

What Good Looks Like: Warwick District Council

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Introduction

Ever since the introduction of the Planning and Compulsory Purchase Act in 2004 the Planning Advisory Service has been helping planners make local plans for councils. A local plan represents a significant investment in time and money for councils, and it is fair to say that there are significant challenges for planners from a changing context.

A question we are often asked is “can you tell us what ‘good’ looks like?” There is a reluctance to label any plan as ‘good’ both from the Inspectorate, and from local authorities themselves. So what can we do? This set of small case studies takes recently adopted local plans and asks four simple questions. These questions take some of the key elements of the HWP about ensuring plans deliver and can respond to challenges:

1. How does the plan make best use of land?
2. Does the plan demonstrate a clear narrative in first identifying and then tackling the issues?
3. How does the plan promote a diversity of suppliers and developers?
4. How does the plan contribute to the delivery of strategic objectives?

We also look at a set of metrics to assess some of the other issues that can trouble us as a sector. These look at the length of the plan, how much housing is it delivering (and what percentage of the OAN is that?), how many objectives does it have and what was the level of representations received? These provide some context and, when looked at over a number of plans, patterns may start to emerge. Time will tell.

The case studies look at the adopted plan, the Inspectors’ Report, and parts of the evidence base to provide some learning. Each one starts with some simple metrics.

For each question you will see a brief summary of what the plan does with any useful principles covered at the end.

The report finishes with some further thoughts and reflections from XXXX at Warwick District Council. These help flesh out some of the detail and ‘how we did it’ practical points.

Metrics

Length – 180 pages

Number of objectives – Hard to tell. Either 3 (only one is numbered, but there are 3 ‘headings’) or 15 (each of the 3 has sub-paragraphs which may or may not be individual objectives)

Number of homes – 12,860, (at 714 per annum) representing 100% of identified need.

Identified in a joint SHMA across 6 districts.

Representations on submitted plan – Can’t find a summary anywhere online

Time from Publication to Adoption – 1,223 days

Pre-Publication work started in 2010

Time from first formal consultation (‘Issues, Growth Scenarios and Draft Objectives’) to Publication – 3 years

(Source: Warwick District Council Local Plan – Publication Draft 2017)

Useful links:

Local plan (needs updating when the final version is published)

https://www.warwickdc.gov.uk/downloads/file/1830/local_plan_publication_draft

Inspectors report

https://www.warwickdc.gov.uk/downloads/file/4479/inspectors_report_final

Joint Green Belt study

https://www.warwickdc.gov.uk/downloads/download/744/joint_green_belt_study_2015

Housing assessment

https://www.warwickdc.gov.uk/downloads/file/3032/updated_assessment_of_housing_need_coventry-warwickshire_hma_september_2015

Coventry and Warwickshire Housing Memorandum of Understanding

https://www.rugby.gov.uk/meetings/meeting/669/coventry_warwickshire_and_hinckley_and_bosworth_joint_committee_for_economic_growth_and_prosperity

1) Does the plan show how to make the best use of land?

The Warwick plan examination was subject to a suspension for further work to be carried out on housing delivery across the HMA. Following this suspension, and the addition of some main modifications by the Inspector, the plan has been adopted with a slightly novel approach to housing delivery.

The plan has increased quite significantly the number of housing sites from the originally submitted plan, in part to accommodate unmet needs from neighbouring Coventry. However, over the whole plan period, the over-allocation is only a little over 350 dwellings in total against plan target. The Inspector introduced a split annual housing requirement for the plan. In the first 5 years (covering 2011-2016) the target equates to 600 dwellings per annum. This increases sharply to 1,098 dwellings per annum from 2017-2029 (the end of the plan period), reflecting the need to release green belt land before site delivery could commence to meet Coventry's need. The council has taken a very proactive and positive approach to this, and has estimated a supply of almost 2,000 more dwellings in the next 5 years (8,006 against a target of 6,174).

