

Title: Local Development Scheme (LDS)  
Lead Officer: Andrew Cornfoot (01926 456203)  
Portfolio Holder: Councillor Cooke  
Wards of the District directly affected: All wards

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## **Summary**

This report seeks approval for a refreshed Local Development Scheme (LDS) to the version published in May 2021. The LDS is a requirement of the Planning and Compulsory Purchase Act 2004 and sets out the work of the Planning Policy team over the next 3 years in terms of the production of planning documents.

## **Recommendation(s)**

- (1) That Cabinet notes the content of the Local Development Scheme (LDS) (Appendix 1) and agrees to adopt the LDS and its proposals for delivery of planning documents over the forthcoming 3 years.
  - (2) That Cabinet notes that officers are utilising existing resources within the planning service to ensure there is officer capacity to deliver the LDS.
  - (3) That Cabinet notes the decision taken by The Chief Executive in September 2022 under emergency powers to authorise a procurement exemption to support work on the South Warwickshire Local Plan.
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## **1 Background/Information**

- 1.1 Adoption and publication of a Local Development Scheme is a statutory requirement of the Planning and Compulsory Purchase Act 2004, which lays out the coverage and duration of the document required. This includes a provision for an annual review of the Scheme to ensure it remains relevant and up to date.
- 1.2 The Warwick District Local Plan (2011-2029) was adopted in September 2017. This comprehensive Plan sets out additional Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) that are required to support the Local Plan and add further detail for applicants, decision makers and other relevant stakeholders in the planning process. planning documents which form the basis of the Local Development Scheme (LDS).
- 1.3 Much of the programme of work in the LDS is driven by commitments in the Local Plan. As well as these commitments, additional work will arise in response to either local planning issues, changes in Council priorities or changes in national legislation. Where possible these are factored into the LDS, to ensure that it both provides an update on progress made and identifies new areas of policy being worked on.

- 1.4 Since the adoption of the Local Plan in September 2017, the Planning Policy team has delivered 8 Supplementary Planning Documents, set out below:
- Parking Standards
  - Residential Design Guide
  - Air Quality and Planning
  - Land East of Kenilworth Development Brief
  - Public Open Space
  - Custom and Self-Build
  - Developer Contributions
  - Affordable Housing.
- 1.5 In addition, the team has also produced supplementary planning guidance on the mix of housing for large scale developments; guidance relating to Policy H6 (Houses in Multiple Occupation and Student Accommodation) of the Local Plan; and has updated the Council's Statement of Community Involvement during the Covid-19 pandemic to enable planning consultations to continue in previously unforeseen circumstances.
- 1.6 Furthermore, the Planning Policy team has worked closely with relevant qualifying bodies (usually parish or town councils) to assist in the adoption of Neighbourhood Development Plans with 10 having been adopted since 2016, 8 of which were 'made' following the adoption of the Local Plan. The team has also offered support to other qualifying bodies that are preparing Neighbourhood Development Plans that have yet to be adopted, with one actively progressing their Plan (Cubbington).
- 1.7 Whilst not required to be set out in the LDS, it is important context to understand other important work undertaken by the Planning Policy & Site Delivery team that supports the Council and impacts upon resources available to developer DPDs and SPDs. This includes (list not exhaustive):
- Production of an Authority Monitoring Report – produced annually to monitor progress against Local Plan objectives
  - Production of an Infrastructure Funding Statement – produced annually to report on contributions sought and received from developments for the provision of infrastructure and the subsequent use of those contributions
  - Publication of a housing trajectory – updated annually
  - Preparation of an Infrastructure Delivery Plan
  - Maintenance of a Brownfield Land Register
  - Maintenance of a Custom & Self-Build Register and associated progress reporting
  - Government monitoring returns
  - Quarterly and annual monitoring of development
  - Consultees on planning applications
  - Advice provided to Development Management and additional consultancy support procured where appropriate (e.g., for the Gigafactory application), other Council departments, WDC members, Parish Councils and other stakeholders in the planning process
  - Management of the Community Infrastructure Levy – including its day-to-day administration, supporting parish and town councils and distributing funds to them, allocating funds to infrastructure projects and annually updating the CIL Charging Schedule
  - Active engagement in a sub-regional planning group (Coventry, Solihull and Warwickshire Association of Planning Officers – CSWAPO) including the joint

commissioning of key technical information to underpin policy, e.g., the Housing and Economic Development Needs Assessment (HEDNA)

- Procuring and managing consultants to provide updated evidence on various planning policy matters
- Significant role in the delivery of major development sites through supporting Development Management and working with developers, members and other stakeholders.

