

Cllr Andrew Mobbs
Leader of the Council
Member for Kenilworth Park Hill
Warwick District Council, Riverside House
Milverton Hill, Royal Leamington Spa, CV32 5HZ

direct line: 07836 725999

Kevin Ward – Inspector
Planning Inspectorate

fax:
email: andrew.mobbs@warwickdc.gov.uk
web: www.warwickdc.gov.uk

(email via Programme Officer)

our ref: AM/DB
your ref: PINS/T3725/429/5

13 August 2015

Dear Mr Ward

Re: Examination of Warwick District Local Plan

- 1 Thank you for your letter of 1st June setting out your findings with regard to the initial matters and issues relating to Warwick District's Local Plan. Your response is valued and is helpful for us and our neighbouring authorities.
- 2 I and the Council's planning officers have read your letter and appreciate the careful consideration you have given to the relevant matters and issues. We have set out below a positive response to the concerns you have raised and are seeking to prepare modifications to the Plan which we hope will improve it in line with your comments. I hope you agree that our approach offers a pragmatic and effective way to progress Warwick District's Local Plan.
- 3 You will be aware that we wrote to the Secretary of State for Communities and Local Government in June asking him to intervene. However, our understanding is that he does not intend to do so. At its meeting on 12th August, the Council resolved that I should write to you to ask you to agree to a suspension of the Plan (the report to Council is shown in **Appendix 1**). This decision has not been taken lightly and members gave careful consideration to your conclusion that the Plan should be withdrawn. However, we have prepared proposals which we feel will avoid both a lengthy delay and the need for extensive changes to the Plan. In this context we believe a suspension to the Examination is justifiable and is the most appropriate way to proceed.
- 4 You will of course also be aware of the Ministerial Statement prepared by Brandon Lewis on 21st July and the concurrent letter from the Secretary of State to the Chief Executive of the Planning Inspectorate. We believe these provide important context in considering how to proceed with the Local Plan. In particular, it is clear that the Government is encouraging both local authorities and the Planning Inspectorate to work pragmatically to adopt Local Plans as soon as possible.



The points from the Statement and letter that we would like to highlight are:

- a. Inspectors are being asked to be supportive to Councils through the examination process and to be pragmatic and flexible. It is suggested that Councils should be given time to address shortcomings wherever possible.
 - b. It is suggested that early review policies may be used as a way of avoiding unnecessary delay to resolve matters which are not critical to the Plan's soundness.
 - c. It is emphasised that co-operation remains an important element in Plan making.
- 5 We would support the thrust of the Statement and letter. We remain keen to get a Plan in place as soon as possible, to minimise some very significant risks (see para 7.2.6 of **Appendix 1** for further details regarding these risks):
- Delay in delivering Local Plan housing sites.
 - Consequences for the sub-regional and other employment sites.
 - Applications for development on inappropriate and unsustainable sites and "planning by appeal".
 - Outdated Plan Policies.
 - Difficulties regarding infrastructure delivery and funding
 - Potential for Government Intervention.
- 6 We recognise that this needs to be done in a way that delivers a sound Plan and that is based on close co-operation with neighbouring Councils. With this in mind, the proposals we have prepared (set out in paras 9 to 19 below) seek to minimise delay, contain modifications to the Plan and ensure that the Duty to Co-operate delivers effective outcomes. We hope that this aligns with the Government's aspirations and satisfies you that a suspension of the Plan period is a reasonable approach.
- 7 Your letter raises a number of points regarding the soundness of the Plan. However, there appear to be two issues of particular substance that need to be addressed:
- a) The approach to addressing unmet need arising elsewhere (notably Coventry)
 - b) Concerns about aspects of the housing land supply (particularly windfalls) and about the capability of the Plan to deliver a five-year housing land supply on adoption.

On the face of it, these issues are complex and substantive; I understand the reasons why you have suggested that addressing these issues is likely to take a significant period of time and lead to a substantially different Plan. However the work we have been doing on these issues since the hearings in May (as set out below) demonstrates that these can be addressed in a way that is consistent with a period of suspension.

- 8 The purpose of this letter therefore is to set out our commitment and approach to address your concerns in a way that enables you to reconsider your conclusions regarding the suspension of the Examination.

The approach to addressing unmet need arising elsewhere (notably Coventry)

- 9 Since the receipt of your letter, the councils in Coventry and Warwickshire have agreed a revised timetable to fully address the unmet housing need arising in Coventry. This timetable was agreed in a report to the Coventry and Warwickshire Joint Committee for Economic Growth and Prosperity (shadow Economic Prosperity Board) on 6th July and replaces the timetable that had previously been agreed in November 2014. This revised timetable (**Appendix 2** to this letter) sets out the following process:

- Agreeing the methodology for the spatial/distribution strategy to address unmet need across the sub-region (mid-July)
- Establishing the scale of unmet need by:
 - Clarifying the overall scale of housing need across the Coventry and Warwickshire Housing Market Area (end of July).
 - Clarifying the development capacity of each authority (mid-August)
- Reaching a Memorandum of Understanding about the scale and distribution of the unmet need (end of September)

The report to the Coventry and Warwickshire Joint Committee for Economic Growth and Prosperity also sets out a governance framework designed to drive forward the work involved to ensure that the timetable is met.

- 10 Significant progress has already been made towards the delivery of the tasks set out in the timetable. The authorities are on track to agree a Memorandum of Understanding at the Coventry and Warwickshire Joint Committee for Economic Growth and Prosperity's (shadow Economic Prosperity Board) meeting in September 2015. Specifically, the following tasks have been progressed:

- The Members Reference Group was established to provide a political steer with regard to the complex strategic issues being considered (early- July).
- Spatial and distribution options were appraised and presented to the Members Reference Group at the end of July. Conclusions on the spatial/distribution strategy are emerging.
- GL Hearn were commissioned in June to undertake a further housing needs study for the Housing Market Area (HMA) looking at updated demographic projections, employment forecasts, market signals and affordable housing. This study is nearing completion with a draft report received at the end of July. This is currently being reviewed and finalised.
- Updated capacity studies (SHLAAs) are being finalised in Coventry, Stratford-on-Avon and Rugby and are due to be published in the autumn. These can be added to the work already completed in Nuneaton and Bedworth, Warwick and North Warwickshire to provide a picture of housing land capacity across the HMA.
- Stage 1 of the Joint Green Belt Review, covering Coventry, Nuneaton & Bedworth, Rugby and Warwick was published in early August, with stage 2, covering Stratford and North Warwickshire, commencing shortly.