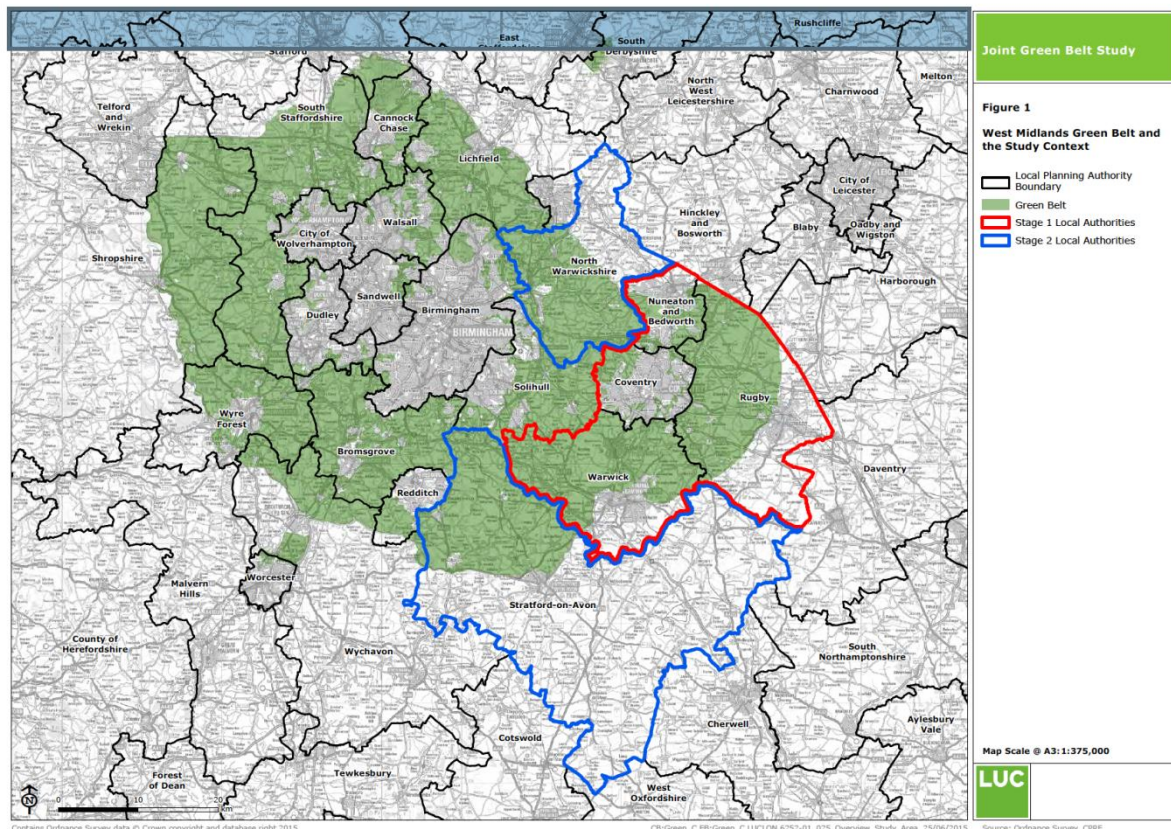
The reasoning for this is to provide as much flexibility as possible to ensure delivery of the challenging target. So, how did they do it?

There were many difficult decisions to be made, from reviewing the green belt to releasing some employment sites for housing. In particular, the Council worked hard to ensure that there was a good mix of sites within the plan covering different geographical areas and comprising a range of different site sizes. This approach sought to maximize the potential for the market to bring forward sites without suppressed delivery rates becoming a major obstacle.

In looking at the green belt, the first step was to consider doing this as a group of authorities rather than have each one tackle it in isolation (or take the decision not to do anything). 6 authorities (Coventry, N Warwickshire, Nuneaton & Bedworth, Rugby, Stratford-on-Avon and Warwick) published the Joint Green Belt Study: Stage One in June 2015.