1.8 The adoption of so many SPDs and Neighbourhood Development Plans since the adoption of the Local Plan can be considered a success and has assisted Development Management in their decision-making processes. However, the production of Local Plans/DPDs require substantially more work than SPDs and therefore in the coming three years, the LDS will focus on the delivery of a lesser number of documents, reflecting the work required to adopt them. For Local Plans/DPDs there are more statutory required stages for public consultation and an examination in public with a Planning Inspector, in addition to the early preparation and consultation stages required for an SPD. This takes a considerable amount of additional time and stretches resources. The additional stages for adoption also introduces more variables in terms of certainty of delivery within timescales that may be set at the outset of a workstream.

#### 1.9 **Policy team resources**

1.10 The Policy & Site Delivery team comprises of 3 main components: planning policy, site delivery and managing the Community Infrastructure Levy. Focusing solely on the first of these components, the policy team currently comprises:

- Principal Planning Officer x 1
- Senior Planning Officers x 2 (1.1 FTE)
- Planning Assistants x2 (1 studying at university one day a week; 1 on a fixed term contract being seconded on work on the South Warwickshire Local Plan)
- Development Monitoring Officer x 1

1.11 It should be noted that within this, 1.5 FTE posts are working full-time with colleagues from Stratford-on-Avon District Council to deliver the South Warwickshire Local Plan.

1.12 This level of resources is not sufficient to deliver the programme of planning policy work outlined in the proposed LDS, particularly noting the range of other related tasks that the team needs to deliver outlined in paragraph 1.7 above. An opportunity has been created, however, through the recent wider management restructure which saw the deletion of the Policy & Projects Manager role (which previously gave support to planning policy work). This has given the opportunity to review the resources, capacity and skills needed to deliver the LDS, and this funding will be redeployed to increase the capacity and capability of the planning policy team.

1.13 It should also be noted that staffing resourcing challenges since the publication of the current LDS in May 2021 have impacted on the team's ability to deliver all the elements of the current LDS. The deploying of resources as outlined above, together with recruitment to any currently vacant posts, will provide the resources to deliver the proposed LDS.

#### 1.14 **Progress on LDS items since May 2021**

- 1.15 Two key workstreams have dominated planning policy work since the production of the most recent LDS in May 2021. These are the preparation of a joint South Warwickshire Local Plan (SWLP) with Stratford-on-Avon District Council and the production of a Net Zero Carbon DPD. As highlighted in relevant paragraphs below, significant positive progress has been made in relation to these two Plans.
- 1.16 Owing to staff resource challenges and the amount of work associated with the two workstreams referred to above, there has been limited progress on developing other documents set out in the 2021 LDS delivery plan.
- 1.17 The following sub-sections highlight progress on stated priorities in the previous LDS. They also provide explanatory information that supports the updated LDS now proposed, as set out in Appendix 1.

#### 1.18 ***South Warwickshire Local Plan (SWLP)***

- 1.19 The National Planning Policy Framework (NPPF) requires Local Plans to be reviewed every 5 years to ensure that they remain relevant and continue to deliver the growth laid out in the Plans. This Council has previously agreed that work on the Local Plan Review will be undertaken jointly with Stratford District Council, whose Core Strategy is also in need of review and the authorities are now working collaboratively to produce a South Warwickshire Local Plan.
- 1.20 The two councils undertook a Scoping and Call for Sites consultation, which ran from 10<sup>th</sup> May until 21<sup>st</sup> June 2021. Following this, the team has collated representations from the consultations, developed and commissioned further evidence to support the Plan. Officers have regularly met with a SWLP Advisory Group comprising members across the two councils to secure support and seek direction, where appropriate.
- 1.21 The publication of an Issues and Options consultation is expected to commence in January 2023, subject to approval by members of the Joint Cabinet at its meeting in December. This consultation will refine the initial growth options explored in the Scoping Consultation and sets out greater detail on the scope of the Plan and the issues that it seeks to address. It was initially hoped this consultation could take place earlier in 2022. However, it was delayed ensuring that a key piece of evidence to inform the Plan, the Housing and Economic Development Needs Assessment (HEDNA) took into account key findings of the 2021 Census, published earlier this year.
- 1.22 A joint team of officers across the two councils has successfully worked collaboratively to progress the Plan. A distinct team has been formed to allow certainty around resources available to support the preparation of the Local Plan, although this has impacted upon available resources to deliver other items on the LDS. It must be noted that whilst Warwick District are supporting the joint team both through providing officers and a financial contribution to ensure a balance in costs between Warwick and Stratford, the Local Plan does require notable involvement from other members of the team and service area.
- 1.23 Previous iterations of the LDS have identified the production of a Gypsy and Traveller DPD. Rather than produce a separate DPD on this matter, policy