- 11 This work means that over the coming weeks robust evidence regarding the exact scale of Coventry's unmet housing need can be provided and the distribution/spatial strategy can be used to consider the broad locations where this unmet need should be addressed. This information will inform the core content of the Memorandum of Understanding and will in turn enable each of the Districts to progress their Local Plans. We will publish this work shortly before the Coventry and Warwickshire Joint Committee for Economic Growth and Prosperity's meeting on 29th September 2015 and at that point the content of the Memorandum of Understanding will be available to you.
- 12 There is a strong impetus across all six councils within the HMA to resolve this issue quickly, particularly as the implications of your letter affect plan preparation across the whole area. For instance, Nuneaton and Bedworth and Coventry are planning to publish their plans in the autumn, Rugby is also aiming to publish its plan before the end of 2015, North Warwickshire is working on its site allocations plan and Stratford District is working towards recommencing its Examination before the end of 2015. This shared impetus means that we can be optimistic that the momentum already achieved will be maintained and that the timetable agreed on 6th July will be met.
- 13 In this context my officers have proposed a timetable for Warwick to address this issue, to demonstrate to you that the suspension of the examination need not be for an unduly long period. This timetable (**Appendix 3**) demonstrates how the work can be completed and appropriate modifications to the Local Plan drafted in time to reopen the examination in March 2016. This timetable includes the option for a period of consultation, should you consider that necessary. However, without that period of consultation, it would be possible to reopen the examination earlier.
- 14 I trust that this explains our position with regard to the possible timelines for addressing Coventry's unmet need. However it is also important that we demonstrate to you that modifications will not result in a Plan that is substantially different from the one submitted. We are very conscious of the need to ensure that the modifications that arise from this process are consistent with the Plan's overall strategy and are focused on resolving the specific issues of concern.
- 15 To address the issue of unmet need, we anticipate three broad areas for modification:
 - a. An increase in our housing requirement to ensure that the Plan can accommodate Warwick District's evidenced proportion of any unmet need arising in Coventry without resulting in significant changes to the strategy itself.
 - b. Allocation of sites to provide land to meet additional housing requirements. Depending on the outcomes of the HMA's spatial/distribution strategy, the Council will consider an alternative approach whereby broad locations for growth are identified within the Plan, along with a commitment to undertake a site allocations DPD through co-operation with Coventry City Council and the other Warwickshire Districts.

- c. Amendments to Policy DS20 (Accommodating Housing Need Arising from Outside the District) to make it clear that an early Plan review would only be activated if there is evidence that further unanticipated unmet need (i.e. need which we are not currently aware of) should be accommodated in Warwick District.
- 16 We anticipate that the spatial strategy set out in Policy DS4 of the submitted Local Plan will not need to be amended to accommodate Coventry's unmet housing need. Whilst we will not know the exact scale of the impact for Warwick District until the Memorandum of Understanding is signed, the draft information prepared by GL Hearn indicates that the Housing Market Area's need will be within 7% of the figure put forward at the Examination hearings. It is possible that housing sites will be required in parts of the District where there are no current allocations (though this is still subject to detailed site assessment work and the outcomes of the Memorandum of Understanding). Wherever the additional sites are located, however, they will provide a contained source of land for specific unmet needs. Although we will need to consider whether there are knock-on effects (e.g. regarding employment land provision and infrastructure), we would contend that modifications will be very focussed and the majority of the submitted Local Plan and its strategy need not be substantially modified.
 - 17 We also anticipate that the updated evidence will not significantly change the District's local housing need from the figure put forward by the Council at the hearings. Thus the allocation of sites does not need to be modified to meet local needs, except in regard of the points raised in paras 18 to 20 below.

The approach to addressing overall housing land supply issues and the capability of the Plan to deliver a 5 year housing land supply on adoption.

- 18 Your letter sets out concerns regarding the Council's approach on allowing for windfall sites within the housing supply and also indicates that that you do not think that the submitted Plan will deliver a five-year housing land supply on adoption. These are important points which my officers have considered and we fully accept that the Plan needs to be modified to address these. In particular, we are preparing modifications as follows:
 - a. Revise the approach taken to windfall site allowances, which will reduce the supply of housing from this source.
 - b. Allocate additional housing sites to meet the resulting shortfall in supply and provide a degree of flexibility in supply.
 - c. In light of the above (including any requirement to meet Coventry's unmet need), revisit the Plan's housing trajectory to show how the Plan can deliver a five-year housing land supply on adoption and can address issues of any historic undersupply.

- 19 This work is already progressing, with detailed site assessments being carried out and a review of the approach to the windfalls allowance being undertaken to address your concerns. Following this, we will be revisiting the housing trajectory in September to demonstrate the Council's position with regard to five-year supply. We anticipate that this work can be achieved in time for the Council to consider modifications in January 2016 and (if a consultation is required) to submit them to you in March 2016 in line with the timetable attached in **Appendix 3**.
- 20 Whilst this work will inevitably result in some modifications to the Plan, we would again contend that the extent of these modifications will not result in a substantially different Plan and that the additional site allocations required can be achieved within the overall strategy of the submitted Local Plan.

Conclusions

- 21 Based on the information we have presented to you above, we would request that you agree to a **suspension of the Examination until March 2016**. In paragraph 49 of your letter, you set out three reasons as to why you consider a suspension is not appropriate. These are:
- a. It is likely to take too long
 - b. It is likely to result in a substantially different Plan
 - c. It is unlikely to facilitate the adoption of a sound Plan
- 22 We have shown how, by March 2016, we can reasonably expect to have addressed those aspects of the Local Plan that you have found unsound and can also propose well-reasoned modifications to address these matters. We believe the timetable we have submitted is consistent with the timescales for suspension recently agreed by other Inspectors (**Appendix 4**). On this basis we contend that we can demonstrate that a suspension can be considered a realistic alternative to withdrawal.
- 23 We believe we have put forward a compelling case to show that the modifications to the Plan will be highly focussed and will address the specific issues you have raised. They will not therefore lead to a substantially different Plan. Again, there are recent examples (**Appendix 4**) where Inspectors have agreed to the suspension of examinations in cases where similar significant modifications are required, including cases where additional housing is required to address the unmet need of a neighbouring authority.
- 24 Finally, we believe we have shown how the work we are doing has the potential to rectify the concerns you have raised regarding the submitted Plan and we contend that we can put forward sound proposals within the context of a suspension to the Examination.



Once again, I would like to thank you for your consideration of our submitted Plan. I trust that the above demonstrates our commitment and desire to work with you to reach a positive conclusion to this matter and that we are taking on board the contents of your letter and are acting in a constructive way to address your concerns.

I look forward to your response. If you have any queries or points of clarification regarding this letter, please feel free to get in touch.


Yours sincerely



Cllr Andrew Mobbs
Leader of Warwick District Council



Appendix 1

	Council 12th August 2015	Agenda Item No.
Title	The Local Plan – The Way Forward	
For further information about this report please contact	Dave Barber dave.barber@warwickdc.gov.uk 01926 456065	
Wards of the District directly affected	All	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	28 th January 2015 Minute number 65	
Background Papers	Inspector's Letter to the District Council (June 2015); Member Briefing Note on Inspector's Letter (June 2015); Letter to Greg Clark from Leader of the Council (June 2015); PAS Advice; Ministerial Letter to PINS (July 2015). Productivity Plan (July 2015).	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	No
Equality Impact Assessment Undertaken	No
Not relevant at this stage.	

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	29/7/15	Chris Elliott/Bill Hunt/Andy Jones
Head of Service	29/7/15	Tracy Darke
CMT	29/7/15	Chris Elliott, Bill Hunt, Andy Jones
Section 151 Officer		Mike Snow
Monitoring Officer	29/7/15	Andy Jones
Finance	03/08/15	Mike Snow
Portfolio Holder(s)	30/7/15	Cllr Stephen Cross
Consultation & Community Engagement		
N/A		
Final Decision?	No	

Summary

- 1.1 This report updates Council on the latest position with regard to the Local Plan and sets out options for the way forward for the Plan.
- 1.2 The Local Plan Inspector wrote to the Council on 1st June 2015. His letter is shown in **Appendix 1**. This followed 5 days of initial hearings in May 2015, during which he considered Duty to Cooperate, overall housing requirements in the District and overall supply of housing. A briefing note prepared shortly after receiving the Inspector's letter is shown in **Appendix 2**.
- 1.3 Since then the Leader of the Council has written to the Secretary of State for Communities and Local Government asking that he considers intervening in the Local Plan examination due to the important implications that are likely to arise as a result of the Inspector's findings. The Secretary of State has responded via a recent meeting with the Deputy Leader of the Council and the Chief Executive at which he indicated that he does not intend to intervene at this stage but he suggested that the Council respond directly to the Inspector.
- 1.4 As a result of this, the Council now needs to decide how to respond to the Inspector. This report considers three options and recommends that the Council writes to the Inspector requesting that he agrees to suspend the Plan with the Examination recommencing in March 2016.
- 1.5 The report also seeks agreement from the Council to the timetable agreed with the Coventry and Warwickshire Joint Committee for Economic Growth and Prosperity (CWJCEGP) for resolving the issue of unmet housing need arising in Coventry.