This stage one study does not seek to identify which parcels of land should be released, noting that is a decision for each council. However, it does assess the performance of different parcels against the purposes of the green belt. It also nicely points to this being part of a body of evidence which, when taken together, will "provide a comprehensive evidence

base to appraise and arrive at the most sustainable pattern of development.” This is an important message. Whether to release green belt or not is a conversation about sustainable patterns of development. Clearly the ‘exceptional circumstances’ test must be met, but this is wrapped up in an assessment of the sustainability of sites, as only sites that will contribute to a sustainable pattern of development should even be considered. It should not be about identifying potentially ‘weak’ (when assessing land against the 5 purposes of green belt) parcels of land in isolation, it also requires looking at housing capacity, biodiversity, landscape character, infrastructure and employment needs.



Map showing extent of green belt – From the West Midlands Joint Green Belt Review Study Stage One

The study sets the context (extent of green belt and housing pressures) and then goes into the methodology. This is simple and focused, identifying broad areas and parcels of land and assessing them against the purposes of the green belt. Doing a joint study for an HMA means that if there are conversations about meeting unmet need (as there are here, from Coventry) each authority knows that the green belt has been objectively assessed in the same way. Conversations about green belt release can be had without fear of different methodologies being pitted against each other. This removes a very large piece of uncertainty from the debate.

The NPPF is clear about authorities not protecting employment sites unnecessarily. Nevertheless, this still requires bold leadership in discussing the potential for releasing employment land for housing. The Warwick plan boosts employment land supply by allocating a strategic site close to Coventry Airport. This provides for modern sites capable of meeting the demands of 21st Century industries. Many employment sites across the country were built immediately post or even pre-war, and as such, don't serve to meet modern employment needs. They are also often situated within housing areas, and so

potentially offer better housing sites now. Thinking about the needs of the wider area as well as how to attract modern industries and employers allows places like Warwick to make the best use of brownfield land for housing and to deliver the right employment land for delivering their strategy.

Taking such an approach led the Inspector to conclude that “Taking all of these factors into account the Local Plan as modified would provide sufficient flexibility in terms of the supply of housing land.”

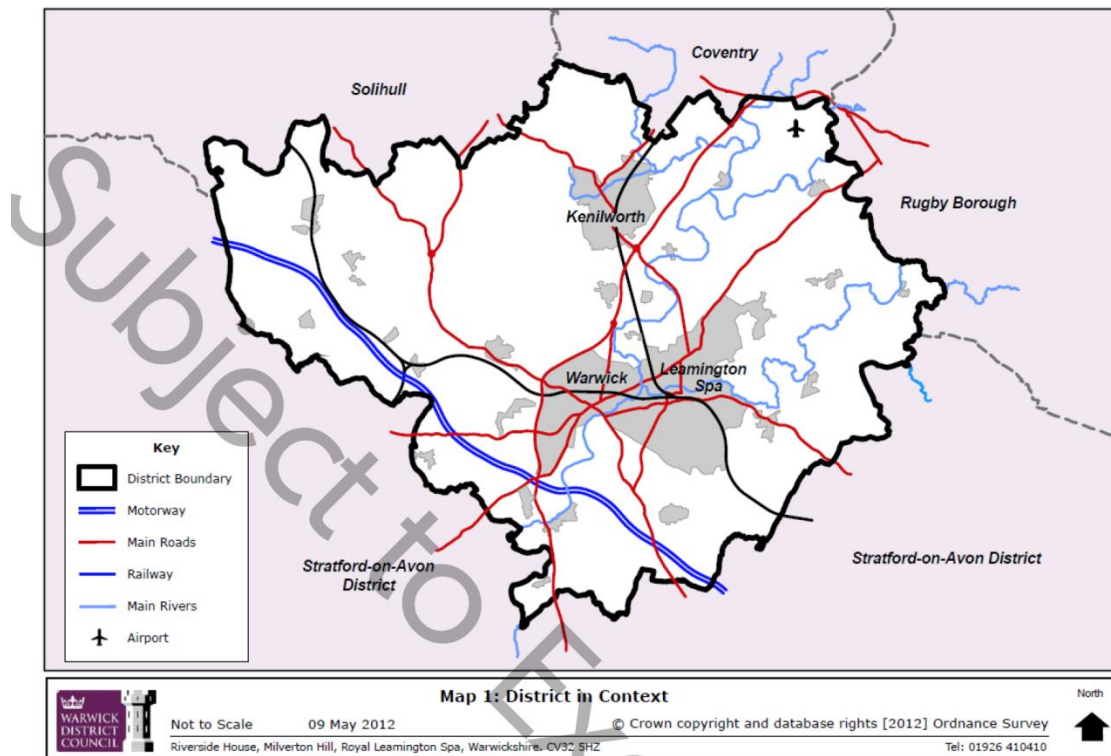
All of this is really effective policy making. However, identifying sites alone isn't going to get houses delivered. Monitoring should include a forward-look as well as reporting on what has happened already. The Inspector acknowledged that “the Council is devoting resources to assisting site delivery and working proactively with site promoters, developers and other organisations to resolve issues such as the provision of infrastructure and to address matters prior to applications being submitted.” Specifically, the Council has employed site delivery officers to work with communities, developers and infrastructure providers to bring forward local plan sites across the three largest areas of focus within the Plan. This proactive approach sends as positive a signal as possible to partners that the council is serious about and committed to delivery.

