

Joint Cabinet Committee

Minutes of the meeting held on Thursday 10 March 2022 in the Town Hall, Royal Leamington Spa at 4.15pm.

Present:

Stratford-on-Avon District Council: Councillors Jennings, Harvey, and Pemberton.
Warwick District Council: Councillors Cooke, Day and Hales.

Also Present: Councillor Milton (Chair of the Warwick Overview & Scrutiny Committee), Councillor Boad (Warwick Liberal Democrat Group Observer), Councillor Davison (Warwick Green Group Observer), Councillor Mangat (Warwick Labour Group Observer), Councillor O'Donnell (Chair of the Stratford-on-Avon Overview & Scrutiny Committee), and Councillor Juned (Stratford-on-Avon Liberal Democrat Group Observer).

1. **Appointment of Chairman**

It was proposed by Councillor Cooke, seconded by Councillor Pemberton and

Resolved that Councillor Day be appointed as Chairman up to next meeting.

2. **Apologies for Absence**

- (1) Apologies for absence were received from Councillor Milton; and
- (2) Councillor Harvey substituted for Councillor Parry.

3. **Declarations of Interest**

There were no declarations of interest made.

4. **South Warwickshire Local Plan – Evidence Report**

The Committee considered a report that updated Members on the various technical studies being prepared as part of the local plan evidence base to inform the preparation of the South Warwickshire Local Plan (SWLP). In particular, it sought endorsement of the Housing and Employment Land Availability Assessment (HELAA) methodology.

The National Planning Policy Framework (NPPF) required Local Plans to be underpinned by relevant and up-to-date evidence. This needed to be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and taking into account relevant market signals.

The Scoping and Call for Sites consultation put forward suggestions as to what new evidence would be required to inform the SWLP, and Question 4 of the consultation sought views on this. Analysis 1 of the responses to this and ongoing discussions with stakeholders was informing the identified evidence base required for the next stage of the Plan – the Issues and Options consultation. Some of this evidence was being collected by partners and would

form part of the discussions with the stakeholder meetings in the next few weeks.

The Scoping document also identified a range of key plans and strategies that would be taken into account. A number of respondents cited other documents that needed to be used to inform the SWLP. Other more recently published strategies would also need to be taken into account, including the Levelling Up White Paper as the SWLP would be a critical document in delivering on these missions and ambitions, and securing finance from the UK Shared Prosperity Fund.

Another aspect of the preparation of the Plan was ongoing engagement with the Councils' key stakeholders. To inform the next stage of the Plan, the Issues and Options, meetings were set up with a range of organisations in order to progress any issues raised in their scoping consultation response, and to develop the growth strategy and necessary infrastructure requirements, along with the possible policy options.

A number of pieces of evidence were in the process of being prepared in-house or commissioned externally by consultants. Appendix 1 to the report set out the current position with regards to preparing the evidence base, and identified which initial evidence was expected to inform the Issues and Options, and which would be produced at a later date to inform the Preferred Options version of the Plan.

Of particular significance to highlight was the climate change evidence which was in the process of being commissioned. This evidence was required to address ten aspects in relation to climate change as follows and which would need to be refined as the plan progressed:

1. Set the context for climate change in relation to the South Warwickshire area using an analysis of the relevant existing available information, including a technical assessment of current and predicted changes.
2. Inform the growth strategy of the Plan by assessing the impacts of a variety of options and potential strategic allocations in relation to impacts on carbon emissions and impact on flooding and biodiversity and ability/opportunities for suitable mitigation and adaptation including the effect of higher temperatures.
3. Identify sites or broad locations within South Warwickshire where it would be appropriate to locate renewable and decentralised energy sources, including serving site allocations and existing built-up areas. This might include the establishment of a criteria-based assessment upon which a Local Plan policy could be derived.
4. An assessment on what 'net zero carbon' means and looks like for new development in South Warwickshire, including embodied carbon, both in relation to residential and non-residential uses through a technical feasibility. Consideration of how the design and layout of schemes could embrace not only net zero carbon but also address other climate change mitigation and adaptation elements such as biodiversity, flooding, over-heating, resilience to increased temperatures, accessibility – building on concepts such as the 20-

minute neighbourhood and how this could be applied to the South Warwickshire area. This would help inform the establishment of specific criteria-based climate change policies within the Plan that new development would be required to satisfy.

