

 EXECUTIVE 29 June 2020		Agenda Item No. 3 (VII)
Title	Use of delegated powers - Canalside Pre-submission Development Plan Document (DPD) – Request to Consult	
For further information about this report please contact	Lorna Hale (01926 456505) lorna.hale@warwickdc.gov.uk	
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Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?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	3 October 2019 Minute No: 55	
Background Papers	Warwick District Local Plan 2011-2029 Local Development Scheme – Executive March 2018, Item 11, Draft Canalside DPD	

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)	1,080
Equality & Sustainability Impact Assessment Undertaken	Yes
The Local Plan and the policies within it has been subject to equalities impact assessment. A separate SA/SEA report solely referring to this DPD is available	

Officer/Councillor Approval	Date	Name
Chief Executive	12/02/19	Chris Elliott
CMT	12/02/19	Chris Elliott, Bill Hunt, Andrew Jones
Section 151 Officer	12/02/19	Mike Snow
Monitoring Officer	12/02/19	Andrew Jones
Head of Service	12/02/19	Dave Barber
Portfolio Holder(s)	17/02/19	Councillor John Cooke
Consultation & Community Engagement		
The report is a request to take the pre-submission DPD to public consultation for a period of 6 weeks		
Final Decision?	No. This is the final consultation prior to submission to the Secretary of State	

1. SUMMARY

- 1.1 The Warwick District Local Plan 2011-2029 was adopted in September 2017 and contains a commitment to bring forward a Development Plan Document (DPD) for the canalside.
- 1.2 A further commitment was made in the Local Development Scheme to produce relevant DPDs outlined in the Local Plan, such as the canalside.
- 1.3 Due to the Coronavirus outbreak and in line with the self-isolation Government advice, the 18 March 2020 meeting of the Executive was cancelled. As a result, the decisions on the agenda for that meeting were taken under the Chief Executive's delegated authority CE(4).

1 RECOMMENDATIONS

That Executive notes the decision taken by the Chief Executive, after consultation with Group Leaders, under delegated authority CE(4) to:

- 2.1 Note the content of the attached pre-submission document (Appendix 1 to the report) and approve it for a six-week public consultation, in accordance with the Council's adopted Statement of Community Involvement (SCI).
- 2.2 Note the Report of Public Consultation (Appendix 2 to the report) and the responses thereto. The consultation ran from 21 October to 2 December 2019 and a total of 26 respondents submitted comments with a total of 90 responses.
- 2.3 Note the Sustainability Appraisal Report (Appendix 3 to the report) that has been prepared by consultants to accompany the pre-submission document.
- 2.4 Note that following the public consultation the pre-submission version of the DPD and the SA Report will be submitted to the Secretary of State and an Examination in Public will follow. After this the Inspector's report will be brought before Executive with final amendments to the document which will then be considered for adoption.

3 REASONS FOR THE RECOMMENDATION

- 3.1 This was an urgent matter which could not wait until the next Executive meeting. Because of the Coronavirus outbreak, it was not known when the Council meetings would resume.
- 3.2 This resulted in the use of delegated power CE(4), which states:
"The Chief Executive be authorised to deal with urgent items that occur between meetings, in consultation with the relevant Deputy Chief Executive, Head(s) of Service (if available) and Group Leaders (or in their absence Deputy Group Leaders) subject to the matter being reported to the Executive at its next meeting."
- 3.3 The adopted Local Plan states in policy DS17 'Supporting Canalside Regeneration and Enhancement' that the Council will prepare and adopt a

DPD identifying areas for regeneration in the urban area suitable for other uses and areas for protection throughout the canal network. The DPD sets out policies for the assessment of planning applications in the canalside area.

- 3.4 Part of the commitment for the protection of the canal and surrounding areas has already been addressed through the designation of a Canal Conservation Area in January 2019. This is acknowledged and referenced in the DPD.
- 3.5 The DPD:
- Identifies the issues with regard to the use of the canals, both real and perceived, and the opportunities that a canalside location can provide
 - Provides specific policies for the three areas outlined in the Local Plan for consideration as residential sites where there are currently employment uses and vacancies and assesses other potential sites
 - Provides a range of policies dealing with; the use of the canal towpaths as a pedestrian/cycle route linking towns and countryside; access; protection of heritage assets, biodiversity and infrastructure; design of new developments; signage and public art.
 - Considers the future role of the canal itself and the potential to utilise as a source of water and contribute to urban cooling in helping to combat climate change
 - Recognises and acknowledges the benefits that the canalside area can have on health and wellbeing
- 3.6 The Local Plan proposes three older areas of canalside employment for consideration for residential use, these being: Sydenham Industrial Estate, Cape Road/Millers Road and Montague Road. Development of part of the Sydenham Industrial Estate for residential use has already taken place with the area to the west of Sydenham Drive and immediately adjacent to the canal given over to new housing.
- 3.7 Following the decline in the use and interest in the canals post WWII there has recently been a resurgence in interest in the canal network throughout the country. It is now recognised that the canals form a useful resource and as well as providing a network of tow paths that join towns and countryside and providing a backdrop for leisure pursuits, they are also a valuable resource in providing places of peace and tranquillity supporting the health and wellbeing of all who use them.
- 3.8 Examples of regeneration elsewhere and particularly in the bigger cities, Birmingham for example, demonstrate how this resurgence of interest and investment in the canals can assist with the regeneration of surrounding areas providing a catalyst for new uses to be found for vacant land and buildings and raising awareness of the opportunities provided by the canals.
- 3.9 The pre-submission draft of the DPD (Appendix 1 to the report) deals with these issues and provides responses to these with policies that will be utilised by officers dealing with planning applications. Specific policies deal with the redevelopment of redundant sites for residential use and a series