relating to Gypsy and Traveller accommodation will be developed through the SWLP.

- 1.24 Along with the Net Zero Carbon DPD, officers consider the SWLP to be one of the two top priorities for the Council in terms of policy production.
- 1.25 Recommendation 3 asks Cabinet to note a procurement exemption from the Code of Procurement Practice authorised on 13<sup>th</sup> September 2022 by the Chief Executive using his emergency powers. The procurement exemption relates to work on the SWLP and specifically work being undertaken by Lepus Consulting to provide Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) work. Following initiation of the procured contract, it was identified that additional work beyond that initially identified with the tendered contract, to a value in excess of that allowable under the public contract regulations 2015. The additional cost to undertake the more detailed work is £56,362, bringing the total contract award to £93,690.
- 1.26 The production of SEA/SA reports is a legal requirement as part of the production of the Local Plan. Officers considered it appropriate to ask the consultants to undertake more detailed analysis and to ensure a consistency of approach to how SEA/SA is undertaken for the Plan as a whole, it was not considered to be in the best interests of the Council to award the contract for this additional work to a different supplier.
- 1.27 **Net Zero Carbon (NZC) DPD**
- 1.28 Significant progress has been made on the preparation of this document since the LDS was last published in 2021. At that point in time, it was known as the 'Climate Change and Sustainable Buildings DPD'. Officers considered that a more appropriate title to reflect the content of the document that was being produced was the updated title.
- 1.29 Since the last LDS was published, a draft DPD has been produced, 2 public consultations have taken place, 3 reports have been brought to Cabinet and 1 report considered by Full Council relating to the Plan. The Plan has now also been submitted to the Secretary of State for formal Examination in Public and an Inspector has been appointed.
- 1.30 A high-level timeline of key milestones is set out below:
- 8<sup>th</sup> July 2021: Cabinet report seeking approval to commence a Regulation 18 (of the Town and Country Planning (Local Planning) (England) Regulations 2012) consultation on the draft DPD
  - 26<sup>th</sup> July 2021 - 13<sup>th</sup> September 2021: Regulation 18 public consultation
  - September 2021: Appointment of external consultants to support with the production and examination of the DPD
  - 10<sup>th</sup> February 2022: Cabinet report providing feedback from the Regulation 18 public consultation and detailing changes made to the DPD in response to that consultation; Inclusion of a revised draft DPD and seeking approval to commence a Regulation 19 public consultation
  - 27<sup>th</sup> April 2022 – 8<sup>th</sup> June 2022: Regulation 19 public consultation
  - 10<sup>th</sup> August 2022: Cabinet report presenting feedback and responses from the Regulation 19 consultation, seeking approval to recommend to Council that the DPD is submitted to the Planning Inspectorate (PINS) for Examination under Regulation 22 and that setting out a schedule of

proposed minor revisions arising from the public consultation to submit to PINS

- 7<sup>th</sup> September 2022: Full Council approval for submission of the DPD for examination
- September 2022: Appointment of Programme Officer to provide administrative support to the Planning Inspector for the examination
- 17<sup>th</sup> October 2022: Submission of DPD to PINS for examination
- 7<sup>th</sup> November 2022: Inspector appointed for examination.

1.31 The DPD is one of the first to be produce by local authorities on this issue in England and attempts to deliver on the Council's Climate Change Action Programme and respond to the Council's climate emergency declaration. Therefore, initially it proved difficult to obtain the assistance of external expertise for what is an emerging and very technical area of policy. However, consultants with relevant technical expertise were appointed in September 2021 and this has allowed the Council to refine the DPD and has given officers the confidence that the DPD is robust and stands up to scrutiny.