5. Consideration of how the Plan could address retrofitting existing buildings to minimise carbon emissions and enable buildings to adapt to climatic changes, particularly given the local character and distinctiveness of many settlements within South Warwickshire. This should link to point b) above in relation to decentralised energy sources.
6. Climate Change impact assessment of policies within the Plan, including those not directly related to climate change, to understand any potential positive and negative implications.
7. Viability implications of both the preferred growth strategy and specific policies within the Plan related to climate change mitigation and adaptation. This should include an assessment of the whole life costs. It was anticipated that the Plan would be aiming for carbon zero developments, as this was beyond the Future Home Standard evidence that was required to demonstrate if/how this could be achieved, and if not then what the Council's carbon reduction targets should be.
8. Carbon Sequestration – The extent to which the Local Plan could assist in this process.
9. Offsetting evidence to inform a policy in the Local Plan on climate change offsetting, in terms of process, type of development eligible, cost and how it could be spent.
10. In recognition of the multiple pressures on rural land (such as renewable energy, local food production, biodiversity, tree planting etc), consideration of whether there were existing land typologies that could be protected and/or allocation to minimise carbon emissions.

Members were reminded that the potential need to undertake a Green Belt review was highlighted in the Scoping consultation. It was proposed that such a review should be carried out following the Issues and Options stage. This would conform to national policy in terms of needing to demonstrate exceptional circumstances before a review was undertaken and the Issues and Options consultation could be used to frame the conversation with residents and stakeholders about the merits and challenges of undertaking a Green Belt review, particularly in relation to addressing the climate change emergency.

It would also enable further engagement with the Council's duty to co-operate with partners, particularly surrounding local authorities about the potential for other authorities to meet any of the needs and the level of support for a sub-regional approach.

Regarding the Housing and Employment Land Availability Assessment (HELAA), a standard approach to the assessment of housing and employment sites was being applied across Coventry and Warwickshire and a public consultation in respect of this methodology concluded in December 2021. This

sub-regional HELAA methodology set out a high-level framework for assessing potential locations/directions for growth, within which individual Local Planning Authorities could tailor specific criteria to respond to their local circumstances. The HELAA replaced existing SDC and WDC Strategic Housing Land Availability Assessments or SHLAAs.

The methodology applied the standard 'traffic light' (red, amber, green) colour coding to indicate how a location might perform against each of the criteria:

- Red – locations might be considered unsuitable. The constraint was absolute and could not be mitigated.
- Amber – a constraint to development existed, but mitigation might be possible.
- Green – the location was not constrained by this criterion.

For some criteria a 'red' assessment would be sufficient to remove the site from the process as unsuitable. In others, it was possible that a more nuanced assessment might be necessary where a location/site might on balance had the potential to achieve other objectives through development.

The sub-regional methodology outlined the types of locations and sites which might be identified for assessment. This included, but was not restricted to, the sites identified in the Call for Sites exercise. Other locations/directions/sites would be compiled by officers in due course for assessment, in line with the sub-regional approach. This could include for example current allocations which did not presently benefit from planning permission, unimplemented planning permissions, previously withdrawn or refused planning applications, and sites from the Brownfield Registers.

It was important to note that any assessment of whether a location/site could be appropriate, was distinct from whether it should be developed, which was linked to the spatial strategy. Work on defining the spatial strategy options would run concurrently (though discretely) from the application of the HELAA methodology. It did not therefore automatically follow, that sites that could be appropriate for development would be allocated for such.

A multi-layered approach was being applied to the SWLP; within the HELAA itself, under the assessment of suitability, site/location attributes were being considered first before policy designations and site constraints were applied – see Appendix 2 to the report. The availability of sites and their achievability for development were also assessed to reach a conclusion about the overall deliverability of sites/locations.

An additional assessment outside the scope of the sub-regional HELAA based on the SWLP Scoping and Call for Sites consultation was then being applied.

