

	EXECUTIVE – 5 <sup>th</sup> April 2017	<b>Agenda Item No.</b>  <b>5</b>
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<b>Title</b>	Local Plan Modifications Consultation
<b>For further information about this report please contact</b>	David Barber Dave.barber@warwickdc.gov.uk Policy and Project Manager 01926 456065
<b>Wards of the District directly affected</b>	All
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No
<b>Date and meeting when issue was last considered and relevant minute number</b>	N/A
<b>Background Papers</b>	N/A

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	Yes
<b>Included within the Forward Plan? (If yes include reference number)</b>	Yes (ref 832)
<b>Equality Impact Assessment Undertaken</b>	Yes

<b>Officer/Councillor Approval</b>		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive	14/3/17	Bill Hunt
Head of Service	13/3/17	Tracy Darke
CMT	14/3/17	Chris Elliott/Bill Hunt/Andy Jones
Section 151 Officer	14/3/17	Mike Snow
Monitoring Officer	14/3/17	Andy Jones
Finance	14/3/17	Mike Snow
Portfolio Holder(s)	14/3/17	Cllr Stephen Cross
<b>Consultation &amp; Community Engagement</b>		
N/A		
<b>Final Decision?</b>		Yes
<b>Suggested next steps (if not final decision please set out below)</b>		

## 1. **Summary**

- 1.1 This report sets out the key modifications to the Local Plan proposed by the Inspector and requests Executive to consider whether it wishes any comments to be made in response during the consultation period.

## 2. **Recommendations**

- 2.1 That Executive note the Main Modifications proposed by the Inspector to make the Local Plan sounds
- 2.2 That Executive agree not to respond the Main Modifications Consultation

## 3. **Reasons for the Recommendations**

- 3.1 Recommendation 2.1: The Inspector published his Main Modifications for 17th March 2017. The consultation on these modification runs until 5<sup>th</sup> May 2017. They set out the changes to the Plan that the Inspector considers are necessary to make the Plan sound. Whilst the modifications are extensive, this is because they show all the changes between the Plan as submitted in 2015 and the current position. The Main Modifications therefore include the majority of the modifications proposed by the Council in 2016, particularly those to increase the housing supply to contribute towards Coventry's unmet housing need. It does however include a number of modifications that have not been put forward by the Council. Many of these relate to the specific wording of policies, but the following key modifications are worthy of particular note:

- a) 6 proposed housing allocations have been removed:
- Red House Farm (H04)
  - North of Milverton (H44)
  - Wasperton Lane, Barford (H47)
  - East of Cubbington (H50)
  - Spring Lane Radford (H52)
  - Brownley Green Lane Hatton Park (H53)
- b) There are no additional new housing allocations proposed, although the estimated site capacity from a number of sites has been amended (notably Land North of Birmingham Road, Hatton Park – now estimated at 150 dwellings, in comparison with 80 dwellings in the Publication Draft)
- c) This reduces the overall housing supply by 740 dwellings meaning the total supply of dwellings is now 17,139 against a housing requirement of 16,776 (providing flexibility of 363 dwellings)
- d) The safeguarded land north of Milverton is removed (retained as Green Belt)
- e) A "staggered" approach to the 5 year housing land supply is proposed whereby the annual requirement is 600 dwellings until March 2017 and 1098 dwelling per annum for the remainder of the Plan period. This provides sufficient dwellings across the plan period to deliver 16,776 dwellings whilst enabling a 5 year supply to be maintained (assuming the housing comes forward in line with the trajectory which has been tested through the Examination)

- 3.2 It is worth noting that a number of key Local Plan proposals are not subject to modification and are therefore retained within the plan, including

- a) the overall housing requirement is unchanged at 16776 dwellings (or 932 dwellings per annum). This is made up of 600 dwellings per annum to

meet the District's need and 332 dwellings per annum to contribute towards Coventry's unmet need

