

**Examination of the Warwick District Council Net Zero Carbon Development Plan Document**

Inspector: Andrew McCormack BSc (Hons) MRTPI

Programme Officer: Ian Kemp

Tel: 0772 300 9166 Email: [ikemp@icloud.com](mailto:ikemp@icloud.com)

---

Mr Andrew Cornfoot  
Business Manager – Planning Policy & Site Delivery  
Warwick District Council  
Milverton Hill  
Royal Leamington Spa  
CV32 5HZ

8 December 2022

By email only

Dear Mr Cornfoot,

**Submission and Examination of the Warwick Net Zero Carbon Development Plan Document (DPD)**

As you are aware, I have been appointed by the Secretary of State to examine the Warwick Net Zero Carbon DPD ('the Plan'). I am writing to you to confirm that I have now completed my initial review of the Plan, the supporting evidence and the representations made on it prior to its submission. From this, I am satisfied that the examination of the Plan can move forward.

I am grateful to the Council for its helpful summary of the representations made on the Plan and the identification of the main issues relating to soundness. From my initial assessment, I consider that the examination will require some hearings to be held. This will allow me to hear further from the Council and other interested parties with a right to be heard on the matters and issues of legal compliance and procedure and soundness in accordance with the tests set out in paragraph 35 of the National Planning Policy Framework (the NPPF) that I will identify in due course and, where necessary, on soundness points that have been raised regarding the Plan as it has been submitted. In broad terms, at this stage, I anticipate the main matters and issues for discussion to include the relationship between the DPD policies and relevant adopted Warwick Local Plan policies, the role and timing of the DPD and its policies in working towards net zero carbon targets, the impacts on delivering development in relation to achieving net zero carbon targets and viability assessment.

**Progressing the examination**

In order to progress the examination, I ask that the Council continues to work with myself and the Programme Officer, Mr Ian Kemp, to set out a reasonable programme for the examination over the coming months. This will include the publication of my Matters, Issues and Questions (MIQs) for which I will invite responses, in the form of Hearing Statements from the Council and those with a right to be heard. These MIQs will also form the basis of discussion and the agendas for each hearing session. I will provide a guidance note for all participants of the hearings in due course, alongside the MIQs and once the programme for the examination has been determined and published.

In addition to the above, I seek the view of the Council on how the hearings are to be most appropriately held. The default option is for face-to-face hearings to be held at an appropriate and accessible venue within the local planning authority area. However, as a result of the impact of the Covid-19 pandemic, there are now several options available with regard to the format and nature of the hearings. I refer the Council to the Planning Inspectorate's *Format of Local Plan Examination Hearing Sessions - Guidance and Information for Local Planning Authorities* which sets out the options available. Please could the Council consider, if it has not done so already, firstly which approach to undertaking the hearings would be the most suitable in this case and, secondly, advise whether the Council has the capability technologically and logistically to host the hearings virtually in any event, as a fallback position should a change in circumstances require it.

## Examination of the Warwick District Council Net Zero Carbon Development Plan Document

Inspector: Andrew McCormack BSc (Hons) MRTPI

Programme Officer: Ian Kemp

Tel: 0772 300 9166 Email: [ikemp@icloud.com](mailto:ikemp@icloud.com)

---

From what I have seen and read, including the Council's recommended modifications in response to representations (Section 4 of the Net Zero Carbon DPD Regulation 22 Consultation Statement - Document Ref: **SUB7**), it is unclear whether the Council is requesting that I recommend main modifications where necessary to make the Plan sound, legally compliant and capable of adoption in accordance with Section 20(5) of the Planning and Compulsory Purchase Act 2004. Please could the Council confirm in writing its position in this regard as soon as possible.

Subject to the clarification of the Council's position on the matters raised above, once the hearing sessions have been arranged, held, and concluded it will likely be necessary for proposed main modifications to the submitted Plan to be identified, clarified and justified. These will need to be consulted upon for a period of not less than 6 weeks. Representations on these proposed modifications will then need to be considered by me, prior to finalising my Examination Report.

### Examination Document Library and Website

I have had regard to the examination website and the document library using the link provided as follows at: [https://www.warwickdc.gov.uk/info/20799/development\\_plan\\_documents/1713/net\\_zero\\_carbon\\_development\\_plan\\_document](https://www.warwickdc.gov.uk/info/20799/development_plan_documents/1713/net_zero_carbon_development_plan_document)

At this stage, the examination website appears to be working well. This website and the information within it will be the main point of reference for all those participating in the examination, including myself. It will include all submitted documents, evidence and representations and also details about the examination programme including the published MIQs, the hearings schedule and any further guidance and notifications on changes that may be necessary. Therefore, it is very important that the Council continues to work with the Programme Officer to ensure that the information provided within it is set out clearly, is easily accessible and is as up to date as possible.

### Next steps

I have asked a number of questions of the Council in terms of clarification on the logistics of progressing the examination and the potential scheduling of the various stages. I appreciate that some responses on these matters may take time to provide. As a result, to ensure that the examination progresses as efficiently and effectively as possible, please could you contact Ian Kemp as soon as possible and no later than **12noon on Wednesday 15 December** to advise on the likely timescale to provide full responses to the requests set out in this letter. Should you require any clarification on the points raised, I would be happy to elaborate.

Once I have a clear indication on the timeframe for responses, I am hopeful that I will then be in a position to finalise the examination programme, including the matters and issues which will inform the hearing sessions. At this stage, subject to the responses from the Council, I anticipate that hearings will be likely to take place in early Spring 2023.

I trust that you find this initial letter helpful and I look forward to hearing from you at your earliest opportunity with regard to the points set out above. Please ensure that a copy of this letter is placed in the examination document library and notified on the examination website.

Yours sincerely

*Andrew McCormack*

Inspector