Regarding HELAA Suitability Assessment: Location/site attributes, this stage was focused on quickly sifting out obviously unsuitable sites, both in the 'call for sites' submissions and other types of sites which might be identified from the sub-regional methodology (e.g., previously withdrawn or refused planning applications). This was based on site size, location and in the case of 'call for sites' submissions, the proposed purpose of the site. All sites assessed as 'red' in one or more of the criteria in this sub-section would be removed from the assessment process at this stage.

The HELAA Suitability Assessment Policy designations and site constraints principally using a desk-based assessment (i.e., GIS mapped data) would identify whether a location/site was subject to any known policy or physical constraints. This would identify whether the site fell within or was adjacent to any policy designations (such as the Green Belt or the AONB), and whether it had any relevant ecological, land, or heritage constraints that would need to be considered.

The HELAA Availability and Achievability Assessment would confirm that the site was available for development at a given point in time and that there were no other legal or market impediments to delivery.

Additional Assessment based on the four overarching principles set out in the SWLP Scoping and Call for Sites consultation, additional settlement design and infrastructure mapping criteria were developed. This work included, for example:

- access and connection opportunities including barriers to connectivity;
- landform;
- accessibility to public transport services;
- accessibility to infrastructure such as schools, shops, and health services;
- accessibility to public open spaces.

In respect of recommendation 2, two options were available; to endorse the methodology as presented or to amend the methodology. Not endorsing a methodology was not considered an option as officers required some objective means of selecting potential locations for inclusion within the next Issues and Options consultation.

The Group Observers supported the recommendations in the report, stating that the “direction of travel” was excellent. However, Councillor Juned requested an update on how national government plans might affect the powers available to the Council.

Councillor Pemberton then proposed the report as laid out.

Resolved that

- (1) the various technical studies underway be noted, the results of which will be used to inform the preparation of the South Warwickshire Local Plan; and
- (2) the Housing and Employment Land Availability Assessment methodology be endorsed.

(The Portfolio Holders for this item were Councillor Pemberton & Councillor Cooke)

5. **South Warwickshire Local Plan – Update Report**

The Committee considered a report that updated Members on the progress of the South Warwickshire Local Plan and to agree its scope and end date. Stratford-on-Avon (SDC) and Warwick (WDC) District Councils consulted on the South Warwickshire Local Plan (SWLP) Scoping and Call for Sites document between 10 May and 21 June 2021. Four 'golden threads' ran throughout the plan:

- Tackling climate change.
- Increasing connectivity.
- Increasing biodiversity.
- Promoting wellbeing.

In the same way as infrastructure, the economy was not a 'golden thread' in itself but cut across all four components. As such, the Plan was also seen as a key delivery mechanism for the various corporate strategies including climate change and the emerging joint South Warwickshire Economic Strategy.

The consultation sought responses to 53 specific questions covering range of topics and structured across 4 chapters:

- Questions 1-6 about the scope of the plan and the call for sites.
- Questions 7-38 about key strategic planning issues.
- Questions 39-41 about the vision and strategic objectives.
- Questions 42-53 about various options for growth.

561 individuals/organisations responded to the consultation and 557 sites were submitted as part of the Call for Sites. A Consultation Statement setting out the consultation approach and a summary of the consultation responses received was available at Appendix 1 to the report. Social media for the consultation attracted some 84,500 impressions and the accompanying videos were watched over 2,500 times. Officers also undertook a feedback survey of those who responded to learn lessons from the consultation.

The results of the call for sites exercise were available to view via interactive mapping software at South Warwickshire Local Plan. It was stressed that the call for sites was simply a long list of the sites that had been submitted to Stratford-on-Avon and Warwick District Councils for consideration through the South Warwickshire Local Plan process. Publication of the Call for Sites was in no way an endorsement by either Council that the site was either suitable for development or would be included within the Local Plan itself. These sites had not yet been analysed and as such it was unlikely that all sites would be taken forward as the plan progressed. The decision to publish the call for sites in their 'raw' form was one of transparency. The methodology that the Councils were applying to assess locations and sites was set out in a separate agenda item in respect of the evidence base update.

