

Pre-Scrutiny questions and answers on reports being considered by Joint Cabinet on 7 December 2022

(This forms part of the considerations at Group meetings before a decision is made on which Joint Cabinet reports will be called-in for scrutiny by the Overview & Scrutiny Committee)

5. South Warwickshire Local Plan Part 1 – Issues and Options Consultation

(Report author(s): John Careford, Head of Development – SDC / Philip Clarke, Head of Place, Arts and Economy - WDC)

Question(s) from Councillor Milton :

1.45 in the report talks about the infrastructure providers that are part of the consultation. Can you outline who these are and does it include health providers?

Response:

The model that the SWLP is using is that based on the principle of a "Place Board" developed by SDC. An overview of their Place Board was provided in the first paper taken to our [Executive in October 2020](#) which agreed the basis on which we would prepare a joint Local Plan. I can confirm that a number of health providers and health-related groups are included in that Board.

3.5 HEDNA - how far have the increases in the number of houses in the district contributed to the forecast for the amount of future homes needed (i.e. is it in part a continually self-fulfilling prophecy? More homes = population growth = the need for new homes.)

Response:

The short answer is yes. The approach that local authorities should take in preparing HEDNA's is prescribed by Government and is known as the "Standard Method". This takes 2014-based Household Projections (produced by the Office for National Statistics) as its starting point. The 2014-based Household Projections are household numbers based on long-term demographic trends over a 25-year period. Although the HEDNA has updated these figures to reflect the 2021 census, the principle of a trended-based approach remains the same. Not to use a trend-based approach would be a clear departure from government guidance.

I should make it clear, however, that by using the 2021 census as its basis, the HEDNA is using existing population as the basis for any trends. The HEDNA model does not also factor in the many houses that have been allocated in the current Local Plan but not yet built and occupied in determining trends. It starts with the population were recorded on the day of the 2021 census. Therefore, no housing that has been approved but not built or occupied (for example in locations such as East of Kenilworth or at Kings Hill) has influenced the HEDNA figures.

Can you outline the process for consultation, how this will be designed and how it will be agreed. The consultation document included in the pack looks to be quite heavy and is over 200 pages long.

Response:

The public consultation will take place in January and February and will include both on-line briefings/stakeholder events and some face-to-face events. We will also be preparing a video to help explain the Issues & Options paper. We are very aware that the document is long, and will be producing a short "user guide" to help people navigate through it. We will also be letting people know that although there are many questions we are asking people, people do not have to answer them all, but they can focus on those of greatest interest to them.

The challenge is in getting the balance between asking people meaningful questions which can genuinely help the Councils to consider people's views on some important but detailed issues (such as the HEDNA) whilst at the same time not making the process so daunting that it puts people off being engaged. Officers would welcome the support of councillors to help us to encourage people to engage with the public consultation.

Officers are working to put together a programme for the public consultation, and we will liaise with the joint South Warwickshire Local Plan member Advisory Group as we do so.

Question(s) from Councillor J Dearing:

Q.1 It may be challenging to identify quantitative Indicators for all the SA Objectives, why are some Indicators statements of intention or policy rather than factual information? For example, SA1 Climate Change is described through six Decision-making criteria that include the question: "Will the option ensure that sustainable construction principles are integrated into developments including energy efficient building design?" To which, one of the Indicators is listed as "Implementation of adaptive techniques in building design e.g. passive heating/cooling". This criterion and indicator can't be addressed in 2022-24 as they depend on future policy. Or, the Decision-making criterion question "Will the option help to reduce reliance on personal car use? Indicator - Encourage active travel to local services and amenities." This is not an indicator that can be used to judge the performance of an objective for a location now as it represents a future intention or action. Some questions are unclear. For example, SA13 Economy, one of the Decision-making criterion questions is "Will the option provide or improve sustainable access to a range of employment opportunities? What does this mean, how could it be answered on the basis of locations for housing alone, and what is the appropriate Indicator?"

