

**From:** Dave Barber

**Sent:** 23 April 2014 16:03

**To:** Councillors

**Cc:** CMT; Tracy Darke; Graham Leach; Claire Parlett; Sally Jones; Daniel Robinson; Lorna Coldicott; Philip Clarke; Nick Corbett

**Subject:** FW: Local Plan amendments

**Importance:** High

Dear Councillors

Following last night's group meetings, I have been asked to prepare some potential amendments for you to consider this evening. These are attached.

I am also aware that a number of further questions were raised during last night's meetings, particularly regarding infrastructure, which I would address as follows:

**Costs of the Infrastructure:**

- As has been made clear, more work still needs to be done to finalise the exact costs for some items of infrastructure. However, although costs could vary it is not expected that this will make a substantial difference to the overall cost.
- The main element of infrastructure that is expected to be a higher cost than set out in the IDP is Champion School. I have been unable to establish the costs associated with this, but it is likely to be higher than the £1.35 million set out in the IDP. This will be addressed as the IDP evolves, but for the reasons set out below (funding infrastructure), I do not expect this to undermine the overall viability of the Plan

**Funding of Infrastructure (general):** the key points to notes are:

- the IDP, as set out in appendix 4 is fully funded and there is no expectation that WCC or WDC will need to pick up any shortfall.
- There are some sources of funding (such as Single Local Growth Fund) where we do not currently know exactly how much we will be able to achieve for alternative sources of funding. However the assumption has been made that no grant funding will be available beyond the bids that are currently in. The reality is likely to be significantly different, even though the nature and scale of these funds are not currently known. The IDP has therefore been cautious in its approach to alternative sources of funding.
- Recent section 106 contributions have been able to deliver £17,000 per dwelling towards infrastructure. In this context a total infrastructure cost in the region of £170 million is realistic
- In a number of cases, these costs represent a worst case scenario and if alternative sources of funding were not forthcoming alternative schemes could be introduced using only the section 106/CIL contributions (for example secondary school provision for the southern sites; indoor sports facilities).
- There are several elements in the infrastructure proposals which could be viewed as desirable but not strategically essential (see priority 2 and 3 items). If necessary, these could be left unfunded without undermining the soundness and deliverability of the Plan's proposals. Ultimately, this would be a choice for Councillors to make.
- The above bullets illustrate that the assumptions made in the IDP are, in general, prudent.

**Transport Infrastructure**

- Four Strategic Transport Assessments have been undertaken. The latest looked at the distribution of housing set out in our Draft Plan (with the exception of one or two late, but insignificant amendments). This has shown the development proposals can be accommodated.
- Both WDC and WCC officers are completely satisfied that the STAs have been undertaken robustly and provide sound evidence that will stand up at EIP. The latest draft has been led by Arups who are internationally renowned for this kind of work.

- Whilst we have a transport solution that is workable, WCC and WDC are working together on exploring whether there is a better option. This is the “demand management study”. It is hoped that this will provide a solution which reduce/manage traffic in the towns. If this provides a workable solution the IDP will be amended.
- The Air quality assessment (commissioned by Environmental services and undertaken by a Bristol based consultancy) showed that air quality is likely to improve during the Plan Period as engine specifications become cleaner in line with European Regulations. Policy TR2 also seeks to address air quality impacts of new developments in conjunctions with the Council’s emerging Low Emissions Planning Guidance.

### **Education Infrastructure**

The County Council have a responsibility to ensure that sufficient education places are available. They are equally concerned that to ensure such provision that there is an onus on funding coming from its increasingly depleted capital resources. The County Council therefore wish to be assured that the proposals for secondary education set out within the Local Plan are deliverable from other financial resources. To satisfy this separate statutory test we will continue the discussions to reassure the County Council but officers believe that the proposals are fundable and deliverable from resources other than from WCC.

### **Modifications**

Should the Local Plan be approved by Council, the policies and proposals will be subject to a six week period of consultation during which people can make representations regarding the soundness of the Plan. Should these representations indicate that modifications are required, then modifications can be made in one of two ways. 1) If the modifications are relatively minor in nature, then the Council can prepare a table of proposed modifications and can submit this to the Secretary of State alongside the Draft Local Plan. The Inspector can then consider whether these modifications should be included in to the Plan. 2) If the modifications are major ones (e.g proposing an alternative strategic site), then the modification would need to be subject to a further 6 week consultation period. In this circumstance, the Plan’s timetable would be delayed.