Section 3.3 of the report and Question three in the Scoping and Call for Sites report sought responses on the plan period i.e., the length of time that the policies in the Local Plan should be valid for. Paragraph 22 of the NPPF (July 2021) stated that:

“Strategic policies should look ahead over a minimum 15-year period from

adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Where larger-scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.”

By planning over a longer time period, the Councils would be able to align more easily with infrastructure providers who typically take a longer-term view on investment decisions. This would help ensure that new developments were supported by the necessary improvements in infrastructure. 2050 was also the date of the Government’s goal to achieve a 100% reduction in net greenhouse gas emissions (relative to 1990 levels). There were 235 respondents to this question. In total there were 127 respondents supporting the proposed end date, 71 objecting and 37 did not provide conclusive answers either way.

Of those supporting the proposed 2050 end date the majority agreed that this would provide an opportunity to consider strategic growth options and to plan more sustainably. A longer plan period would allow the delivery of significant developments, and even new settlements, in full, which would help meet the needs of both districts and the unmet need across the Housing Market Area. A longer plan period would also help in bringing forward the necessary infrastructure, as well as provide certainty to local communities and developers.

Respondents also commented on the importance of a longer plan period when a review of the Green Belt was considered. Any changes to the Green Belt boundary would need to endure well into the future, and to prevent piecemeal release in the future, a realistic understanding of future development was required. It was also commonly acknowledged that 2050 aligned with the national targets to be carbon neutral.

The arguments against the proposed end date were largely centred around the uncertainty of the future and the pace at which society and technology could change, as shown by the recent pandemic. As such, it was believed the Plan would become out of date too quickly. There were also concerns that a long-term Plan would not meet short term requirements, and there was a strong feeling that quicker action needs to be taken to combat climate change.

Another strong argument against the proposed end date, was that both existing Plans were being ‘replaced’ four to five years after they were adopted, despite still having approximately 10 years left of the Plan period. There was therefore concern as to how a new Plan, with an even longer Plan period could remain relevant, when the existing ones were being replaced so soon after adoption.

With regards to the 38 respondents who did not provide conclusive answers either in support or against the proposed end date, most believed 2050 should be the absolute minimum end date, and it should in fact extend beyond this date. There were also comments relating to the rigidity of the Plan, and how it would be important to ensure adequate review mechanisms to make sure the Councils were not ‘stuck’ with an out-of-date plan based on out-of-date evidence.

Regarding the scope of the plan, Section 3.2 of the report and Question Two in the document sought responses on the scope of the plan. It suggested that rather than prepare a single comprehensive Plan, the plan-making process should be split into at least two separate parts.

Part One would establish a robust and flexible framework setting out where and how much development should take place across South Warwickshire. It would include the core principles and strategic policies that could provide the context for more detailed policies to follow. This framework should be capable of remaining relevant for the duration of the Plan period. This split approach would enable the Councils to prepare the first part of the Local Plan much more quickly. This would provide clarity and certainty to communities and landowners.

It would also ensure that the Councils could continue to proactively manage development pressures facing South Warwickshire. Essentially, Part One established the framework for subsequent parts of the SWLP to come forward. It could also provide a meaningful role for neighbourhood plans to focus on detailed local policies within the context of the strategic planning framework established by Part One.

No decisions had yet been made about how to progress subsequent plans although this approach provided flexibility to adopt the most appropriate solution. It might be that a hybrid approach was most appropriate reflecting the geography and challenges facing South Warwickshire.

The practical effect of having a Part One Plan was an acceptance that Part One would not identify or include every development site; it would only identify strategic sites and locations. Non-strategic sites would be identified in subsequent parts of the Plan. There was a further discussion to be had as to what the detail of this approach would look like.

The most important component of Part One was the development strategy – also known as the spatial strategy; the name given to the approach set out in policy as to how the Plan apportions growth to the area. It identified a hierarchy of settlements based on the principles of sustainable development where the more sustainable locations, at the top of the hierarchy, received more growth. The hierarchy could include existing settlements, locations/key sites as well as new settlements. Typically, housing and job numbers were apportioned to these locations. Essentially, the development strategy set out how much development went where.