Responses (supplied by independent consultant):

1. The legal requirement is to undertake an assessment process such that it is possible to understand if there is likely to be a significant effect (LSE) on the topic in question. The SA Framework is a mechanism devised to assist with that process; it has no legal basis. The scoring symbols (Table

2.1, p10, Main Report) provide an at-a-glance visual guide to performance, which alongside the decision making questions and the indicators (SA Framework, Appendix A) all serve to help provide an evaluation of significance. Since the assessment is strategic, there are limitations as to how diagnostic a particular evaluation can be. All limitations are cited in Chapter 2 of the SA Report.

2. It is also worth noting that the SA Framework is designed to be able to evaluate all aspects of the plan. It is used for the whole SA process, to assess every element of the plan. For example, some of the indicators/criteria will apply more to policy options than the broad locations and so forth, but they are still valid to include in the framework.
3. In all cases, any element of the issues and options paper which has been evaluated by the SA report will include an assessment narrative and a confirmation about whether or not the identified effect can be considered to be significant or not. The six scoring values used to provide a quick guide to the assessment findings are indicative. Only the narrative provides the conclusion as to LSE.
4. The SA process is already unduly long and the narrative evaluation does not include a systematic answer by answer response to every decision making question in the SA Framework. It would LC-813_Technical_Advice_Note_3_141222ND.docx
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simply take too long. The questions are there to help guide the assessment. The assessment findings are presented in the narrative that accompanies evaluation of the plan component be that a site or a policy.
5. Assessment of climate change impacts is limited to per capita evaluation at the moment. There is a separate climate change study which will be used to inform the next round of plan making and SA.
6. We have had very limited employment information so far at the site level (either new settlement, broad location or small settlements) in order to evaluate economic impacts in any detail. More is likely to come at the next stage of plan making.

Q.2 How are the Explanations arrived at? We might expect to see these based on answers to the Decision-making criteria using the stated Indicators but this is far from clear. For Kenilworth North, the Explanation for the scoring of SA1 Climate (SA vol 3. B.5.1 page 565 pdf p.607) only uses one (carbon emissions) of the stated Indicators, as in "Large scale residential-led development is likely to result in an increase in GHG emissions. Development in this Broad Location could

deliver up to 2,000 dwellings and therefore could increase carbon emissions in the District by more than 1% and result in a major negative impact.” Why are the other stated Indicators not included, like the possibility for green infrastructure? In any case the idea that all houses cause an increase in district GHG emissions depends on whether you mean operational, embedded etc - and seems to contradict one of the Indicators that suggests future houses (up to 2050) are likely be low energy/zero carbon in use. For this Indicator, estimated carbon emissions per property would perhaps be a more useful Indicator? I can see no information as to how the Impact Symbols/scores were determined for a particular location once the Decision-making criteria were answered, which suggests it was mainly through expert judgement. If true, who were the experts?

7. See answer to Q1.
8. All explanation of scoring symbols for climate change is presented in section 2.4 of the Main Report.
9. The suggestion of being able to evaluate “estimated carbon emissions per property would perhaps be a more useful Indicator?” is very welcome. It is not within the project scope of the SA to collect information on the carbon emissions impact of every dwelling; a change to scope would be associated with a substantial time-consuming and expensive exercise in data collection. Climate Change related evidence is being prepared to support the local plan by Arup. Team members LC-813_Technical_Advice_Note_3_141222ND.docx
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from Lepus and Arup have arranged an effective protocol for sharing information and working together as the plan making progresses. This dialogue will continue into the next stage of plan production when the latest results of the Climate Change evidence will be available for the SA team to factor into the sustainability appraisal of the emerging Local Plan.

Q.3 How are the Impact Symbols translated into SA Objective Performance scores on the rose diagrams? The rose diagrams are scored 0 to 5 which suggests they map on to the six impact symbols. But this is not the case. For example, SA1 Climate Change for Kenilworth North (SA vol 3. B.5.1 page 565 pdf p.607) is given an Impact Symbol of (--) (most adverse effect) but is mapped on to a score of 1 in the rose diagram – not 0 (zero) (SA vol. 2, 4.5 page 458, pdf p 500).