### **5 Year supply**

Paragraph 8.12.2 of the covering report refers to the 5 year supply of land for housing. It is not possible to make a definitive statement at present as to whether there will be a 5 year supply when the review is undertaken in May 2014. This is dependent not just on new planning permissions but also on:

- Whether the progress of the Local Plan enables us to have more confidence in the timing and delivery of some of the allocated sites. It should help with this, but the extent of this has not yet been assessed.
- How many planning permissions have expired
- How many sites have been built out and are therefore no longer part of the 5 year supply.

This requires some detailed monitoring and careful assessment of individual sites, before a definitive position can be set out.

I hope this helps with your thinking

Best wishes

Dave Barber  
Planning Policy Manager

## **Proposed Amendments to the Local Plan Report**

### **A Proposed amendments to covering report**

**Recommendation 2.5** be amended to read as follows:

“That Council delegates authority to the Chief Executive, following the six week consultation period, acting in consultation with Group Leaders and the Deputy Leader, to submit the Draft Local Plan and Policies Map for independent examination, together with a table of any proposed modifications, provided that only minor, non-material modifications are to be proposed.”

**Recommendation 2.6** be amended to read as follows:

“That Council delegates authority to the Executive to approve the submission of the Draft Local Plan for independent examination, together with a table of proposed modifications including material modifications, provided that such modifications do not require further statutory consultation”

**Recommendation 2.11** refers to Appendix 5. This is the report considered by the Coventry and Warwickshire Joint Committee on 20<sup>th</sup> March. The report attached in Appendix 5 was amended by the Joint to Committee as follows;

- “Recommendation 2.1 - Amend the figure to read 3750-3800 dwellings;
- Recommendation 2.2.1 - Amended to read “... according to a timetable to be agreed ...”;
- Recommendation 2.2.4 – add “To recognise relationships outside of the sub-region.”;
- Additional recommendation: That Updates are to be received at Joint Committee Meetings and details to follow through to the review of the Strategic Economic Plan”.

The Joint Committee’s proposed amendments should be noted and taken in to account in reaching a decision on the recommendation 2.11 to be considered by Executive

**Additional Recommendation for Executive 1:** a new recommendation to be added to read as follows:

“That if the Gateway planning application does not succeed the Local Planning Authority will review the evidence base in relation to the need for the sub-regional employment site in light of the Secretary of State’s decision”.

**Additional Recommendation for Executive 2:** a new recommendation to be added to read as follows: “that the findings of the Transport Demand Management Study be reported to Executive along with recommended amendments to the Infrastructure Delivery Plan”

### **B Proposed Amendments to Appendix 1, Publication Draft Local Plan**

**Amendment 1:** Policy SC0 (page 104), point (i) be amended to read as follows;

“have a focus on healthy lifestyles, including measures to encourage walking and cycling, to provide access to open space, play areas, playing fields and sports facilities and to encourage healthy diets”.

**Amendment 2:** Policy HS1 (page 123) point (f) be amended to read as follows:

“seek to encourage healthy lifestyles by providing opportunities for formal and informal physical activity, exercise, recreation and play and, where possible, healthy diets;

**Amendment 3:** Policy H4 (page 89) point 1(a) be amended to read as follows:

“physical constraints, such as those associated with small sites of less than 5 houses and conversion schemes, where opportunities for a range of different house types are limited (unless criterion e) applies”

**Amendment 4:** Policy H6 (page 93) be amended to add two additional criteria as follows:

- a) the proposal does not result in a non-HMO dwelling being sandwiched between 2 HMO’s;
- b) the proposal does not lead to a continuous frontage of 3 or more HMOs;

Paragraph 4.64 amended to read as follows:

The purpose of this policy is to control the location of new HMOs in order to prevent these uses from either exacerbating existing concentrations or leading to new concentrations. Additional HMOs can impact on local amenity where they lead to concentrations at either the neighbourhood level or in very localised situations. The policy aims to prevent concentrations at both levels by ensuring that within a 100 metre radius of the proposal not more than 10% of dwellings are HMOs and also, at a more localised level, by preventing the “sandwiching” of a non-HMO between 2 HMOs or a continuous frontage of 3 or more HMOs.

**Amendment 5:** Policy PC0 (page 39) be amended to remove reference to 10,200 jobs so that it reads as follows:

“The Council will promote sustainable economic development to support a vibrant and thriving economy to deliver the jobs the District needs during the plan period in line with following principles...”