The current development strategies were set out in Policies CS.15 and CS.16 of the SDC Core Strategy and Policies DS4, DS6, DS7 and DS8 of the Warwick Local Plan. They related to both housing and employment. The WDC Local Plan met its housing requirement in full by allocating sites of a variety of sizes. The SDC Core Strategy also met its housing requirement in full albeit by allocating a more limited number of larger sites, strategic and non-strategic in nature. Both plans fully met their jobs requirement by allocating sufficient employment sites.

The term 'strategic sites' was not defined as such but was regarded as being sites central to the delivery of the plan. As such, strategic sites should not be defined by size alone, although this could be a useful proxy. The NPPF set out

guidance in respect of the approach to strategic policies (not sites per se) – see excerpt in Appendix Two to the report.

The most important aspect of the Plan was to be able to demonstrate deliverability. As such, strategic sites could encompass locations where significant change or substantial growth was proposed or where development was required in the early years of the Plan period necessary to maintain a five-year housing land supply. For the avoidance of doubt, the Part One plan would need to identify any areas for Green Belt release, including any areas of new Green Belt.

It should have been noted that local planning authorities were required to assess the up-to-dateness of their Plan every five years, and review Plans if necessary. This requirement fitted well with the framework set in a Part One Plan, thus enabling the detailed policies in subsequent Plans to be updated and remain relevant to 2050. In other words, Part One were fixed now for the period to 2050 and subsequent parts of the Plan were prepared and reviewed on a more regular basis as necessary over the 25-year period e.g., to take into account changes in technology and standards.

The housing 'to-find' figure needing to be met by allocations in the Core Strategy was significantly reduced owing to applications being granted consent or via appeal. The Site Allocations Plan sought to identify additional housing sites beyond the housing requirement as well as reserve housing sites.

There were 230 respondents to this question. In total there were 151 respondents supporting the approach of a strategic Part One Plan, 43 objecting and 36 did not provide conclusive answers either way.

The two primary arguments in support of a strategic Part One Plan, was that it would expedite the Plan making process, in turn providing clarity and certainty for developers and communities, and that it would allow the Councils to focus on the strategic priorities of the area.

There was also an understanding that having a high-level Plan allowed a level of flexibility in the plan making process should there be any drastic changes or reforms.

Interestingly, many of the arguments against a Two-Part Plan were direct opposites of the arguments above. Many respondents believe that a Two-Part Plan would cause confusion and uncertainty, particularly for smaller villages who would need to wait for the Part Two Plan to come forward before they understood the full extent of development across the District. However, the most prolific argument against a Two-Part Plan, was the time taken for the second Plan to come forward. Many respondents believed that a Two-Part Plan would take too long to be adopted and there were concerns that this might cause shortfalls in the five-Year Housing Land Supply which might result in unplanned development. Many respondents pointed to the difficulties Stratford-on-Avon District Council had with the Site Allocations Plan. The view of these respondents was that a 'full' plan should be progressed.

For those that did not provide conclusive answers they shared many of the views presented above. Most understood the sentiment behind the high-

level strategic Part One Plan, but they also had some concerns. For some, it was unclear what the Part One Plan would contain, and what 'strategic matters' it would cover, and whether a Part 1 Plan might lack the necessary detail; greater clarity over its contents were requested. Many respondents suggested that the Part One Plan would need to cover strategic allocations and have a conclusive development strategy. For those that were concerned about the timescales, it was commonly stated that Part Two would need to come forward in a timely manner so that the detailed matters were not delayed.

Overall, the vast majority of respondents understood and agreed with the approach of a Two-Part Plan. In conclusion, a Part One plan that established the strategic principles for development over the long term provided flexibility in respect of how we then plan the details. Some of those details would be included in Part One (i.e. strategic locations and any Green Belt locations), some would be incorporated in subsequent South Warwickshire Local Plans, whilst some details could be included within neighbourhood plans.

Importantly, commencement of any work on subsequent SWLP documents would not have to wait until adoption of Part One but could be brought forward in close succession.