2. Recommendations

- 2.1 That the Local Plan Inspector's Interim Findings as set out in **Appendix 1** are noted.
- 2.2 That the Council endorses the timetable for resolving the issue of unmet housing need arising in Coventry set out in the report approved by the Coventry and Warwickshire Joint Committee for Economic Growth and Prosperity on 6th July 2015 as shown in **Appendix 3**.
- 2.3 That Council agrees to write to the Local Plan Inspector to request that the Examination is suspended whilst the Inspector's concerns are addressed, in line with a timetable, to be agreed with the Inspector, as indicated in para 7.3.7.
- 2.4 That a contingency budget of £30,000 be allocated from the Planning Appeals Reserve to support the work required to achieve the timetable set out in para 7.3.7 and delegated authority is approved for the Head of Finance and Head of Development Services, in consultation with their

respective Portfolio Holders, to approve any minor extra funding from the same Reserve, if required to achieve the stated work.

3. **Reasons for the Recommendations**

3.1 **Recommendation 2.1:** The Inspector's findings followed detailed consideration of three key matters with regard to the Submitted Local Plan: Duty to Cooperate, overall housing requirements in the District and overall supply of housing. It should be noted that the hearings did not therefore consider all aspects of the Plan, including the allocation of specific sites.

3.2 His letter concludes "*I do not consider that a suspension of the examination is appropriate in this case, it would take too long, is likely to result in a plan substantially different from that submitted and in any event is unlikely to facilitate the adoption of a sound local plan in a timetable that is significantly shorter than the other options open to the Council*"

"Under the circumstances my advice to the Council is that there are realistically only two options. Firstly the Council could choose to receive my formal report. Given my findings, I will only be able recommend non-adoption of the Local Plan. Alternatively the Council may choose to withdraw the Plan under S22 of the Planning and Compulsory Purchase Act 2004 (as amended).

3.3 His conclusions have far reaching implications for the Council and indeed other local authorities in Coventry and Warwickshire. It is therefore important that his letter is formally noted as part of the process of considering how to proceed. The full letter is set out at Appendix 1.

3.4 **Recommendation 2.2:** At its meeting on the 6th July 2015 the Coventry and Warwickshire Joint Committee for Economic Growth and Prosperity (CWJCEGP) agreed a revised timetable for the Coventry and Warwickshire local authorities to address the unmet housing need arising in Coventry. The revised timetable was prepared in response to the Warwick Local Plan Inspector's interim findings, specifically his view that the issue of unmet need should not be addressed through Plan reviews but should be addressed through the current round of Plan-making across the sub-region. This conclusion totally undermined the process and timetable, for early Plan reviews, agreed by the CWJCEGP in November 2014 and endorsed by Warwick District Council in January 2015. It will almost certainly delay not only Warwick District's Local Plan but also all those currently being prepared by all the other Councils in the Coventry and Warwickshire sub region. This does not accord with the Government's aspirations to put local plans in place as soon as possible and would be an undesirable outcome.

3.5 The report agreed by the CWJCEGP on the 6th July 2015 is attached at Appendix 3. It sets out a timetable to:

- Clearly establish the scale of unmet need across the sub-region by:
 - Clarifying the overall scale of housing need across the Coventry and Warwickshire Housing Market Area
 - Clarifying the development capacity of each authority

- Agree the scale and distribution of the identified unmet through a formal Memorandum of Understanding.

In order to achieve this, the report sets out a governance framework to drive forward the work involved to ensure the tight timescales are met.

- 3.6 In officers' view the rapid progress that has been made with this initiative following the publication of the Inspector's letter indicates that there is a reasonable prospect of identifying Coventry's unmet housing need and reaching an agreement on where it ought to be met without causing undue delay to the Local Plan process. This could allay the inspector's first concern that a suspension would take too long and would be no quicker than withdrawing the Plan and starting again.
- 3.7 Officers' have also scoped the potential additional housing requirement that might be generated by unmet need in Coventry and which might have to be accommodated in Warwick, and considered whether additional land might be found without the need to revisit the sustainable development strategy. Their preliminary conclusions are that the demands of Coventry are not likely to be so great as to require such a substantial alteration of the Plan that withdrawal is necessary, especially if further work is carried out on an early review policy. That may overcome the Inspector's third remaining concern about the merits of a suspension.
- 3.8 Once the Memorandum of Understanding has been agreed by the CWJCEGP, each Council will need to consider and formally endorse its contents. However, in the meantime it is important that each Council formally commits to the process and timetable set out in the CWJCEGP report to provide confidence to external parties that an agreed process is available to address the issues affecting the whole sub-region.
- 3.9 **Recommendation 2.3:** Given that the Secretary of State has indicated he will not intervene but, instead, has suggested a direct response is made to the Inspector by the Council, it is important that the Council consider the options available to it as to how best to respond to the Inspector's concerns. Three options have been carefully assessed and these are set out in Section 7 below. All these options carry risks as well advantages. However, a balanced appraisal of the options suggests that writing to the Inspector to seek a suspension to the Examination (Option 2, as set out in paragraph 7.3) would offer the most appropriate way forward.
- 3.10 **Recommendation 2.4:** In the event that the Inspector agrees to a suspension of the examination, the timetable set out in para 7.3.7 is challenging but achievable. Whilst it is anticipated that the work can be achieved from within existing resources, it is the nature of this kind of work that unforeseen issues can arise. It is therefore proposed that a contingency budget of £30,000 is put in place to support the work that needs to be carried out during the period of suspension. This contingency budget will significantly reduce the risk that the timetable slips further as it will allow additional resources and expertise to be bought in if required. In the event that this money is not required it will be returned to the Planning

Appeals Reserve for other purposes. Potentially, this budget could be used for the following purposes:

- Paying for expertise required to provide specialist technical evidence (for example ecological assessment of sites; assessment of infrastructure requirements; legal advice on process and regulatory issues; or local analysis of demographic projection or employment forecasts.
- Paying for additional resources to support the Planning Policy Team during potential pinch-points in the work such as sites assessment work; preparation of modifications and the delivery and organisation of the consultation process.

However, it is worth stressing that this is a contingency budget and if unspent any remaining balance would be transferred back to the Planning Appeals Reserve.

- 3.11 Equally, whilst officers consider that a contingency of £30,000 is sufficient, this could prove not to be the case. To ensure that the challenging timetable is not compromised it is recommended that a delegation is put in place to draw-down minor extra funding (up to an additional £20,000) to undertake the necessary tasks.

4. **Policy Framework**

- 4.1 **Submitted Local Plan** – The report seeks to ensure the successful progression of the submitted Local Plan through examination to adoption.
- 4.2 **Fit for the Future** – The Local Plan will need to align with and help deliver the Sustainable Community Strategy (SCS) and the Council's Fit for the Future programme where appropriate. It will also need to align with our partners documents, such as the Warwickshire Local Transport Plan.
- 4.3 **Impact Assessments** – During the preparation of the Local Plan an Equalities Impact Assessment has been undertaken. This looked at a wide range of potential impacts and concluded that three areas needed to be focussed on in addressing potential negative impacts: consultation; housing mix/affordable housing and Gypsies and Travellers. The preparation of the Plan has addressed these three issues, with further extensive consultations in line with the Statement of Community Involvement; a clear and strong approach to affordable housing (see policy H2) and housing mix (see Policies H4, H5 and H6); and ongoing work to identify suitable site for provide for the accommodation needs of Gypsies and Travellers (see policies H7 and H8).