1.32 The 2021 LDS indicated a slightly earlier deliver profile than has been realised. However, staff resource challenges have had a significant impact. Furthermore, the DPD has proven to be challenging given its very technical nature, the need to satisfy the Council's stated climate change ambitions, to ensure that the policies will not result in development being unviable and to ensure that it is practical to implement on a daily basis by planning officers determining planning applications. Whilst the DPD has been largely supported and well received, there has been criticism that the policies do not go far enough and also the polar opposite, that the policies go too far and would impact upon the delivery of development.

### 1.33 **Canalside DPD**

1.34 A Regulation 19 consultation was undertaken on the Canalside DPD between 9<sup>th</sup> November and 21<sup>st</sup> December 2020.

1.35 Through the consultation, the Canal and River Trust raised some fundamental concerns in terms of the tests for soundness that need to be met in order for a DPD to be successful at Examination.

1.36 Owing to resource challenges within the team, along with the need to prioritise the SWLP and NZC DPD, officers have not been able to progress this DPD. It is recognised that as the Canal and River Trust are a key consultee relating to a DPD on canals that it would not be sensible to progress to submit the DPD for examination without seeking to address their fundamental concerns.

1.37 With the benefit of the recent addition of a member of staff to fill an existing vacancy, it is proposed to commence work on this DPD again. Therefore, the team has recently re-established communication with the Canal and River Trust and have met to better understand their concerns and how they might be addressed.

1.38 Having recently reviewed the DPD, officers also wish to re-visit the purposes of the DPD and benefits of its adoption and also will need to update its content given time elapsed.

- 1.39 It is likely that a further Regulation 19 consultation, if not a further Regulation 18 consultation will be required if the Council are to proceed to adoption. The LDS set out in Appendix 1 assumes just a further Regulation 19 consultation, although will review this when it is clearer what changes may need to be made.
- 1.40 Whilst the policy team wishes to move this document forward, in light of the political and public interest in the adoption of policy on purpose-built student accommodation and the priority of progressing other documents within the LDS, it is proposed to give priority to the other workstreams. The Canalside DPD will remain in the LDS demonstrating the commitment to producing the document, although will not have a timetable against it. Should sufficient capacity mean that this can be progressed alongside other documents, then officers will endeavour to do this. As the LDS is reviewed every year, priorities will be reviewed next year.
- 1.41 ***Purpose Built Student Accommodation (PBSA) DPD***
- 1.42 In the 2021 LDS a public consultation on a PBSA DPD was indicated for Quarter 4 of 2022. The PBSA DPD had previously slipped due to priority being given to the SWLP and the NZC DPD. Furthermore, the impact of the Covid-19 pandemic on the numbers of overseas students had made it difficult to predict what the accommodation needs for Warwick University students may be. These challenges in predicting student numbers would make it very difficult to have a reliable evidence base on which to prepare a PBSA DPD and on which its soundness would depend.
- 1.43 Since the publication of the LDS in 2021, the team has experience significant staff resource challenges and therefore with the limited capacity available in the team, the decision has been taken to focus on the SWLP and NZC DPD. As noted above, both these Plans continue to require significant input from officers within the team and therefore little has changed in terms of resources available.
- 1.44 The team has previously explored with the University how it might be able to support the Council in bringing forward this document at the earliest opportunity. Officers propose to resume these discussions to see what tangible support might be available to expedite this piece of work.
- 1.45 Officers have had useful discussions with elected members about bringing forward policy on student accommodation and a clear steer has been given by those members and the Place & Economy PAB that looking to adopt policy relating to purpose-built student accommodation and houses in multiple occupation quickly, in the form of an SPD, would be preferable to the development of a DPD that will take longer to adopt.
- 1.46 Notwithstanding this helpful steer, the LDS continues to propose the production of a DPD on this topic. This is for two reasons: 1. An initial piece of work is needed to be undertaken to understand what it is officers and members are trying to achieve and the scope of an SPD and how this might differ from a more detailed DPD; and whether an SPD will achieve the objectives that the Council is seeking. 2. Previously the Council has sought to produce an SPD on this topic and owing to the desire to develop detailed guidance, strayed into the development of new policy resulting in a legal challenge as new policy would have to be delivered through a DPD mechanism. To avoid a similar situation, the scope of the guidance/policy needs to be carefully considered before taking a decision to move away from the production of a DPD.

