

**Leader of the Council
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Sent electronically to:

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**our ref:AM/gsh
your ref:**

6th June 2015

Dear Secretary of State

Warwick District Local Plan – Inspector’s Letter

May I first of all congratulate you on your appointment as Secretary of State for Communities and Local Government.

Sadly, my first cause to write to you as Leader of Warwick District Council is in connection with the very recent announcement of the Inspector’s letter on part 1 of the Examination in Public of our draft Local Plan. The letter and an officer briefing note are attached for information. The gist of my concern can, however, be set out briefly as follows:-

Warwick District Council has embraced the Government’s policy of promoting a planned planning system, which puts power in the hands of local people. It has identified land for just under 13,000 new homes. This level of housing exceeds our District’s needs and provides over 100 dwellings per annum towards Coventry City’s needs. Many of these homes have already been granted planning permission. That represents a 20% increase in the number of households living in the district over the next 15 years. We have found land for a large sub-regional employment site (the “Gateway”), which will generate between 7500 and 10,000 new jobs in high technology industry. Your predecessor insisted that this site should come forward through the local plan process. We understand that; we just want to get on and deliver it. The Plan also enables the expansion of Warwick University. It is positive, ambitious and reflects a firm commitment to the Government’s growth agenda. All told, we believe the Plan will generate capital investment in the District of between £3 to £4 billion over its life time. We have done this even though we are constrained by Green Belt, which covers 80% of our District, and by world quality heritage assets, such as Warwick Castle and its park. We want to deliver a dynamic economy and a good quality of life for our residents. I will confess that it has been a struggle politically to achieve this plan, but



we have got on with the job, and had looked forward to a positive and constructive response from our inspector.

We have been bitterly disappointed by the Inspector's response. In a nutshell, he has provisionally decided that we should go back to the drawing board and spend the next two years resolving Coventry's housing problems and its impact on the wider sub-region. In the meantime, it is difficult to see how anyone in Coventry and Warwickshire will be able to progress a local plan.

He has also suggested we do not have a five year housing land supply. To that we say three things. First, we can show you several examples of inspectors who have recently drawn the same conclusion but recommended that plans be adopted because they recognise that is a better solution than having no plan at all; houses and infrastructure get delivered where local people have decided they should be provided, and infrastructure is properly coordinated. That does not happen without a Local Plan; we are left with wasteful and chaotic planning by appeal. Second, if we need more land, I give you my word that we will find it and I have already asked my officers to start work on exploring options to address the Inspector's concerns about our proposed supply as a result of his findings with regard to the windfalls allowance. Third, surely it is better to proceed with a plan that provides land for 13,000 homes now and make up any shortfall arising outside the District by way of an early review as we have already proposed to do?

If, however, if the inspector's approach is allowed to prevail five specific adverse consequences will result:-

a) Delay in delivering Local Plan Housing Sites:

Any Local Plan housing sites in the green belt cannot be brought forward until the Plan is adopted. Withdrawal of the Plan will therefore hold up the delivery of all housing sites within the green belt including at Kenilworth, and Lillington. This undermines the Council's ambitions to boost housing supply in line with the NPPF but will also mean that the community benefits that these developments are intended to bring will be delayed.

b) Consequences for the sub-regional employment site:

As the proposed sub-regional employment site (The Gateway) is currently within the green belt, this cannot be progressed until the Plan is adopted. This is likely to have implications for the supply of readily available large-scale employment land within the sub-region. Such delay will clearly hinder the recovery of the local economy slowing the growth of businesses and jobs and undermine the Sub Regional Strategic Economic Plan. We have active occupier interest in part of this site which could yield thousands of jobs now but which could be lost with this announcement. A decision by the investor is due next week!

c) Applications for development on unwanted sites:

Whilst we do not have a Local Plan in place there is a risk that applications for development on non-green belt sites which fall outside our spatial strategy will receive planning permission through appeals. This is particularly the case when we do not have a 5 year supply of housing land, something which can best be remedied in a controlled way through the adoption of the Local Plan. This may have particular implications for the Asps appeal (900 houses) and the forthcoming Gallows Hill appeal south of Warwick (400 houses).

d) Outdated Plan Policies:

The policies in the emerging Local Plan (for instance those covering retail, economy, flooding, healthy communities, housing etc.) cannot be given weight in the event that the Plan is withdrawn. This would mean that decisions on a whole range of planning applications would have to be based on policies in the extant Local Plan that are long in the tooth or on national policy.

e) Infrastructure Delivery:

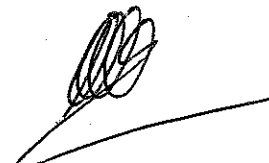
The delivery and funding of Infrastructure will be more difficult to achieve for two reasons. Firstly we will be at risk from applications on unallocated land for which infrastructure requirements have not been fully assessed nor planned for, making it harder to identify and justify developer contributions. Secondly, a delay to the Local Plan adoption will also delay our ability to adopt a Community Infrastructure Levy Scheme. This will increase the risk that we will not be able to justify Section 106 contributions for all infrastructure requirements due to "pooling restrictions".

In the circumstances, we hope you will agree that it simply is not an option to withdraw the Plan.

We have a more positive suggestion to make; we would invite you to consider calling-in the Plan and completing the Examination in Public. As part of this, we would ask you to review the Inspector's provisional conclusions and would invite you (subject to any main modifications that may be required) to find the Plan sound, including the incorporation of an early review policy to provide a clear way of addressing unmet need arising outside the District.

This suggestion would provide an opportunity to demonstrate the Government's commitment to helping Councils that take plan-making seriously, to get them adopted. It would enable us to bring forward development that is badly needed and would support local choice which is rightly such an important part of the Government's localism agenda. To that end, we would welcome an early meeting with you to discuss this and other options for taking the Plan forward. In the interim, we trust that the examination process may be held in abeyance

Yours sincerely,



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Leader Warwick District Council

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cc: Jeremy Wright MP, and Chris White MP



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Local Plan Inspector's Findings: Briefing Note
3rd June 2015

We have now received the Local Plan Inspector's findings regarding the topics covered in the initial hearings that took place last month. The letter is attached to this email. The letter raises some very significant concerns with regard to our Local Plan, and officers will need time to consider options, before we come back to members with recommendations on how to proceed. The letter will be published tomorrow (Wednesday) and we will be undertaking a media briefing tomorrow.

The key points to note in the letter are:

- The Inspector is satisfied that the Council has fulfilled the legal Duty to Cooperate
- The Inspector is concerned that there is an identified unmet housing need in Coventry and Warwickshire (at least 234 dwellings per annum) and is requiring this to be addressed (jointly with the other authorities in the Housing Market Area) before the Plan can proceed
- He rejects the collaborative process we have agreed with the other authorities within the Housing Market Area to address the unmet need – namely that the unmet need can be dealt with through adopting this Local Plan and then undertaking early plan reviews. Instead he is asking for the unmet need to be addressed in the current plan making round. There are therefore implications for all of the Coventry and Warwickshire authorities in his findings.
- The Inspector is concerned that, regardless of whether we need to provide more houses to contribute toward the unmet need, the total supply of houses set out in the Plan is not sufficient to meet the Plan's housing requirement. In particular he argues that the allowance we have made for windfalls has not been fully justified. He also indicates that we need to provide some "headroom" above the minimum housing requirement in case some sites do not come forward.
- He therefore says we need to increase the number of houses identified in the Plan even without the need to the District to accommodate some of the unmet need within the Housing Market Area
- He recommends that the Plan is withdrawn to give us time to prepare new proposals

In short, the Inspector has taken a tough stance on the Plan and unless his approach can be challenged in some way, this will lead to a substantial delay, requiring us to take some steps back to enable us to make some very significant additional site allocations.

As explained above, officers are currently giving further consideration to the Inspector's letter and are considering options regarding the way forward. It is therefore too early to offer substantive analysis of the Inspector's findings. Having said that it is worth noting the following:

- He has taken a surprisingly hard line against the sub-regional approach which will make it difficult to fix the issues quickly and painlessly
- He is clear that we need to be planning for more houses, not less, to make plan sound and the further work is required to assess how many more houses are needed
- There are likely to be significant implications for the other authorities in Coventry and Warwickshire as a result of his findings and these will need to be addressed through further duty to cooperate discussions
- Whilst there are a number of detailed points that officers have issues with, it is important that we stay focused on finding ways to resolve the strategic issues he has raised