5. **Budgetary Framework**

- 5.1 At its meeting on 28th January 2015, the Executive approved a budget of £120,000 to be set aside from the Planning Appeals Reserves to support the Local Plan Examination. In the main this budget was to support the costs of the Inspector and the Programme Officer. In the event that the Inspector agrees to the suspension of the examination, this budget will still

be required to support the completion of the examination. However, as set out in recommendation 2.4 above, there may be some additional costs of up to £30,000 during the period of suspension.

5.2 A further budgetary implication associated with suspension is the potential cost of preparing a "site allocations" Development Plan Document (DPD) for meeting that element of Coventry's unmet need to be accommodated within the district, if this is the approach we decide to take (see para 7.3.5). At present it is not known whether this will be necessary nor how much this will cost as it is dependent on whether it is done jointly with other Councils in the HMA. This will need in any case to be the subject of a separate report.

5.2 In the event that the Plan is withdrawn (either through a decision of the Council or because the Inspector adheres to his previous view that the Plan should be withdrawn), the additional costs are expected to be higher as it is probable that aspects of the evidence base will need to be updated to inform the preparation of fresh plan proposals. Although it is not currently known what the financial implications of withdrawal would be, it is estimated that the costs would be in excess £50,000. If necessary, more detail will be provided on this as part of a future report.

6. Risks

6.1 An assessment of the risks associated with each option is set out in section 7 below.

7. Alternative Option(s) considered

7.1 Context

7.1.1 Three options for progressing the Local Plan have been assessed (see below). In assessing these options it is important to consider a number of contextual issues.

7.1.2 Sub-regional work to assess the scale and distribution of

Coventry's Unmet Need: Appendix 3 shows the process and timetable being followed to address Coventry's unmet need. The Memorandum of Understanding which will be the outcome of this work will specifically identify the amount of the unmet need across the sub-region that needs to be provided for within Warwick District. However at this stage, whilst it is safe to surmise that an element of the sub-regional total will need to be provided for within the district (as highlighted by the Inspector) the actual level of the need is an "unknown". The assessment of the options below, therefore, assumes that the allocation of this unmet need within the district can be addressed without substantially changing the Plan's Spatial Strategy (as set out in Policy DS4 of the submitted Local Plan – see **Appendix 4**). It also assumes that the timetable set out in the report agreed by the CWJCEGP on 6th July is adhered to by all the Councils. Clearly it is possible that these assumptions will prove to be wrong. In this event, it may

necessary to report back to the Council recommending a different course of action (see para 7.36).

7.1.3 Planning Advisory Service (PAS) Guidance on Local Plans: The PAS guidance on withdrawing or suspending Plans is:

"If major additional work needs to be carried out on a Plan, it is likely that the submitted Plan was not sound at submission and the LPA should withdraw the Plan. Where an LPA is aware that the examination is identifying unsoundness in relation to its Plan, it is inappropriate generally for the LPA to try to short-circuit the process by seeking to rectify a seriously flawed document through suspension".

7.1.4 The PAS Guidance goes on to indicate that suspension is generally appropriate where three tests can be met:

- **What is the scale and nature of the work required to overcome the perceived shortcoming of the Plan?** If the scale of the work requires a significantly new evidence base then suspension may not be appropriate as the resulting consequences cannot be predicted and there is therefore no assurance that the issue can be resolved quickly and without a substantial change to the Plan;
- **How long will it take to do the work?** The additional work required can be undertaken quickly and that the period of suspension is no more than 6 months (although there are exceptions);and
- **What will the further work lead to?** The consequences of the additional work are unlikely to lead to a substantially revised Plan compared with the one submitted.

7.1.5 The Government's Productivity Plan: The Productivity Plan announced in July 2015 includes a number of measures which directly affect the preparation of Local Plans. The main thrust of the Productivity Plan in so far as Local Plans are concerned is to ensure that Plans are put in place as quickly as possible to provide certainty around the plan-led approach to be adopted in a locality. As a result of this, the Secretary of State for Communities and Local Government has provided a written ministerial statement and has written to Simon Ridley, the Chief Executive of the Planning Inspectorate on 21st July 2015 setting out the approach the Government would like the Inspectorate to take when considering Local Plans. This letter provides some relevant context to the next steps in our Local Plan process, in particular:

- *"The Government accords great importance to authorities getting up-to-date Local Plans in place and to supporting them in doing so as a priority."*
- *"...there is a real value in getting a Local Plan in place at the soonest opportunity, even if it has some shortcomings which are not critical to the whole plan. We have acknowledged this in planning guidance by setting out that Local Plans may be found sound conditional upon a review in whole or in part within five years of adoption."*
- *"I will also clarify how early review may be used as a way of ensuring that a Local Plan is not unnecessarily delayed by seeking to resolve matters which are not critical to the plan's soundness or legal compliance as a whole."*

- *"The Planning Inspectorate plays an important role in examining plans impartially and publicly to ensure that they are legally compliant and sound, and many inspectors have already demonstrated commendable pragmatism and flexibility at examination to enable councils to get plans in place. I have, however, seen recent examples where councils are being advised to withdraw plans without being given the option to undertake further work to address shortcomings identified at examination. In order to maintain plan-making progress and to recognise the cost and time to a council prior to submitting a plan, it is critical that inspectors approach examination from the perspective of working pragmatically with councils towards achieving a sound Local Plan. We will shortly make a Ministerial Statement on this issue, including the importance of inspectors highlighting significant issues to councils very early on, and of giving councils full opportunity to address issues."* (Officer underlining)

7.1.6 The Ministerial statement also indicates the Government's intention to publish league tables setting out local authorities' progress on their local plans and in cases where no local plan has been produced by early 2017 - five years after the publication of the National Planning Policy Framework - it will intervene to "*arrange for the plan to be written, in consultation with local people, to accelerate production of a local plan*".

7.1.7 The Statement also underlines the importance the Government is placing on the duty to co-operate stating: "*Local authorities cannot plan in isolation. They must work together to provide the land for the housing needed across housing market areas. The NPPF is clear that where local authorities cannot meet their housing needs in full, they should co-operate with other local authorities to do so. We will strengthen planning guidance to improve the operation of the duty to co-operate on key housing and planning issues, to ensure that housing and infrastructure needs are identified and planned for. It is particularly important that this co-operation happens where our housing needs are greatest.*"

7.1.8 **Issues regarding housing delivery and supply:** To be found sound, the Local Plan should provide for a 5 year housing land supply upon adoption. It is also necessary to demonstrate that proposed housing supply (i.e. the allocated sites) can be delivered within the Plan Period. These requirements are likely to have significant implications for the assessment of site options. For instance, a single large site may have significant infrastructure requirements before house building can start which can significantly undermine its potential to deliver housing completions within 5 years. It is also more difficult to deliver the whole of a large site within the Plan Period given that a single house builder generally completes 40-80 dwellings per year on a specific site. So, if 4 house builders are active on a large site, an annual delivery of 200-300 dwellings per year is likely. Conversely, several smaller sites may have reduced direct infrastructure requirements enabling development to commence more quickly and can be built out within a shorter time period. These issues mean that in thinking about any additional site allocations, the Council will need to ensure there is a mix of

sizes and locations to increase delivery potential and maximise the contribution to 5 year land supply.