In terms of alternative options, there were two substantive recommendations in this report. In respect of recommendation two, an end date was required. A date of 2050 was proposed for the reasons set out in the report. If Members did not agree that 2050 was the appropriate date, then an alternative date needed to be established.

In respect of recommendation three, if Members did not agree that with the proposed approach of having a strategic Part One Plan, then the alternative was for a single comprehensive SWLP to be produced. Members should be aware of the likely impact on plan-preparation timescales of such an approach.

In response to questions from Group Observers, the Head of Place and Economy explained that the benefit of Part One Planning was flexibility, although what that would look like had not yet been decided. He stated that a more flexible approach enabled the Councils to adapt to changing government policy. Each plan had its own statutory processes to go through, and the Councils aimed to create a high-level and robust framework that enabled the details to be changed as and when.

Councillor Cooke then proposed the report as laid out.

Resolved that

- (1) the summary of the feedback that has been received in response to the Scoping and Call for Sites consultation during May/June, be noted;
- (2) the end date of the South Warwickshire Local Plan is 2050; and

- (3) the South Warwickshire Local Plan is prepared as a suite of plans with Part 1 to the report being a strategic plan establishing the development strategy and strategic policies, be agreed.

(The Portfolio Holders for this item were Councillor Pemberton & Councillor Cooke)

6. **South Warwickshire Local Plan – Timetable Report**

The Committee considered a report that sought to agree the timetable for the preparation of the South Warwickshire Local Plan.

There were a number of stages to the preparation of Local Plan documents (see Figure 1 below). Publishing a timetable setting out when these various stages were likely to occur helped to ensure that residents and stakeholders could more fully engage in the process.

An indicative timetable for the South Warwickshire Local Plan (SWLP) was published in Autumn 2020 with the intention that it would be confirmed following the initial Scoping and Call for Sites Consultation held between May and June 2021.

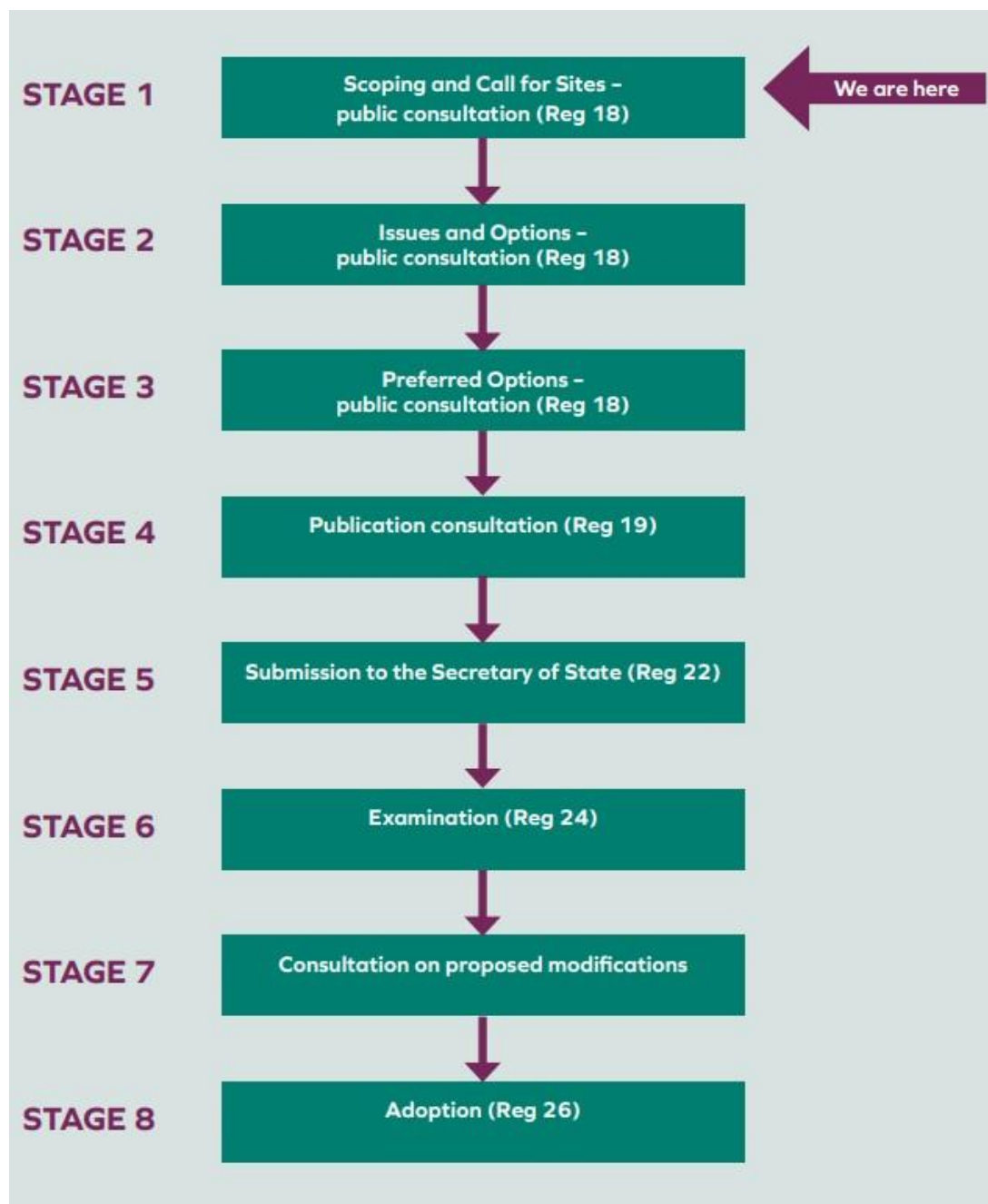
The intention was to consult on the next stage of the SWLP – Issues and Options – in late summer 2022. As such, it was considered necessary to confirm these timescales.