We think that for a plan to make the best use of land it has to:

- Set aside specific resources to work with key delivery partners on monitoring and understanding the factors affecting delivery – including infrastructure requirements both on and off site
- Consider how to build in flexibility to the supply of sites – Not all areas have a strong market, but where possible don't stop when you reach a 5 year supply.
- Consider employment land in strategic terms – Critically assess existing employment land. A strategy of 'review and replace' may be more effective in providing better employment land to meet needs of employers, and also releasing good housing sites on brownfield land.
- Provides a range of sites in a range of locations to maximize the delivery potential of different markets
- Consider green belt at a strategic level and set the methodology across the (sub)region – This ensures consistency of assessment and enables any changes to be made in one go, rather than a piecemeal, disjointed release.
- Consider sustainable development in the round when assessing green belt – The review should be part of a suite of evidence to determine a sustainable pattern of development

2) Does the plan demonstrate a clear narrative in first identifying and then tackling the issues?

Spatial Portrait



Spatial Portrait – Warwick District Local Plan

The Warwick Local Plan sets out a spatial portrait summarising the geography (human and physical) and demographics in a few paragraphs. It then expands on the importance of cooperation and sets out key work to date on housing need, green infrastructure, transport, and the green belt.

This simply sets the context within which Warwick has to plan, and also leads into the main issues to address in this plan period. While the broad ‘topics’ that the issues touch on are shared across most of the country, the plan sets them in local context with reference to specific places or pieces of infrastructure.

The plan refers to the Sustainable Communities Strategy. Although no longer a required document, Warwick recognized the good work that had gone into this strategy, as well as the importance of the partnerships that were created in producing it. Rather than jettisoning the partnerships along with the strategy, Warwick retained both and uses them to consider the broad areas of work for the plan to focus on. The five key priorities are:

- Safer communities
- Health and well being
- Housing
- Prosperity
- Sustainability

The plan sets out how it will take these strategic priorities and deliver on them. It sets out the broad strategy for growth in the following simple list:

- maximise use of brownfield sites;
- only bring forward greenfield sites in sustainable locations;
- avoid coalescence between settlements;

- protect important heritage assets;
- protect areas of high landscape value and important natural assets;
- focus employment, retail, leisure and cultural activities in town centres; and
- only develop sites in the Green Belt where exceptional circumstances can be justified

The objectives then fall under broad headings, summarized as providing sustainable levels of growth in the right locations to good design and supported by infrastructure. This leads to four sections of the plan delivering: strategic policies, prosperous communities, and sustainable communities. The only land use that gets its own plan section is housing, reflecting as it does everywhere else, the fundamental importance of it to the plan.