7.2 Option 1: Withdraw the Submitted Local Plan and prepare and submit a new revised plan.

7.2.1 Description of Option: this option involves withdrawing the Submitted Local Plan thereby agreeing to end the examination process that started in January 2015. This option would involve preparing a new Local Plan (albeit with the potential to draw heavily on the emerging Plan's proposals) to fully address the concerns raised by the Inspector.

7.2.2 Withdrawing the Plan would provide the time to fully address the following:

- To identify the part of Coventry's unmet need that needs to be met in Warwick District and include this in the Local Plan's housing requirement.
- To either allocate land to address Warwick District's part of the unmet need and plan for the infrastructure and associated uses to support the allocation(s) or to prepare a Joint Allocations Plan with Coventry and other authorities in Warwickshire to allocate the necessary land and plan for the infrastructure.
- To allocate land and amend the Infrastructure Delivery Plan to ensure the Plan includes sufficient land to meet its housing requirement and to ensure that a 5 year housing land supply will be in place on adoption.
- To review evidence and revise policies accordingly.

One implication of withdrawing the Plan is that the revised submission and later adoption dates will mean the Plan period will need to be extended from 2029 to at least 2031 to give the Plan a reasonable time horizon on adoption. This would, in itself, increase the amount of housing that the District needed to allocate regardless of any additional numbers arising from the sub-regional distribution of Coventry's unmet need.

7.2.3 Process and potential timeline:

August 2015: write to the Inspector to withdraw the submitted Local Plan.

Summer 2015: joint working/cooperation to agree the scale and distribution of unmet housing need across Coventry and Warwickshire.

Summer 2015: undertake site assessment work to identify options to address the inspector's concerns regarding the submitted Plan's windfalls allowance.

Summer/Autumn 2015: review evidence and if necessary undertake studies to update the evidence base.

September 2015: JCWJCEGP to agree Memorandum of Understanding (MoU) for the distribution of unmet housing need across Coventry and Warwickshire.

Autumn 2015: based on the site assessment work and the contents of the MoU, review the housing trajectory and 5 year housing land supply position to ensure that there is a sufficient supply on adoption.

October to December 2015: endorsement of MoU by each Council.

September to December 2015: complete technical work (including site assessments, sustainability appraisal, Habitat Regulations Assessment and other evidence updates), to identify additional site allocations and to identify other changes to the Plan.

January 2015: informal briefings on additional site allocations and any policy amendments.

February/March 2016: Publication Draft of revised Local Plan considered by Council.

April/May 2016: Consultation on Publication Draft Local Plan.

June/July/August 2016: analysis of consultation responses and consideration of potential modifications as result.

Sept 2016: Local Plan submission considered by Council.

September 2016: submission of Local Plan and commencement of Examination process.

Summer/Autumn 2017: Potential date for Local Plan adoption.

7.2.4 Advantages and Opportunities:

- Withdrawing the Plan allows more time to address the Inspector's concerns and in particular reduces the risk that the emerging Memorandum of Understanding will not be supported by all Councils within the required timescales. In this option, there is time to revisit the Memorandum of Understanding should problems arise.
- This option aligns with the Inspector's recommendation in his letter and will therefore be supported by Planning Inspectorate.
- This options provides opportunity to consult on additional site options in advance of resubmission and to allocate sites to meet the agreed proportion of Coventry's unmet need that is allocated to the district.

7.2.5 Disadvantages:

- The main disadvantage is that withdrawing the Plan will result in a longer delay than the option of suspending the Plan (see below). Until the Plan is adopted, the risks set in 7.2.6 below will be more significant and so a delay to the Plan will mean these risks are present for a longer period of time.
- The review of evidence required to ensure that the submitted Plan is up to date is likely to result in additional costs in commissioning studies to underpin evidence (see para 5.2 above). These costs are likely to be substantially more than if the Examination continues

- The delay to the Local Plan will lead to a delay to the introduction of a Community Infrastructure Levy (CIL) scheme as no such scheme can be adopted until the Local Plan is itself adopted. This will make funding for the Infrastructure Delivery Plan more complicated in the interim.
- A new set of household projections are likely to be published late in the Summer or in the Autumn of next year (the 2014-based SNPP). That would be likely to significantly complicate and lengthen the assessment of housing need and result in substantial re-work.
- The benefits of the Submitted Local Plan having some weight attached to it by virtue of part completion of the Examination process (e.g. passing the Duty to Co-operate test) would be lost, meaning that some policies that might be relevant for the consideration of some planning applications could not be applied.

7.2.6 Risks: The main risks associated with this option relate to the extended delay that is likely to result. The risks of extended delay are:

- **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.
- **Consequences for the sub-regional and other employment sites:** The proposed sub-regional employment site (the Coventry & Warwickshire 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-region's Strategic Economic Plan. The same is true for the development of the University of Warwick campus, for Stoneleigh Park and for the proposed employment land at Stratford Road, Warwick.
- **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 (450 houses).
- **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.

- **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 sites for which infrastructure requirements have not been fully assessed and planned, 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 CIL 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".
- **Government Intervention:** Although specific details have yet to emerge the Government has announced that if Plans have not progressed by early 2017 then it may intervene (see paragraph 7.1.6) and "*arrange for the plan to be written, in consultation with local people, to accelerate production of a local plan*" which can also be taken to mean that development and its location will be imposed on the District irrespective of the Council's views.

7.2.7 In addition to the risks associated with delay, there is no guarantee that the Plan will be found sound even after delay given the complexity of the system and the difficulties associated with reaching robust agreements through Duty to Cooperate (although this risk applies to all options to a greater or lesser degree).

7.2.8 The officers have considered the balance of risks that will affect the continuing process of delivering effective planning for this District. The conclusion reached by Officers, is that the withdrawal of the Plan will significantly undermine that process and have therefore not recommended this option.

7.3 **Option 2: Request that the Examination of the Local Plan is suspended** pending work to address the concerns raised by the Inspector, before continuing with the Plan's examination subject to the submitted modifications.

7.3.1 **Description of Option:** This option involves sending a carefully justified letter to the Local Plan Inspector requesting that he agrees to a suspension of the Plan's examination.

7.3.2 A suspension would mean that the examination of the submitted Local Plan can continue but that the next stages of that examination are deferred until the Council has addressed the concerns raised by the Inspector in his Interim Findings.

7.3.3 It would therefore be important that the letter sent to the Inspector demonstrates that the issues he has highlighted can be addressed within a reasonable timescale. Whilst the guidance indicates this should generally not be more than 6 months, there are several recent examples where a suspension of 8 to 9 months has been agreed, including in respect of Stratford District Council's Local Plan.