- 1.47 Officers, therefore, propose to undertake this initial piece of work at the earliest opportunity, likely to be in Q1 of 2023.
- 1.48 If it is possible to produce a policy document that adds sufficient value to support existing policies without the need to create new policies through a DPD, then officers will be happy to recommend progressing along this route, that will enable the adoption of an SPD earlier than a DPD. If an SPD were to be progressed, it would look to add further guidance relating to Local Plan policy H6 (Houses in Multiple Occupation and Student Accommodation) to update and strengthen existing guidance already published.

1.49 **Statement of Community Involvement (SCI)**

- 1.50 Whilst not a DPD or SPD, the 2021 LDS indicated that the Statement of Community Involvement would be reviewed, updated and adopted by the end of 2021. For reasons explored above relating to limited resources and other priorities this proved to not be possible.
- 1.51 The policy team has recently started to review the SCI and consider that it is achievable to bring a report to Cabinet in Quarter 2 of 2023 to seek approval for either consulting on an updated SCI (not a requirement but perhaps appropriate) or the adoption of an updated SCI without formal consultation.
- 1.52 Whilst officers will approach the review with an open mind, it is unlikely that the SCI review will arrive at a position that suggests a radical alternative approach to community involvement, given that the current arrangements largely follow statutory guidance. There will be a need to consider our commitments relating to public consultation and engagement in line with those of Stratford-on-Avon District Council in respect of the SWLP.

1.53 **Additional Workstreams for inclusion in the LDS**

- 1.54 In light of the resources available to the team and the ongoing extensive work on the SWLP and other DPDs as set out above along with the other tasks of the team (see paragraph 1.7), there is unlikely to be capacity to undertake much further work in the coming 3 years.
- 1.55 However, three further workstreams are proposed in this LDS:
- SPD/SPG to supplement Net Zero Carbon DPD
  - University of Warwick Masterplan SPD
  - Old Town (Royal Leamington Spa) Regeneration SPD.

1.56 **Net Zero Carbon DPD – Supplementary Guidance (SPD)**

- 1.57 Through the preparation of the Net Zero Carbon DPD and responding to consultation representations, it was considered beneficial to prepare supplementary guidance to support the implementation of the DPD (in the form of a Supplementary Planning Document or Supplementary Planning Guidance, the latter having less status). Precise details of what this may cover are to be determined but the following matters will initially be considered for inclusion:
- Content of energy statements to assist developers and planning officers and possibly include an energy statement proforma
  - Advice on the types of technology best suited to broad locations



- How contributions to the carbon offset fund will be utilised and how the Council will exercise its discretion regarding the acceptability of alternative offsite offsetting solutions
- Guidance on embodied carbon assessments
- Guidance on retrofitting existing buildings.

1.58 The production of this additional guidance was recommended by our consultants that have supported the Council in producing the DPD. It was deemed more appropriate to be included in a supplementary document to avoid delays in the adoption of the DPD and also to clearly differentiate between the core policies of the DPD and guidance that assists in the implementation of the policies.

1.59 The guidance will make the policies easier to implement and seek to minimise the potential for confusion or challenge. It will assist officers in Development Management with the assessment of documentation required to support planning applications resulting from the adoption of the DPD. It will also provide clarification and certainty to applicants about what is required and guidance to support them in designing schemes to meet the requirements of the DPD.

1.60 The updated LDS therefore includes the document above as an SPD. However, the timing of its delivery will depend on multiple factors including: whether the DPD is found sound (if the DPD is not adopted then there will be no requirement for the supplementary guidance); the time it takes for the DPD to be examined and found sound; availability of technical expertise from external consultants; and the proposed content of the SPD. As an alternative to an SPD, it may be considered appropriate to adopt guidance that does not have SPD status, and that would reduce publication time. However, this decision can only be taken once the scope of the additional guidance has been determined.

1.61 Notwithstanding the uncertainty around the adoption of the DPD, officers and consultants supporting this work, consider it prudent to progress this supporting guidance prior to the adoption of the DPD. Whilst the work is therefore undertaken at some risk, we would want to be in a situation where the guidance can be adopted shortly after adoption of the DPD to ensure clarity is provided to applicants and decision makers.