Although much of this is high level, it is for the plan to get into the detail. The introductory session flows from issues and Sustainable Community Strategy objectives, and sets the context for the plan.

Underpinning the approach the Plan takes is a focus on growth in the context of significant policy and environmental constraints (green belt, heritage, high quality landscapes etc). The whole approach of the plan seeks to achieve high levels of high quality growth whilst minimising the impact that this has on the environment. This approach has been vital in driving difficult decisions throughout the plan making process and provides a strong context for delivering high quality development in the post adoption delivery phase.

We think that for a plan to create a clear narrative and identify issues it has to:

- Consider the Sustainable Community Strategy – Did this produce valuable information and set up useful partnerships? If so, use it to help inform the plan.
- Set out a simple spatial portrait – Understanding the geographical context of the place helps set the narrative on what issues need to be addressed and over what area. In this case, it will help answer the question on meeting unmet housing need from elsewhere in the housing market area
- Set out the plan in a way that relates to the issues and objectives – Use the same language to frame different sections of the plan. This makes it easier to keep the narrative in mind when reading the plan

3) How does the plan promote a diversity of suppliers and developers?

This case study has already made mention of how Warwick is devoting resources to working to deliver sites. This proactive approach signals to the development industry and partners that the council is serious about delivery. Policy DM1 sets this commitment in policy, giving it additional strength: “The Council will work in partnership with infrastructure providers and other delivery agencies in updating the Infrastructure Delivery Plan to ensure an up to date evidence base regarding infrastructure requirements and costs is maintained.”

The delivery strategy identifies a range of sites, from urban extensions and green belt release to redeveloping employment sites, and an evidenced windfall allowance. This should provide enough opportunity for different sectors of the development industry to be able to be involved in delivering Warwick’s housing and employment needs.

We think that for a plan to promote a diversity of suppliers and developers it should:

- Set out in policy how the council will continue to work with the development industry to monitor and understand market conditions – This should include infrastructure requirements and other major elements that can affect viability
- Consider a broad portfolio of sites – the location and size of available sites should be broad enough to attract developers beyond the largest operators, in order to maximize flexibility in the strategy
- Identify and work with the whole housing market area on key evidence – This will allow sites to be assessed with the same methodology. It will also allow developers to consider how they can deliver sites across the HMA, and not in each authority in isolation.

4) How does the plan contribute to the delivery of strategic objectives?

Here in Warwick the housing market area includes 5 other councils, one of which (Coventry) has indicated an as-yet-unquantified unmet housing need. The whole housing market area is itself related to the Birmingham housing market area, which may yet require further housing need to be addressed. So how can such apparent uncertainty be tackled in a single local plan? The council addressed this in a short note for the examination “Note on unmet need and the use of early review policies”. It details examples of early reviews around the country and reiterates the importance of getting a plan in place for Warwick as quickly as possible. The note points to the policy (D20) which commits Warwick to contributing to Coventry’s unmet need, and to a review of the plan in order to do so. There is also a strong track record of cooperation between the 2 councils on the issue. Taking this small step to set the issue and way forward out in a topic paper is very effective.

The Inspector suspended the examination in order for further work to be carried out across the HMA and for Warwick to incorporate this work into the plan. This led to the outcome described in answer to the first question, namely the identification of much more housing land in the first 5 years than is required to meet the plan target. This helps combat uncertainty about delivery on identified sites and any assumptions about windfalls and build out rates. The Inspector noted that the council had been conservative in estimating the contribution and speed of delivery on some sites, which adds to the ‘realistic’ part of the plan.

Furthermore, the relevant authorities worked to produce the Coventry and Warwickshire Housing Memorandum of Understanding. This MoU focuses on housing as the major issue to be addressed across the housing market area. The role this document played not only in developing a strategy for dealing with the distribution of houses in the area, but also in garnering political support for this perennially thorny subject, cannot be underplayed.