- 7.3.4 The letter would also need to demonstrate that the resulting changes are unlikely to lead to a substantial change to the Plan's strategy. To do this we will need to show that accommodating additional housing to meet Coventry's unmet need can be done without a significant change to the Plan's spatial strategy. The Plan's spatial strategy is set out in Policy DS4, which is shown in **Appendix 4**.
- 7.3.5 If the Inspector agrees to a suspension, it would be important that we prepare proposals that are soundly based on evidence to fully meet Warwick District's portion of Coventry's unmet need. Ideally, this would involve proposing site allocations to meet that need and officers will seek to achieve this. However, it is recognised that if these sites abut a neighbouring authority (for example sites on the edge of Coventry) and if other Districts in the Housing Market Area are also considering sites on the edge of the City, then complex work is likely to be necessary to coordinate infrastructure requirements, particularly in the City itself. In this case, it may be necessary that sites are allocated for later in the Plan Period and that an infrastructure DPD to support sites is produced. This work may extend beyond time period of a suspension. However, officers are of the view that a robust process for addressing this is for the Local Plan to commit to preparing a separate Development Plan Document (DPD) to allocate land to meet Coventry's need and that this could be done within the scope of the Local Plan's spatial strategy. This could be prepared jointly with Coventry City and if necessary other District's in the Housing Market Area. If this approach is pursued, it will be necessary to prepare a clear and robust road map for the DPD to demonstrate that the Plan will be prepared in sufficient time and with sufficient rigour to enable the delivery of sites within the Plan Period.
- 7.3.6 In the event that the Inspector refuses the Council's request to suspend the Plan, a further report would be brought to Council to formally consider the withdrawal of the Plan and to set out a timetable for preparing fresh proposals for submission along the lines set out in option 1 above.
- 7.3.7 Process and potential timeline**
- August 2015: write to the Inspector requesting the examination is suspended to provide time to address points of concern.
- Summer 2015: joint working/cooperation to agree the scale and distribution of unmet housing need across Coventry and Warwickshire.
- Summer 2015: undertake site assessment work to identify options to address the Inspector's concerns regarding the submitted Plan's windfalls allowance.
- September 2015: CWJCEGP to agree Memorandum of Understanding (MoU) for the distribution of unmet housing need across Coventry and Warwickshire.

October 2015: Identify sites to ensure sufficient housing land supply to provide a 5 year land supply on adoption and establish an approach to the preparation of a site allocations DPD if necessary.

December 2015: Council report to endorse MoU and to agree proposed modifications to the Plan, including revised housing requirement, approach for identifying sites to address unmet need arising in Coventry and allocation of additional sites to address windfalls/supply issues.

January/February 2016: if requested by the Inspector, undertake a consultation on proposed modifications to the Plan and organise responses for the Inspector's consideration.

March 2016: submit proposed modifications and consultation responses to the Inspector and recommence the Local Plan examination.

December 2016: potential date for Local Plan adoption following consultation on any modifications.

7.3.8 Advantages and Opportunities:

- The process results in an overall delay of less than 9 months (June 2015 to March 2016) and potentially provides the quickest route to adoption (subject to the Inspector finding the Plan sound). This aligns with recent Government announcements about providing impetus to local plans and minimises the risks associated with delay to the adoption of the Plan.
- The process focuses on modifications required to address the specific concerns raised by the Inspector and therefore does not re-open debate about the whole of the Plan.
- The benefits of the Submitted Plan having some weight attached to it by virtue of part completion of the Examination process (e.g. passing the Duty to Co-operate test) would be retained, meaning that some policies that might be relevant for the consideration of some planning applications could be applied.
- A suspension produces the best return on the resources invested in the Plan to date and minimises re-work.
- The early adoption of a Plan following suspension will allow the Council to make progress with the adoption of a CIL charging schedule.
- The early adoption of a plan will minimise the period during which there is "planning by appeal" in the district. That will save substantial costs.

7.3.10 Disadvantages:

- Suspension may not be supported by the Inspector meaning that we may need to withdraw the Plan anyway, particularly if he believes the modifications will result in a Plan that is substantially different than the one submitted. However it is hoped that this will not lead to further delay beyond that which is set out in option 1.
- It is still possible that the Inspector will agree to suspension but will still find the Plan unsound either because he is not satisfied with the approach we have taken to addressing the concerns he has raised or because he identifies soundness issues with regard to aspects of the

Plan that he has not yet examined. This would lead to a more significant delay.

- 7.3.11 **Risks:** The risks associated with this option predominantly concern the fact that the Inspector has indicated that he thinks the Plan should be withdrawn and that the timescales associated with suspension mean momentum needs to be maintained. So the risks are:
- The Plan is still found unsound even after the modifications are made
 - If a consultation is undertaken, this may generate a substantial number of objections and associated concerns for members
 - The momentum required to achieve the timelines associated with this option rely to an extent on the Memorandum of Understanding. Failure to reach agreement on this has the potential to delay the process. However, ensuring that Warwick accommodates its portion of Coventry's unmet need and retaining an early Plan review policy as a contingency would go a long way towards mitigating this risk.
 - This option may require a further site allocation DPD to be prepared in conjunction with some of the other Councils in the Housing Market Area. The timeline for this will need to be prepared with the partner authorities. This has the potential to be a complex process.
 - If the cumulative scale of modifications required to make the Plan sound (either as result of modifications being considered now or modifications that may be required in the future) are such that the Plan is considered to be substantively different then it is still possible the Plan may need to be withdrawn or that the Plan could be subject to legal challenge

7.3.12 Even though there are risks associated with this option, it is considered that it has the potential to deliver a sound Local Plan in the shortest time. Therefore, given the risks associated with delaying the Plan, officers consider this is the best available option.

7.4 Option 3: Request that the Examination of the Local Plan continues without further changes to address Coventry's unmet housing need (subject to modifications to address the Inspector's concerns regarding the windfalls allowance and supply of housing land)

7.4.1 **Description of Option:** In this option we would request that the Inspector completes the examination of the Plan largely as submitted. Modifications could be undertaken to address the Inspector's concerns about the windfalls allowance and housing supply, but the Inspector would be asked to reconsider the soundness of the Plan Review policy to address Coventry's unmet need.

7.4.2 **Assessment of Option 3:** Legally this option is possible and officers have given it consideration. However there are three significant issues which officers consider mean that this option cannot be pursued:

- a) This option would put us out of step with the work being carried out by the other Councils in the Housing Market Area as agreed by the shadow CWJCEGP on 6th July. If we pursued this option, it is possible that one or more of the Councils within the Housing Market Area could object and/or that our Plan fails the Duty to Cooperate test

- b) The Inspector has already given careful consideration to the validity of the Plan review policy to address Coventry's unmet need. He is very unlikely to change this view unless strong reasons can be provided as to why he should. Whilst recent government announcements (as set out in 7.1.5 above) suggest that an early Plan review policy could be supported, officers do not consider that this change of emphasis is sufficient to result in a change of approach from the Inspector, particularly as the Secretary of State's letter caveats his support for early Plan reviews with the phrase "*matters which are not critical to the plan's soundness or legal compliance as a whole*". Clearly the Inspector does consider that this is a critical issue.
- c) The approach would be time consuming (it would add at least a year to the process even if a legal challenge succeeded), carry some significant risk and add to the cost of the process.

7.4.3 For these reasons, officers consider that this option cannot realistically be pursued.

Coventry and Warwickshire Shadow Economic Prosperity Board

Monday 6th July 2015

C&W HMA Strategy to meet Housing and Employment needs: the implications of the Initial Hearings in to the Warwick District Local Plan

1. Introduction

1.1. Warwick District Council submitted its Local Plan for examination in January 2015. Initial hearing sessions were held between the 6th and 12th of May 2015 in order for the following issues to be considered: duty to co-operate; soundness in terms of overall housing provision; and soundness in terms of the supply and delivery of housing land. All C&W authorities were represented at these hearings.

1.2. The Inspector provided his response to these matters in a letter dated 1st June 2015. The Inspector's letter raises some very significant concerns with regard to the Warwick Local Plan that have implications for all C&W Authorities.

1.3. This report provides a summary of the Inspectors Letter before outlining the anticipated implications of this for C&W Planning Authorities. A timetable of future work is then outlined that it is hoped will address the concerns raised by the Inspector and allow C&W authorities to progress through the plan making process.