1.62 ***University of Warwick Masterplan SPD***

1.63 The University of Warwick Masterplan SPD is something that has been driven to date by the University and is expected to provide a masterplan framework for growth until 2030. The 2009 University Masterplan created a framework for growth between 2009-2019 and The Hybrid Plan, approved in 2018 guides the development of the campus from 2019-2023. Both are now out of date or in need of updating and there is a need to develop a new masterplan to reflect the University's vision to 2030 and beyond. Officers at Warwick District and Coventry City Council have agreed with the University that the preparation and adoption of an SPD would be sensible to guide development proposals that may come forward and ensure that development comes forward under a comprehensive vision for the University and crucially that key matters such as transport, biodiversity, flood risk/drainage and sustainability/energy are properly considered and a framework for planning obligations is agreed.

- 1.64 Whilst officers will be involved in the preparation of the Masterplan, much of the work to prepare the masterplan will be undertaken by the University and their appointed consultants thus reducing the burden on officers. There will however be a need for some officer involvement and discussions are currently underway with the University about how that might be resourced with a Planning Performance Agreement being considered as an option. Notable involvement from officers will also be required before, during and after a public consultation on the SPD.
- 1.65 The timetable in the LDS reflects the ambitious timetable that the University hope to achieve. However, it should be recognised that discussions are ongoing with the University, Warwick District and Coventry City Council officers about resourcing the work and the timetable and therefore this may be subject to change. It should also be noted that the SPD would cover the University's estate in both Warwick District and Coventry, and whilst this Council would only consider matters relevant to Warwick district, the SPD would need to be approved by both Councils in order to come into effect.
- 1.66 ***Old Town (Royal Leamington Spa) Regeneration SPD***
- 1.67 Leamington's Creative Quarter is a long-established regeneration partnership initiative which has recently made significant progress with its first development on the ground at Spencer Yard, supported the by Future High Street Fund (FHSF). The second development, also supported by the FHSF, is utilising WDC building assets at Stoneleigh Arms on Clemens Street and Old School on Court Street. To maximise the catalyst for further regeneration in the surrounding area of the Old Town, a Supplementary Planning Document (SPD) is proposed covering Althorpe Street, Court Street, Wise Street, Bath Place Car Park and linking up to Spencer Yard and the Old Post Office / Sorting Office.
- 1.68 Architects have been appointed by the Council to progress this work and liaise with Council officers, and the LDS proposes that this work on developing a regeneration framework will continue from the end of 2022 through to Spring 2023. In Summer 2023 it is proposed to consult on the SPD with a view to assessing the responses and amending the document where appropriate and then seeking adoption of the document by the end of 2023.
- 1.69 A significant amount of the preparatory work to produce this SPD will be undertaken by council staff outside of the Policy team, with support from their appointed consultants.
- 1.70 **Summary of documents to be included in updated LDS**
- 1.71 The updated LDS will continue to place a priority on the progression of the SWLP towards adoption and also on the Net Zero Carbon DPD. The development of policy on purpose-built student accommodation / houses in multiple occupation will be prioritised above the Canalside DPD. The Canalside DPD remains within the LDS as policy that the team would like to adopt but owing to other priorities is not timetabled for delivery in the LDS.
- 1.72 The LDS also proposes the adoption of an updated Statement of Community Involvement, the production of a University of Warwick SPD, an Old Town Regeneration SPD, and supporting guidance to supplement the Net Zero Carbon DPD.

- 1.73 It must be noted that the delivery of the LDS as per the timetable in Appendix 1 is dependent on a number of variables, not least the capacity available within the team. The LDS developed assumes a full complement of staff as identified in Recommendation 2 and in paragraphs 1.12 – 1.13.

## **2 Alternative Options available to Cabinet**

- 2.1 Adopt an alternative LDS - The Council could choose not to adopt this Local Development Scheme, and instead suggest a different range of priorities and timetable for the delivery of the identified documents. However, the attached LDS has been developed to bring forward the right documents as swiftly and efficiently as possible in a realistic timeframe and given the resources available. Therefore, this option has been discounted.
- 2.2 The preparation and maintenance of a LDS in a requirement of the Planning and Compulsory Purchase Act 2004 and therefore it is not an option to not publish an updated LDS.