The councils produced papers for their Shadow Economic Prosperity Board covering the evolution and rationale of the MoU, and centred on four tasks in order for it to be effective:

- Task 1: Develop proposals for the distribution of any unmet need arising in the HMA
- Task 2: Confirmation of Housing Need across the HMA and at an individual local authority level and alignment with employment needs
- Task 3: Confirmation of each authority’s capacity for housing
- Task 4: Identification of an aligned housing and employment need across the HMA alongside a proposed distribution of that need

The MoU itself is a very succinct 3 pages (plus a signature page) and sets out what has been agreed, what the triggers for review are, and that it does not fetter the discretion of any authority in its decision making on applications. It has therefore been prepared with the

appropriate level of political engagement, which is an undertaking in itself, and delivers a clear and succinct memorandum.

There is a major strategic issue in the shared green belt. Again, the work on this has been detailed elsewhere in this case study. It can't be stressed enough that agreed methodologies and joint studies can really be effective in helping to understand the issues and seek to meet the challenges together. Strategic issues require strategic solutions and cannot be tackled alone or ducked until a later date.

The strategic employment site shared with Coventry is another example of smart planning. Although the details will have to be set out in a master plan, the groundwork has been covered and the site can be allocated with the confidence that there is commitment from the authorities in delivering it.

We think that for the plan to contribute to strategic objectives the council should:

- Identify early the potential for unmet need and how this will be met – This may well be a review of the local plan (or parts of it). Set out the triggers and timescales (where possible)
- Work jointly on reviewing the green belt – Even if other plans are not at the same stage, agreeing a methodology and identifying areas of search and parcels of land will help all authorities understand how the green belt is working and where there may be potential for release, subject to meeting exceptional circumstances
- Clarify what future work will be needed to ensure strategic sites can be delivered – Master plans will help deliver larger sites, effective monitoring, looking forward and back, will help keep the underlying evidence up to date and ensure policies can be reviewed when necessary, and assumptions remain relevant

Thoughts and reflections from Warwick District Council

Joint working

The Councils in Coventry and Warwickshire worked closely to reach key agreements regarding both housing and employment requirements and the redistribution of these across the sub-region. Although ultimately, the process was pivotal in the preparation of the plan (and indeed all the plans in Coventry and Warwickshire), it was not easy and a lot was learnt along the way.

During 2013, the Council developed a joint evidence base including an employment land study and a SHMA. Initially WDC used these documents as the basis for the employment and housing requirements in the Plan. However, shortly before the Council submitted its Plan in early 2015, new household projections were published (in 2014) and it began to emerge that Coventry would be unlikely to meet their housing need in full. At that stage the scale of the unmet need in Coventry was not known and so agreement was reached between all six Councils that we would meet as much as we could in the current round of plans and then address any further shortfall through coordinated plan reviews. Warwick was able to contribute around 120 dwellings per annum as well as meet its own need of 600 dwellings per annum.

The Plan was submitted and examined on this basis, but after three days of hearings, the Inspector wrote to the Council finding the approach unsound and requiring the plan to be revisited to ensure Coventry's shortfall was properly identified and that a shared approach to meeting this in full was put in place. This was a shot across the bows for all 6 Councils and triggered a period of intensive work to reach an agreement which met the Inspector's requirements.

Between June 2015 and September 2015 an enormous amount of progress was made on joint working including:

- Completing Joint Green Belt Study
- A report to update housing need and distribution across the sub-region
- Completion of Coventry's work on housing capacity and process of challenge and checks of this by the Warwickshire authorities
- The preparation of a methodology for an Memorandum of Understanding – including political agreement to this methodology
- The preparation of the MOU itself setting out
- a shared understanding of housing need across the whole Housing Market Area;
- a shared understanding of how that need was distributed between the six Council areas
- an understanding of the capacity within each Council area, including an agreement that there was a shortfall of capacity of around 18,000 dwellings in Coventry
- an agreement as to how the shortfall should be redistributed to the five Warwickshire Authorities in line with the methodology already agreed.
- The MOU was supported by 5 of the 6 Councils in September 2015 and has subsequently been agreed by the sixth.
- The MOU resulted in Warwick agreeing to accommodate 332 dwellings per annum from Coventry's housing need. This was more than a third of the District total housing requirement.