2. Warwick District Local Plan: Summary of the Inspector's Letter

2.1. The Inspectors Letter is attached to this report. The key points to note in the letter are:

- The Inspector is satisfied that Warwick District 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 that has been agreed by the authorities within the Coventry and Warwickshire Housing Market Area to address the unmet need – namely that the unmet need can be dealt with through adopting individual Local Plans 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 Warwick District needs to provide more houses to contribute toward the unmet need across the HMA, the total supply of houses set out in the Plan is not sufficient to meet the Warwick District's housing requirement. In particular he argues that the allowance that has made for windfalls has not been fully justified. He also indicates that Warwick District needs to

provide some "headroom" above the minimum housing requirement in case some sites do not come forward.

- He therefore says the number of houses identified in the Plan needs to increase even without the need for the District to accommodate some of the unmet need within the Housing Market Area
- He recommends that the Plan is withdrawn to give Warwick District Council time to prepare new proposals

3. Implication of the Inspectors Letter for C&W Authorities:

3.1. The CSWAPO Policy Group met on Thursday 11th June and discussed the implications of the Inspectors findings for Coventry and Warwickshire HMA.

3.2. It was agreed by the Policy Group that the Inspector's findings are hugely significant. The process and timetable of work previously agreed by the Shadow EPB in November 2014 and subsequently agreed by all authorities in Coventry and Warwickshire has failed to pass the soundness test in this instance. This indicates a clear risk that none of the authorities across Coventry and Warwickshire are likely to succeed through the plan making process before it can be demonstrated that the housing needs of the Coventry and Warwickshire can be met in full.

3.3. Warwick DC have responded to the Inspector and contacted the Secretary of State, requesting that the examination of the Local Plan is called in so that there is not delay to the process. At the time of writing a response to this request is awaited.

4. Suggested response:

4.1. As stated, Warwick DC has requested that the Local Plan is called in for consideration by the Secretary of State. This would be Warwick DC's preferred outcome however given the severity of the Inspector's findings for planning across the sub-region it was recognised by the Policy Group that a second option should be developed in parallel.

4.2. The Group was also in agreement that the withdrawal of the Warwick District Local Plan should be avoided if at all possible. A more favourable option is the suspension of the plan, whilst the authorities undertake further work.

4.3. Warwick DC Officers have confirmed that the issues relating to the supply of housing sites in the District can be resolved quickly, without the need for withdrawal of the plan.

4.4. The timetable of work already agreed by the Shadow EPB in November 2014 proposed a list of tasks that, if completed, would address the concerns raised by the Inspector about the meeting of housing needs across the HMA. The Group therefore discussed whether these tasks could be completed within a shorter timeframe than currently agreed in order to address these concerns within a suspension time period. An initial proposed timetable had been circulated in advance of the Policy Group meeting and this was discussed and refined at the meeting.

4.5. In line with the existing agreement, the CSWAPO Policy Group are suggesting that the tasks to be completed are:

- An agreed methodology for the distribution of unmet housing need across the C&W HMA:
 - The Shadow EPB agreed timetable states that this work will be undertaken now so this is not a change to the agreed task, simply the timescales in which it can be done.
 - This task can be completed in house by the Local Authorities.
- Confirmation of housing need across the HMA and at an individual level and alignment with employment needs:
 - This work will involve the pulling together of existing evidence on employment and housing need across the HMA.
 - GL Hearn produced both the 2013 SHMA and 2014 SHMA Annex and have also produced evidence for several of the authorities individually. GL Hearn have therefore been commissioned to complete this task.
- Confirmation of each authority's capacity for housing:
 - The Shadow EPB agreed timetable required the CSWAPO Policy Group to develop a C&W Joint SHLAA Methodology to ensure consistency in approach to this important piece of evidence across the HMA. This joint methodology has been drafted and agreed.
 - Those authorities that need to update the SHLAA's are preparing updates in line with the recently agreed methodology so that there is an up to date picture of capacity across the HMA.
- The outcome is the identification of aligned housing and employment need across the HMA alongside a proposed distribution of that need across the HMA, addressing the any capacity issues faced by Coventry City Council or other authorities.

4.6. The outcome of the fourth task will then be presented to the Shadow EPB in September and if agreed, each authority will then be able to progress its individual Plans under this agreement.

4.7. The CSWAPO Policy Group agreed that it can do the technical work required to achieve this aim within the timetables suggested. The Group recognise, however, that liaison with Councillors is essential, throughout this timetable, if we are going to reach agreement across the HMA. The group suggests, therefore, that it will require extra political support throughout this process. A 'Political Working Group' is therefore proposed. This will be an informal group that will meet fortnightly with Planning Officers in order to be updated on the work undertaken and debate the issues arising from that. It is hoped that this group will recommend a strategy for distribution to the Shadow EPB at the close of this timetable.

4.8. The timetable below chronologically outlines how the tasks above could be undertaken and completed, alongside consultation with a 'Political Working Group' at regular intervals. The table also contains Shadow EPB meetings and the Cabinet/Council timetables of authorities that have strategically important meetings during this time.

Table 1: Timetable for agreed C&W HMA Strategy to meet housing and employment needs

JUNE		DtC Group	<ul style="list-style-type: none"> Drafts report for sEPB seeking agreement to timetable. Commissions GL Hearn to undertake work identifying OAN for HMA and individual authorities and aligning that with employment growth; Begins to develop spatial options of distribution for assessment.
11 th June – 6 th July		DtC Group	<ul style="list-style-type: none"> Drafts report for sEPB seeking agreement to timetable. Commissions GL Hearn to undertake work identifying OAN for HMA and individual authorities and aligning that with employment growth; Begins to develop spatial options of distribution for assessment.
JULY		s EPB	Agreement to timetable of work and schedule of political meetings and agendas
6 th – 17 th July		DtC Group	<ul style="list-style-type: none"> Completes assessment of spatial options and selects a preferred option to be presented to the Working Party. Commences a debate about extent to which increases in OAN at an individual level may cause uplift in the HMA OAN. The resolution of this issue can then be reported to SDC when it considers its emerging Core Strategy.
Friday 17 th July		Political Working Party	<ul style="list-style-type: none"> Introductions Introduction to the principals of the timetable and process Preferred distribution option is presented, debated and agreed.
16 th – 31 st July		DtC Group	<ul style="list-style-type: none"> Receives findings of GL Hearn work and finalises report.
20 th July 2015		Stratford DC	Considers consultation version of emerging Core Strategy, including amended housing requirements.
Friday 31 st July		Political Working Party	Findings of GL Hearn work are presented. OAN for HMA and individual authorities is agreed
AUGUST		DtC Group	SHLAA work, which has been running concurrently since June, is completed and agreed by the DtC Group before presentation to the Working Party. Coventry CC begin to present SHLAA findings to Warwickshire authorities to allow for detailed discussion of this work
3 – 14 th August		DtC Group	SHLAA work, which has been running concurrently since June, is completed and agreed by the DtC Group before presentation to the Working Party. Coventry CC begin to present SHLAA findings to Warwickshire authorities to allow for detailed discussion of this work
Friday 14 th August		Political Working Party	Capacity of each authority is reported and agreed.
17 th – 28 th August		DtC Group	Taking the findings of all of the above, the DtC group come up with a proposed distribution across the HMA.
Thursday 27 th August		Political Working Party	Options for the distribution of housing and employment across the HMA are debated

Table 1: Timetable for agreed C&W HMA Strategy to meet housing and employment needs

SEPTEMBER				
1 st – 11 th September	DfC Group	Considers feedback provided by the Working Group and develops the preferred distribution		
11 th September	Working Party	Preferred distribution strategy is presented and debated with an aim to seek agreement on the preferred strategy for recommendation to the sEPB.		
14 th – 18 th September	DfC Group	Drafts an MoU following the Working Party meeting and accompanying sEPB report.		
23 rd September	Lead Officers Group	Considers MoU and reports any amendments back to DfC Group		
29 th September	sEPB	MoU that outlines the agreed distribution of housing and employment across the HMA is agreed.		
OCTOBER/ NOVEMBER/DECEMBER			All authorities	Seek formal agreement of the MoU through individual political processes.