10. The radar diagrams are principally seeking to express findings in a more user friendly way. Apologies for any confusion. The Radar graphs are produced in Excel. This requires a value in order to plot the graph. The 0-5 is simply a scale that was used to translate the SA scores into

values: (major negative '- -' = 1; minor negative '-' = 2, negligible '0' = 3, minor positive '+' = 4, major positive '++' = 5). The receptors within each SA Objective were each assigned their own scores. Scores were totalled and averaged to determine a single value for use in the radar charts. This helps to produce an overall, high level, picture of the findings and relative performance of each SA Objective.

Q.4 How are the Impact Symbols 'averaged' for a SA Objective on a rose diagram when there are sub-objectives with different Impact Symbols? For example, SA6 Pollution for Kenilworth North (SA vol 3. B.5.6 page 568 pdf p.610) has five sub-objectives all scored with the same Impact Symbol (-) yet the rose diagram score is 2.2. Or, SA3 Biodiversity (SA vol 3. B.5.3 page 566 pdf p.608) that has eight sub-objectives (+/-, 0, 0, -, --, -, 0, -,) and also with an average score 2.2 (a simple mapping of 0 to 5 to these would give an average score of $14/8 = 1.75$). Perhaps the different sub-objectives are weighted differently, though this is not clearly stated, or there is an error in the mapping (see Q.3). These points raise serious doubts in my mind as to whether the assessments should be used in a discriminatory way - even at a high level.

11. See answer to Q3 above.

12. There is no weighting of any receptor.

Question(s) from Councillor Davison:

1. Figure 3 on page 26 of the report has Overall Housing Need (dwellings per annum) in terms of both 2014-based Projections and HEDNA. The first of these is the government's "standard method for assessing housing need" and the second is recommended by the consultants.

a. How many local plans have been deemed unsound because they followed the government's standard method? What were the reasons they were deemed unsound?

Response:

I do not have a figure for this, and am not aware of any recent national research into this specific question. I would only comment that it is clear from Government planning guidance that the approach that is taken to the use of the Standard Method is as follows:-

- The Standard Method is intended to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply.
- Where an alternative approach is used and this results in a lower figure this will need to be justified using robust evidence which will be tested at examination.

- Where an alternative approach is used and this results in a higher figure, which adequately reflects current and future demographic trends and market signals, the approach can be considered sound as it will have exceeded the minimum starting point.

It would be expected that all Local Plans would be tested against these principles.

- b. Could either the 2014-based or HEDNA Projections be used in the south Warwickshire local plan?

Response:

Yes, the Council could use either projection in the South Warwickshire Local Plan. I would, however, comment that in light of the evidence from the 2021 census that the assumptions that underpin the 2014-based Projections are now out of date, the Council could reasonably expect to come under significant pressure from site promoters through the Local Plan if it did not base its housing projections on an approach that recognises this. The NPPF (para 61) states:-

*"To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – **unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals.** In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for."* (my emphasis).

The figures contained in the HEDNA do reflect these demographic trends, and therefore could be expected to be significantly more robust to challenge.

2. On P1176 of the appendices: "it was agreed in response to a Notice of Motion to Council in Warwick District, that the principle of incorporating Nationally Described Space Standards within the SWLP would be considered through the plan making process (see Cabinet meeting for 29 September 2022, Item 09)." And on p1178 "the plan may consider whether to incorporate optional accessibility standards"
- a. If this consultation is supportive of incorporating these space and accessibility standards, what is the process for their inclusion within the local plan?

Response:

This Council has already signalled its support for incorporating Nationally Described Space Standards within the SWLP. The consultation questions seek views on the desirability of this and this can inform future decisions by the two Councils as to

whether the incorporate such a policy approach. Furthermore, the consultation will allow anyone opposed to the principle to set out reasons why NDSS should not be adopted. This may be for reasons of development viability or the affordability of homes. The Councils will be able to consider this, and commission any evidence if needed, before deciding whether to continue with this policy in the SWLP. If it is proposed to include a policy on NDSS, this would then be included within the Preferred Options draft of the SWLP.