- b) land allocated for housing at Kings Hill, Westwood Heath and East of Kenilworth is still included
- c) land allocated for the relocation of Kenilworth school to Southcrest Farm is included
- d) the allocation of land for the sub-regional employment site is included

3.3 At this stage the Inspector has only identified the Main Modifications he wishes to make. He has not provided the reasons for these modifications

3.4 Recommendation 2.2: There may be a number of the Main Modifications that the Council would not support. Theoretically, it would be possible for the Council to raise objections to these Modifications. However in considering whether to do this or not, the following points should be taken in to account:

- Issues relating to each of the modification (including changes to the site allocations) have been rigorously examined during the Examination in Public hearings. The Council has had the opportunity to put forward its views during these hearings and there is therefore no value in simply repeating arguments that have already been aired.
- If the Council chooses to raise new arguments or proposals, this opens up the risk that the Inspector will need to give these proposals consideration which in turn may require him to reopen the hearings and/or to undertake further consultation. Clearly this has implications for the timing of the adoption of the Local Plan.

3.5 In this context, it is recommended that the Council does not make any representations regarding the modifications. However, alternative options are set out in section 7 below.

#### 4. **Policy Framework**

4.1 **Fit for the Future:** – By enabling the progression of the Local Plan, the recommendations support Fit for the Future. In particular the Local Plan aims to bring sites forward for development for housing and employment at the same time as protecting the most important environmental assets in the District. The Local Plan is therefore a key tool in making the District a great place to live, work and visit.

4.2 **Impact Assessment:** - There are no Equalities Impacts associated with the recommendations

#### 5. **Budgetary Framework**

5.1 There are no budgetary implications associated with this report

#### 6. **Risks**

6.1 The main risk arising from the recommendation to proceed without making representations on the Main Modifications are:

- a) The proposed removal of the Red House Farm site from the Local Plan housing allocations may limit the range of options available to support the regeneration of Lillington. To an extent this risk could be mitigated by retaining the option of allocating the site through a (partial) Local Plan

review in the future (if a specific regeneration proposal is developed that can justify the Exceptional Circumstances for Green Belt release). This will be dependent on understanding the Inspector's reasoning for excluding the site from the allocations.

- b) The proposed reduction to the overall housing supply by 740 dwellings reduces the level of flexibility. Clearly the Inspector considers this is reasonable given the position on the allocated sites and relatively buoyant housing market in the District. However, this lower level of flexibility will increase the risk of the Plan becoming out of date if sites do not come forward as expected. To mitigate this risk, it will be essential to monitor housing supply very carefully and to continue to play a proactive role in enabling sites to come forward as planned.

## **7. Alternative Option(s) considered**

- 7.1 Given the risks set out in 6.1 above, the Council could make representations regarding the Main Modifications. In particular, two aspects of the Main Modifications could be subject to objections.
- 7.2 Red House Farm Housing Allocation: the Council could raise objections to the Modification to remove the allocation. However, for the reasons set out in 3.4 above, this is unlikely to be worthwhile. A further alternative would be to propose an alternative approach whereby the land at Red House Farm is removed from the Green Belt as is safeguarded from development until a Local Plan review takes place. Potentially this would enable the Council to draw up regeneration proposals for Lillington and, if these proposals are reliant on releasing the land at Red House Farm for Housing development, the Plan could be reviewed relatively quickly.
- 7.3 Level of Flexibility: the Council could raise objections regarding the level of flexibility and the risks this poses to the Plan. However, this is unlikely to be worthwhile as the issue regarding site delivery and suitability have been thoroughly examined through the EIP and the Inspector has reached a view that the trajectory and reduced level of flexibility provides a reasonable basis for the Plan. In this context, there are unlikely to be any points the Council could raise that have not already been fully considered.
- 7.4 For the reasons set out in 3.4 above it is considered that the risks associated with these alternative options outweigh the potential benefits arising from them, particularly as there are other mitigation strategies which are available to help manage risks set out in 6.1.