- The HMA wide, Greater Birmingham Housing Needs Study is being undertaken in three stages; Stage 3 will identify the housing needs arising in Birmingham that cannot be met within the City; and has only recently been commenced (paragraph 4 and paragraph 9 of Exam 2A refer).

- Further work needs to be done in order to arrive at an OAN for the HMA and Birmingham, which is consistent with the guidance in the NPPF and the PPG (paragraph 6).
- North Warwickshire is within the Greater Birmingham HMA but outside the Study Area (paragraph 8).
- Stratford-on-Avon lies at the crossroads of several different HMAs (paragraph 8).
- As part of its Duty to Co-operate obligations, Birmingham City Council wrote to various authorities, including Coventry City Council and North Warwickshire, “*making it clear that it was likely that Birmingham would need to look to adjoining areas to accommodate some of the City’s housing requirement*” (paragraph 64). Stratford-on-Avon was also included in subsequent discussions. (It is interesting to note that notwithstanding Coventry’s inability to accommodate all of its OAN, Birmingham City Council has identified Coventry as a potential recipient of some of its unmet need which, in the circumstances, will inevitably increase the amount of housing which will need to be accommodated between the five Warwickshire authorities).

12.3 Although the Inspector found that Birmingham City Council had complied with its Duty to Co-operate, he acknowledged that this did not alter the general position that “*there will be a substantial shortfall of housing provision in the City to meet the City’s needs, and that the shortfall will need to be met by other LPAs in the HMA*” (paragraph 71 refers). As a consequence, the Birmingham Inspector concluded that “*The most important outcome that needs to be achieved through the Duty to Co-operate is a mechanism for that housing shortfall to be met through the provision of sites elsewhere in the Greater Birmingham HMA*”.

12.4 In order to achieve an effective mechanism for ensuring that Birmingham’s housing needs are met in full, the Inspector has indicated that the shortfall will need to be identified and included within

a policy in the Plan, making it clear that sites to meet the shortfall are to be provided within the HMA but outside the City's boundaries.

**Q13. *Has the issue of unmet need within the HMA or beyond been addressed and resolved?***

13.1 No; neither within the HMA nor beyond it as a consequence of which there is an on-going issue of unmet needs both arising now within the HMA and beyond, namely from the Greater Birmingham HMA.

13.2 It is acknowledged that a number of authorities both within the Greater Birmingham HMA and the Coventry and Warwickshire HMA have proposed a review mechanism similar to that proposed by Warwick District in Policy DS20. This approach was considered by the Inspector who held the Examination Hearings into the Stratford-on-Avon Core Strategy (EXAM8), as detailed in the response to Q14 below.

**Q14. *How does the Local Plan deal with this issue? Is this an appropriate approach?***

14.1 Policy DS20 allows for the review of the Plan, *“if housing needs 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”*. The evidence already exists that there are unmet needs which will have to be met by one or more of the five Warwickshire authorities (on the basis that the unmet needs appear to arise in Coventry and it is therefore unlikely to be able to assist in meeting the shortfall). It is therefore inappropriate to defer a decision on this important issue, as to do so will render the Plan unsound.

14.2 Stratford-on-Avon District Council initially proposed a similar policy as part of its Core Strategy, which is currently being examined; the hearings having been held in January 2015. Although the Stratford Inspector considered that the *“review mechanism represents an effective policy”* should the housing shortfall in Coventry and Birmingham lead to an increase in housing provision within the District (paragraphs 60 and 66 of EXAM8 refer), the Council had put forward a reserve site policy in order to address the concerns expressed at the

Hearing that “a review would not be capable of meeting the need at the point at which it was identified”; a policy approach, which the Inspector accepted, (at paragraph 67) would enable the Council to meet that need much earlier than a review. The Inspector continued by stating that:

*“It would appear to be counter productive to proceed to adopt this CS only to have to move straight on to a review once the BDP has been adopted. 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.”*

- 14.4 The review process will only succeed if all the local planning authorities agree to and plan for their share of the unmet housing need. Any disagreement will result in delays in the process and consequently delays in meeting the HMA’s full OAN, thereby preventing the significant boost in housing supply which national planning policy expects.
- 14.5 The need exists now and clearly cannot be met in its entirety within Coventry and Birmingham. It should therefore be dealt with as a matter of urgency rather than deferred to a series of development plan reviews. On the basis of recent experience elsewhere in the HMA, it is considered that Warwick District should provide for additional homes by way of reserve sites, which can be brought forward without the delays associated with the review of the development plan, thereby ensuring that the housing requirement is met in full over the plan period.
- Q15. *What are the implications for compliance with the Duty to Co-operate of not addressing this issue at this stage?***
- 15.1 If the approach advocated in response to Q14 above is not pursued, the Plan will not be legally compliant as the Duty to Co-operate will not have been met in full. In so saying, it is acknowledged that the six authorities within the HMA have co-operated to an extent but only insofar as they have jointly commissioned a SHMA and a subsequent Addendum and then provided for the originally identified OAN for the five shire districts. This co-operation has not extended to the

distribution of the identified shortfall and, consequently, the Duty to Co-operate has not been fully met.

- 15.2 Aware of the approach adopted by one of the other authorities within the HMA (Stratford-on-Avon and its identification of reserve sites), it is considered that a similar approach should be pursued at Warwick.

**Jane Gardner**  
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