**Amendment 6:** Policy NE6 (page 161) be amended to read as follows:

“The Council will seek to minimise the impact of HS2 on the natural environment, businesses and residents on the District”

**Amendment 7:** Policy DS15 (page 30) be amended so that the paragraph immediately above the table reads as follows:

“...should provide for the delivery of infrastructure and services which as a minimum should include the following...”

**Amendment 8:** Policy BE 2 (page 108/109) be amended to include an additional clause j) to read as follows: “community facilities, in accordance with policies HS1, HS6 and the IDP, including how they will be viably managed and maintained in the long term”

**Amendment 9:** Campion Hills - it is now proposed that land at Campion Hills is not removed from the Green Belt and is not allocated for development. This is because at the present time we do not need the housing numbers that the site would bring forward (50 dwellings) and do not have the evidence base to justify the “exceptional circumstances” for removing the land from the Green Belt.

The consequent changes that need to be made to the Local Plan document (Publication Draft) are as follows:-

- **Policy DS7 (Meeting the housing requirement):** The total of “Sites allocated in this Plan” is reduced by 50 from 6,238 down to **6,188**. The “Total” therefore also falls from 13,014 to **12,964**.
- **Policy DS10 (Broad location of allocated housing sites):** The total of “Greenfield sites on the edge of Warwick, Leamington and Whitnash” is reduced by 50 from 3,295 down to **3,245**. The “Total” therefore also falls from 6,238 to **6,188**.
- **Policy DS11 (Allocated housing sites):** The site “Campion Hills” (50 dwellings) is removed from this policy.
- Paragraph 2.50 is amended to read as follows:  
“Land at Red House Farm form an extension to Lillington, one of the most deprived neighbourhoods in Warwickshire.”
- Paragraph 2.76 (page 34) is amended to remove reference to Campion Hills to read as follows:  
“The Local Plan is seeking to support the regeneration of this area by allocating new development in the vicinity (Red House Farm) as a way of leveraging environmental improvements and improvements to housing conditions.”
- Paragraph 2.80 (first bullet point) is amended to remove reference to Campion Hills to read as follows:  
“Land has been removed from the Green Belt at: Red House Farm, Leamington Spa”
- Remove any other references to Campion Hills

**Amendment 11:** Paragraph 2.48 (second sentence) (page 27), be amended to read as follows:  
“The area will deliver up to 2,695 homes along with...”

**Amendment 12:** Policy H2 (page 82/83), final paragraph, be amended to read as follows:  
“The Council will, in exceptional circumstances, accept contributions of equivalent value in lieu of on-site delivery. This should include financial contributions, land or off-site provision of affordable homes. In such cases, the developer will be required to demonstrate why on-site delivery is not practical.”

**Amendment 13:** Paragraph 2.73 (page 33) be amended to remove the final sentence which reads:  
“It considers that exceptional reasons do exist for proposing that the land shown on the Policies Map is removed from the Green Belt.”

**Amendment 14:** Policy CC3 (page 135) be amended to read as following:

“All new dwellings are required to achieve .....”

And that paragraph 5.114 be amended to read as follows:

The Council will apply this policy to all new dwellings on developments of one dwelling or more and non-residential development of 500sqm or over...

## **C Proposed Amendments to Appendix 2, Policies Map**

- Housing allocation H05 (Campion Hills) will be removed from the Policies Map. The land will be shown as being in the Green Belt.
- The WDLP – Urban Area Boundary will be amended to exclude the Campion Hills site from the urban area

## **D Proposed amendments to Appendix 4, Infrastructure Delivery Plan**

That the amended indicative total cost tables (attached to the covering email) replace the three tables that appear at the end of each section of the Infrastructure Delivery Plan.

## **E Proposed Amendments to Appendix 5, sub Regional Approach to Delivering the Housing Requirement**

The report attached in Appendix 5 is amended to take account the minutes of the Joint Committee held on 20<sup>th</sup> March 2014 as follows;

- “Recommendation 2.1 - Amend the figure to read 3750-3800 dwellings;
- Recommendation 2.2.1 - Amended to read “... according to a timetable to be agreed ...”;
- Recommendation 2.2.4 – add “To recognise relationships outside of the sub-region.”;
- Additional recommendation: That Updates are to be received at Joint Committee Meetings and details to follow through to the review of the Strategic Economic Plan”.