## **3 Consultation and Member's comments**

- 3.1 Officers have discussed the LDS with the Planning & Place Programme Advisory Board (PAB). At its meeting on 3<sup>rd</sup> November 2022 the PAB considered a presentation by the Business Manager for Policy & Site Delivery on the Local Development Scheme. The presentation was well received, and a helpful discussion followed with PAB members expressing their views. Below is a list of key issues that the Planning & Place PAB would like to make to Cabinet following the meeting:
- Recognising that there are many and competing workload pressures, the LDS should focus efforts and resources on where these can deliver "quick wins".
  - Consideration should be given to how to give more immediate priority to policy guidance on HMOs and Purpose-Built Student Accommodation, including through the use of supplementary planning guidance where appropriate.
  - Where more significant policy changes are needed, consideration should be given firstly to whether the South Warwickshire Local Plan is the better place to provide this.
  - If prioritisation is to be given to work on the University of Warwick Masterplan SPD, then the Council should seek financial and other support from the university to deliver this.
  - Given all the above comments, further consideration should be given to whether to prioritise the Canalside DPD over other work in the LDS.
  - The PAB recognised the severe staffing resource pressures (both of recruitment and retention) that the planning policy team is facing. It would invite Cabinet to consider how the council can respond positively to this and increase the staffing resources of the team.

## **4 Implications of the proposal**

### **4.1 Legal/Human Rights Implications**

4.1.1 There are no legal or human rights implications associated with the proposed LDS.

#### 4.2 **Financial**

4.2.1 There are no financial impacts relating to this report. As noted in paragraphs 1.12 and 1.13 above, additional staffing capacity within the planning policy team will be created to deliver the LDS and this will be funded from salary savings arising from the deletion of the previous post of Policy & Projects Manager which came about following the recent Council-wide management restructure.

4.2.2 The additional costs associated with the SEA/SA work, subject to the procurement exemption, are to be funded by the existing budget allocated for the delivery of the South Warwickshire Local Plan (and the cost of all consultancy work will be split across the two Councils preparing the plan).

#### 4.3 **Council Plan**

4.3.1 The Council's Fit for the Future Strategy is designed to deliver the Vision for the District making it a great place to live, work and visit. The FFF Strategy has 3 strands, People, Services and Money, and each has an external and internal element to it, the details of which can be found [on the Council's website](#). The section below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

##### 4.3.2 **People-Health, Homes, Communities**

4.3.3 The documents set out in the LDS have the potential to have significant impact upon the lives of the district's residents, in particular the South Warwickshire Local Plan and Net Zero Carbon DPD. The SWLP will ensure that the housing and employment needs of the district to 2050 are met and will contain policies to promote the development of sustainable communities. Health and wellbeing and responding to climate change are to be key strands of the document. The SWLP and NZC DPD both will result in improving the energy efficiency and sustainability of homes in the district, resulting in a reduction in energy costs for residents. All the documents in the LDS are expected to have an overall positive impact on people's lives and communities.

##### 4.3.4 **Services- Green, Clean, Safe**

4.3.5 The Net Zero Carbon DPD directly responds to the Council's Climate Change Action Programme and aims to minimise carbon emissions from new buildings within the district to support the achievement of national and local carbon reduction targets. The SWLP will also develop more detailed policy than in the current Local Plan on tackling climate change including reducing emissions and climate change adaptation. It is also envisaged that the University of Warwick SPD will have a focus on net zero and biodiversity net gain.

##### 4.3.6 **Money-Infrastructure, Enterprise, Employment**

4.3.7 The adoption of the proposed documents in the LDS will set out policies and guidance on meeting the housing and employment needs of the district. The impact of geographically specific SPDs at the University and Old Town in Leamington aim to support the continued growth of the University and the regeneration of Old Town.

##### 4.3.8 **People- Effective Staff**

4.3.9 Proper co-ordination of the preparation of planning documents will ensure that the team members are able to work more effectively and efficiently. The

production of the documents will aid the development of knowledge and expertise of officers within the team.

#### **4.3.10 Services- Maintain or improve services**

4.3.11 Provision of more detailed guidance on some of the adopted policies will help improve advice and services we provide to development management colleagues. Production of District-wide plans and also locally specific plans will provide certainty and clarity to other council departments and customers about different strategies and policies that will be followed and applied relating to development.