5. Recommendation

5.1 The Shadow EPB is recommended to:

5.2 **Recommendation 1:** Agree the process and timetable set out in the table above;

5.3 **Recommendation 2:** Commit to supporting the CSWAPO Policy Group through the establishment of Political Working Group meetings attended by all authorities;

5.4 **Recommendation 3:** Discuss and agree to consider a proposed Memorandum of Understanding at its meeting on 29th September 2015.

Warwick District Local Plan: Timeline

	Action	Planned Completion Date	Progress at 13 th August 2015
1	Write to the Inspector requesting the examination is suspended to provide time to address points of concern	August 2015	Actioned 13 th August 2015
2	Joint working /co-operation to agree the scale and distribution of unmet housing need across Coventry and Warwickshire as set out in shadow EPB Report on 6/7/15.	September 2015	See paragraph 10 of letter dated 13 th August 2015
3	Undertake site assessment work to identify opportunities to address concerns regarding the submitted Plan's windfalls allowance / housing land supply.	September 2015	SHLAA sites being revisited and evidence being reviewed / updated
4	Coventry and Warwickshire Joint Committee for Economic Growth and Prosperity (shadow EPB) to agree Memorandum of Understanding (MoU) for the distribution of unmet housing need across Coventry and Warwickshire.	29 th September 2015	Preparatory work progressing – see Action 2 above.
5	MoU formally agreed by the six councils in Coventry and Warwickshire	October to December 2015	
6	Based on site assessment work (action 3 above), identify sites to ensure sufficient housing land supply to provide a five- year land supply on adoption and to establish an approach to the preparation of a site allocations DPD if necessary.	October 2015	
7	Undertake Sustainability Appraisal of proposed modifications	October 2015 to December 2015	
8	Council report to endorse MoU and to agree proposed modifications to the Plan, including revised housing requirement, approach to identifying sites to address unmet need arising in Coventry and allocation of additional sites to address windfalls / supply issues.	December 2015	
9	If requested by the Inspector, undertake a consultation on proposed modifications to the Plan and organise responses for the Inspector's consideration.	January / February 2016	
10	Submit proposed modifications (and consultation responses if necessary) to the Inspector to recommence the Local Plan examination.	March 2016	

Local Plan suspensions agreed by Planning Inspectors

Local Authority	Comments
South Cambridgeshire (Cambridge City Local Plan Examination and South Cambridge District Local Plan Examination) <u>Inspectors' letter May 2015</u> <u>Councils' response</u>	<ul style="list-style-type: none"> • Suspended in May 2015 for nine months • Green Belt concerns • Objective Assessment of Housing Need (OAHN) – recent population projections may suggest different levels of need? • Conformity with national planning policy
Stratford on Avon Core Strategy Preliminary findings March 2015 <u>Link to Inspector's Interim Conclusions</u>	<ul style="list-style-type: none"> • Resume the examination in October 2015 (a seven month suspension) • Invites council to consider suspension • OAHN needs to be revisited (this is likely to result in an increase in OAHN from 560dpa to 720dpa) • Defects in Sustainability Appraisal (SA) process • Reconsider options around policy SUA.3 (site allocation, also to be removed from Green Belt) • Council response - suggest timetable for additional work (in parallel to ongoing consideration of non-controversial matters)
Cheshire East Council Local Plan Strategy Interim findings November 2014 <u>Examination website</u>	<ul style="list-style-type: none"> • Initially six month suspension until June 2015 agreed (although this is ongoing) • Economic strategy unduly pessimistic and serious mismatch between economic and housing strategies in terms of level of jobs and amount of new housing • OAHN shortcomings, potentially resulting in a 33% increase in the housing requirement • Inadequate levels of future housing provision • Spatial distribution of development needs further evidencing • Green Belt boundary issues
Cherwell Local Plan Examination 2014 <u>inspector's Note</u> <u>Cherwell DC Timetable letter</u>	<ul style="list-style-type: none"> • Six month suspension • Increased new housing delivery over plan period to meet OAHN • Plan adopted in July 2015 • Early review policy included to assist with provision of Oxford's unmet housing need
Amber Valley Local Plan Part 1 Examination in public <u>Examination web page with links to correspondence on suspension</u>	<ul style="list-style-type: none"> • Initially, six month suspension (May to November 2014) • Suspension extended several times subsequently resulting in a period of a year or more • To date, hearings have not reconvened • Concerns about five-year housing land supply • Increase in housing requirement • Amendments to proposed strategic sties
South Worcestershire Development Plan (SWDP) (Malvern Hills District Council, Worcester City and Wychavon District Council) Inspector's Interim Conclusions – Stage 1 (2013) <u>Inspector's further Interim</u>	<ul style="list-style-type: none"> • Suspension originally for five months – extended further to eight months (to December 2014). • <u>Letter from the Inspector</u> (October 2013) setting out concerns about the proposed levels of OAHN for the joint plan. • SWDP originally proposed housing figure of 23,200 new dwellings across the plan period. • Following consideration of the additional work undertaken on behalf of the councils, this figure rose to around 28,400.

Local Authority	Comments
<u>Conclusions on outstanding matters</u>	
Cornwall Local Plan Strategic Policies 2013 - preliminary findings following hearings in May 2015 <u>Examination Suspension page</u>	<ul style="list-style-type: none"> • Eight month suspension agreed • Concerns over demographic projections; affordable housing and OAHN; economic strategy; distribution of growth; gypsy and traveller communities; sustainability appraisal
Charnwood Local Plan - suspension April 2013 <u>Inspector's letter</u>	<ul style="list-style-type: none"> • Nine month suspension • Issues around overall housing provision in the context of the HMA as a whole • Assessment of housing need not suitably robust • Joint Strategic Housing Market Assessment being undertaken – willing to suspend plan to enable this to be completed and to enable resolution of issues about distribution of housing need in HMA
Rushcliffe Borough Council Core Strategy 2013 <u>Inspector's explanatory note</u>	<ul style="list-style-type: none"> • Six month suspension • Reduced housing target from RSS 15,000 to 9,600 not evidenced • Failure to effectively demonstrate Duty to Co-operate with Greater Nottingham authorities given change in approach to housing numbers • Suspension to review housing figures and examine how need is to be met, broader review of Green Belt, revisit Sustainable Urban Extension allocations
Bath and North East Somerset Council Core Strategy 2012 <u>Inspector's Preliminary Conclusions on strategic matters and the way forward</u> <u>The Inspector's note agreeing to suspend the examination</u>	<ul style="list-style-type: none"> • Eleven month suspension • Concerns over lack of National Planning Policy Framework-compliant assessment of housing requirement • Need to make up shortfall of 850 dwellings under existing Plan • Lack of flexibility to adapt to rapid change • Need to explain in SA reasons for not meeting fully assessed needs • Suspension to address issues including cross border discussions and revision of SA
West Northamptonshire Joint Core Strategy (Daventry District Council, Northampton Borough Council, South Northamptonshire Council, Northamptonshire County Council) <u>Resumed Hearing - Statement from Councils</u>	<ul style="list-style-type: none"> • Suspended for 11 months • Further work required on OAHN, • Further work required on SA / SEA • Further work required on Habitat Regulations Assessment • Fundamental Spatial Strategy unchanged • Plan period extended from 2026 to 2029