## Physical Infrastructure: Indicative Total Costs (approximate)

Summary Physical Infrastructure (phasing, costs, and CIL/S106 contributions)							
	Phase 1			Phase 2		Phase 3	
	Total Investment	CIL/S106	Other Sources of Funding*	Total Investment	CIL/S106	Total Investment	CIL/S106
Sustainable Transport	£13.2m	£1.9m	£11.3m	£3.3	£3.3m	£2.5m	£2.5m
Highway Infrastructure (not including sub-regional employment site)	£13.15m	£9.25m	£3.9m	£8.3m	£8.3m	£12.15m	£12.15m
Telecommunications	-	-		-	-	-	-
Utilities	-	-		-	-	-	-
Waste	-	-		-	-	-	-
Contingency for items still be costed (not including sub-regional employment site)	£1.0m	£1.0m		£1.0m	£1.0m	£1.0m	£1.0m
<b>Total</b>	<b>£27.35m</b>	<b>£12.15m</b>	<b>£15.2m</b>	<b>£12.6m</b>	<b>£12.6m</b>	<b>£15.65m</b>	<b>£15.65m</b>

\*Other sources of funding includes New Stations Fund and Single Local Growth Fund

**Physical Infrastructure Total for CIL (or Interim Section 106): £40.4m**

**Physical Infrastructure Priority 1 Total for CIL (or Interim Section 106): £36.9m**

## Social Infrastructure: Indicative Total Costs (approximate)

Summary Social Infrastructure (phasing, costs and CIL/S106 contributions)									
	Phase 1			Phase 2			Phase 3		
	Total Investment	CIL/S106	Other Funding Sources*	Total Investment	CIL/S106	Other Funding Sources*	Total Investment	CIL/S106	Other Funding Sources*
Education	£38.9m	£22.9m	£16.0m	£8.25m	£8.25m	-	£41.71	£41.71	-
Health (not including Stratford Hospital)	£14.9m	£10.9m	£4.0m	£6.0m	£4.0m	£2.0m	£12.0m	£8.0m	£4.0m
Indoor Sports Facilities	£7.0m	£3.5m	£3.5m	£8.0m	£4.0m	£4.0m	-	-	
Emergency Services	£0.62m	£0.62m		£1.12m	£1.12m		£0.62m	£0.62	
Community Facilities	£1.21m	£1.21m		£1.21m	£1.21m		-	-	

Contingency for items still be costed	£1.5m	£1.5m		£1.5m	£1.5m		£1.5m	£1.5m	
<b>Total</b>	<b>£64.13m</b>	<b>£40.63m</b>	<b>£23.5m</b>	<b>£24.87m</b>	<b>£18.87m</b>	<b>£6.0m</b>	<b>£55.83</b>	<b>£51.83</b>	<b>£4.0m</b>

\*Other sources of funding include DfE, Sport England, differential land values, sports facilities capital investments, South Warwickshire Foundation Trust; charitable donations

Social Infrastructure Total for CIL (or Interim Section 106): £109.83m

Social Infrastructure Priority 1 Total for CIL (or Interim Section 106): £103.29

### Green Infrastructure: Indicative Total Costs (approximate)

<b>Summary Green Infrastructure (phasing, costs, and CIL/S106 contributions)</b>							
	<b>Phase 1</b>		<b>Phase 2</b>			<b>Phase 3</b>	
	<b>Total Investment</b>	<b>CIL/S106</b>	<b>Total Investment</b>	<b>CIL/S106</b>	<b>Other Sources of Funding*</b>	<b>Total Investment</b>	<b>CIL/S106</b>
Country Parks and Strategic green Infrastructure	£1.05m	£1.05m	£11.62m	£8.82m	£2.8m	£6.02m	£6.02m
Open Space	-	-	£0.15m	£0.15m		-	-
Playing Pitches	£1.26m	£1.26m	£1.26m	£1.26m		£1.26m	£1.26m
<b>Total</b>	<b>£2.31m</b>	<b>£2.31m</b>	<b>£13.03m</b>	<b>£10.23m</b>	<b>£2.8m</b>	<b>£7.28m</b>	<b>£7.28m</b>

\*Other sources of funding include HS2 and Sports Clubs,

Green Infrastructure Total for CIL (or Interim Section 106): £19.72m

Green Infrastructure Priority 1 Total for CIL (or Interim Section 106): £10.07m