#### **4.3.12 Money- Firm Financial footing over the Longer Term**

4.3.13 The LDS and the documents contained within it will not have any significant implications on the finances of the Council.

#### **4.4 Environmental/Climate Change Implications**

4.4.1 The LDS itself will not have any environmental/climate change implications. However, the documents being prepared will include policies and guidance that will deliver positive environmental and climate change benefits for the district in accordance with the Council's Climate Change Action Programme (November 2021). In particular, the SWLP and the Net Zero Carbon DPD will provide stronger policies that go beyond existing Local Plan policies relating to sustainable development and will aim to deliver developments that are net zero carbon in operation. The NZC DPD is critical to achieving the Council's stated outcome of total carbon emissions within Warwick District being as close to zero as possible by 2030.

#### **4.5 Analysis of the effects on Equality**

4.5.1 The documents in the LDS will be subject to public consultations in accordance with the Council's adopted Statement of Community Involvement. Where required, individual documents within the LDS will be subjected to an Equality Impact Assessment (EqIA).

#### **4.6 Data Protection**

4.6.1 There are no data protection implications associated with the production of the LDS.

#### **4.7 Health and Wellbeing**

4.7.1 There are no health and wellbeing implications associated with the production of the LDS. However, the documents produced within the LDS will help deliver health and wellbeing benefits owing to the delivery of better-quality homes, well connected neighbourhoods and the provision of services and infrastructure that will positively impact the health and wellbeing of the citizens in the district.

### **5 Risk Assessment**

5.1 The adoption and publication of a LDS is a statutory requirement. Therefore, failure to update the LDS could see Warwick District fall short of meeting its statutory requirements.

5.2 Separate decisions have been taken to progress items in the LDS and risks associated with those documents have been considered. Key risks include the requirement to review Local Plans every 5 years and the impact that not adopting the Net Zero Carbon DPD might have on the Council meeting its stated climate change ambitions.

## **6 Conclusion/Reasons for the Recommendation**

- 6.1 The production of a Local Development Scheme is a statutory requirement and should be reviewed regularly. This report and Appendix 1 set out the planning policy priorities regarding the production of policy documents for the next three years, albeit to be reviewed next year. It seeks to set out a realistic and deliverable programme for delivery given staff resources.

### **Background papers:**

The Council's existing Local Development Scheme 2021:

[https://www.warwickdc.gov.uk/downloads/download/420/local\\_development\\_scheme](https://www.warwickdc.gov.uk/downloads/download/420/local_development_scheme)

Warwick District Climate Change Action Programme:

[https://www.warwickdc.gov.uk/info/20468/climate\\_change/1718/climate\\_change\\_action\\_programme](https://www.warwickdc.gov.uk/info/20468/climate_change/1718/climate_change_action_programme)

### **Supporting documents:**

Appendix 1 – Warwick District Council Local Development Scheme, December 2022

### Report Information Sheet

Please complete and submit to Democratic Services with draft report

<b>Committee/Date</b>	7 <sup>th</sup> December 2022	
<b>Title of report</b>	Local Development Scheme (LDS)	
<b>Consultations undertaken</b>		
<b>Consultee *required</b>	<b>Date</b>	<b>Details of consultation /comments received</b>
<b>Ward Member(s)</b>		
<b>Portfolio Holder WDC</b>	14.11.22	
<b>Financial Services *</b>	4.11.22	
<b>Legal Services *</b>		
<b>Other Services</b>		
<b>Chief Executive(s)</b>	4.11.22	
<b>Head of Service(s)</b>	4.11.22	
<b>Section 151 Officer</b>	4.11.22	
<b>Monitoring Officer</b>	4.11.22	
<b>CMT (WDC)</b>	4.11.22	
<b>Leadership Co-ordination Group (WDC)</b>	21.11.22	
<b>Other organisations / Other</b>	3.11.22	WDC Planning and Place Programme Advisory Board
<b>Final decision by this Committee or rec to another Ctte/Council?</b>		Final decision by this Committee
<b>Contrary to Policy/Budget framework</b>		No
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>		No
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>		Yes, Forward Plan item 1,322 – scheduled for 7.12.22
<b>Accessibility Checked?</b>	Yes	File/Info/Inspect Document/Check Accessibility