of other opportunity sites have been identified, examined and assessed for suitability to be taken forward for this and other appropriate uses.

- 3.10 As a DPD, the document follows the same procedure as the Local Plan in that this final stage of formal consultation is required to test the soundness and legality of the document before it is placed before an independent inspector at public examination. The report of the inspector will be binding on the Council and any amendments will be made to the DPD before it is brought back to Executive for adoption and to full Council for ratification. At that point it will carry the same weight as the Local Plan and become part of the planning framework for development.

4 POLICY FRAMEWORK

4.1 Fit for the Future (FFF)

The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. Amongst other things, the FFF Strategy contains Key projects.

The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The Council's SAP's are the programme of work fundamental to the delivery of the strands described in the table below.

FFF Strands		
People	Services	Money
External		
Health, Homes, Communities	Green, Clean, Safe	Infrastructure, Enterprise, Employment
<u>Intended outcomes:</u> Improved health for all Housing needs for all met Impressive cultural and leisure activities Cohesive and active communities	<u>Intended outcomes:</u> Becoming a net-zero carbon organisation by 2025 Total carbon emissions within Warwick District are as close to zero as possible by 2030 Area has a well looked after canal system and environment with access for all to open space and which feels safe and well used. Reduced levels of crime and the perception of crime with additional surveillance	<u>Intended outcomes:</u> Dynamic and diverse local economy Vibrant towns Improved performance/productivity of local economy Potential for improving the employment offer and income levels
Impacts of Proposal		

The DPD will help to bring forward new opportunities for regeneration and for the development of new housing in particular	The DPD will ensure that enhancements can be required as part of new developments and conversions resulting in an improved, useable and pleasant environment	The DPD will ensure that appropriate improvements and enhancements are required alongside development with the appropriate contributions made by developers
Internal		
Effective Staff	Maintain or Improve Services	Firm Financial Footing over the Longer Term
<u>Intended outcomes:</u> All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	<u>Intended outcomes:</u> Focusing on our customers' needs Improving upon the resources that we already have	<u>Intended outcomes:</u> Increase the potential for the canals to benefit the local economy and the district in general
Impacts of Proposal		
The DPD will assist officers in pre-application discussions and in determining planning applications	Not applicable	Not applicable

4.2 **Supporting Strategies**

Each strand of the FFF Strategy has several supporting strategies. The Local Plan is one of the key strategies, cutting across many of the FFF strands.

4.3 **Changes to Existing Policies**

This document seeks to support and expand policies adopted within the Local Plan and adheres to national and local policies.

4.4 **Impact Assessments**

The Consultation will be undertaken in line with the Council's Statement of Community Involvement (SCI) 2016 approved by Executive in January 2016. The SCI specifically seeks to ensure that all relevant sectors of the community are consulted. The Local Plan has been subject to an equalities impact assessment which assessed the implications of consultations on equalities.

5 BUDGETARY FRAMEWORK

- 5.1 The costs of conducting the consultations and reviewing the responses are covered within the existing budget framework.

6 RISKS

- 6.1 There are no specific risks related to taking the proposed pre-submission DPD out to public consultation.
- 6.2 There are no direct risks associated with the report because the decision has already been taken.

6 ALTERNATIVE OPTIONS CONSIDERED

- 7.1 No alternative options were considered as the decision was already made and the report was for information only.

8 BACKGROUND

- 8.1 The pre-submission document sets out identified issues surrounding the canal, associated tow paths and adjacent land and proposes policies to deal with them.
- 8.2 The DPD policies set out what is expected for each new proposal to allow planning officers to make informed decisions on applications for both new build and conversions, without detriment to the amenity of the canal environment and with suitable enhancements wherever possible, not only to the canal and its environs but also to canal infrastructure.