It was also a legal requirement to prepare a Local Plan in accordance with the published Local Development Scheme (LDS). The LDS was a work programme that provided information about the Local Plan/Development Plan Documents (DPDs) that a Local Planning Authority would produce. The LDS set out the subject and geographical area that each DPD would cover and the timetable for its preparation and revision. SDC and WDC's current LDSs did not include an up-to-date timetable for the SWLP.

This report sought to agree the SWLP timetable so that it could then be included within each Council's LDS in due course. The timetable was attached at Appendix 1 to the report.

It should have been noted that the timetable would be kept under review and could be adjusted as necessary. It was considered challenging but realistic and provided for a degree of flexibility. One key variable related to the 2023 local elections which might be postponed to 2024 if the Government confirmed the political merger of the two Councils.

Figure 1 – Stages of Local Plan Preparation



Whilst much of the work on the SWLP could be undertaken in parallel, certain aspects of plan preparation were sequential. Given the importance of housing and job numbers, it was considered sensible to await the publication of the 2021 Census results before consulting on the Issues and Options version of the SWLP. The headline results were due Spring 2022. Delay to publication might impact on the proposed timetable. The alternative would be to consult using current projections which were based on figures that were now 10 years old. The Census would also provide an opportunity to verify the accuracy of these projections.

It should also be noted that the timetable, post submission of any plan was determined by the Planning Inspectorate.

In terms of alternative options, there were two options available to the Joint Cabinet Committee. The first was to agree the timetable as drafted, noting that it could be kept under review and adjusted as necessary. The second option was to agree an alternative timetable. Not confirming a timetable was not considered to be a realistic option.

In response to comments from Group Observers, the Head of Place and Economy explained that, as this was a high-level plan, it was advisable to adopt this timetable. He assured Members that a more detailed timetable would be circulated in due course to allow Members to provide better and more timely scrutiny.

Councillor Pemberton then moved the report as set out.

Resolved that the timetable for the preparation of the South Warwickshire Local Plan be agreed and incorporated into each Council's respective Local Development Scheme in due course.

(The Portfolio Holders for this item were Councillor Pemberton & Councillor Cooke)

7. **Urgent Business**

There were no urgent business items.

(The meeting ended at 5.00pm)

CHAIRMAN
7 December 2022