Key learning points were:

- a) With the right impetus (e.g the Inspector's report) and commitment, the Councils were able to work effectively together to address and resolve very complex issues and reach agreement about controversial matters
- b) Key to success was agreeing the approach right from the start, including the methodology for redistributing unmet need even before the scale of the unmet need was known
- c) Political involvement was key – portfolio holders from all the Council's met regularly throughout the period so that they were informed and could influence the process and "sell" the outcomes to their colleagues
- d) Once the close working relationships were established, it was much easier to build on the momentum to prepare an employment land MOU for similar reasons

Housing Delivery including devoting resources to working with delivery partners

The level of housing growth that the Local Plan commits to is much higher than has ever been achieved in the District. To deliver this level of growth, the Council has committed significant resources to work with developers, infrastructure providers and communities to unblock barriers and drive the delivery of key elements of infrastructure. Specifically, the Council has appointed two Site Delivery Officers (and is in the process of appointing a third). These officers each work across a geographical patch (south of Warwick; Kenilworth; south of Coventry) where there is a focus for development and there are complex ownership, infrastructure and delivery issues. These officers are supported directly by commitment from the top of the Council with the Chief Executive and Deputy Chief Executives playing an active role in "banging heads together" and ensuring resources are focused on priorities. Each patch is also supported by a "Project Team" which ensures work between different departments and indeed with colleagues at Warwickshire County Council is coordinated.

It is still early stages, but evidence to date is that this approach is having an effect. In 2016/17 more dwellings were completed in the District than ever before and similar rates

appear to be likely for 2017/18. To retain a focus on delivery, the Council is starting work on a root cause analysis to identify barriers at District, patch and site level and is planning to set out and deliver an action plan looking ahead for three years. It is hoped this will prevent any issues with the Housing Delivery Test despite the very high level of growth required.

Green Belt

Around 80% of the District is green belt. As a result, it has simply not been possible to meet the full housing requirements of nearly 17,000 dwellings in the relatively small area that lies outside the green belt. Whilst this area to the south of Warwick is accommodating significant levels of growth, substantial growth is also proposed in areas that have been removed from the green belt close to Coventry and around Kenilworth.

Specifically the plan proposes the development of two major sites that were in the green belt to the south of Coventry (Kings Hill for 4000 dwellings and Westwood Heath for 425 dwellings) as well safeguarding land for approximately a further 900 dwellings in the future – subject to the provision of infrastructure to release this. Around Kenilworth, land for around 1400 dwellings plus a new secondary school was also released from the green belt.

This element of the Plan was inevitably very carefully scrutinised by the Inspector. The evidence to support the Council's approach had to be detailed and the approach was tested at both a strategic level (spatial strategy) and site by site basis. This was time consuming and required detailed evidence:

- A joint Green Belt Study which examines the merits of specific green belt parcels. This evidence was used to help understand how the Council's approach could be achieved without undermining the strategic purpose of the green belt
- An examination of exceptional circumstances for each and every site proposed for development. This was based on housing need overall and more specifically the ability of sites to address unmet need arising in Coventry
- A thorough assessment of defensible green belt boundaries and mitigation on a site by site basis

To emphasise the challenge involved in justifying the release of green belt for housing, the Inspector did not support four of the Council's green belt allocations resulting in a reduction of 600-700 dwellings from the Local Plan housing supply. This has reduced the level of flexibility in the plan to around 360 dwellings (out of an overall requirement of nearly 17,000 dwellings).

Impact of Suspension on the mood of the Leadership (especially with the increase in housing requirement)

Following the initial hearings in 2015, the Inspector wrote to the council suggesting that the Plan should be withdrawn on the basis that Coventry's unmet housing need should be met in full. Clearly this was a major disappointment for the leadership of the council and especially senior members. However, the council took the view that if it could work with other councils in Coventry and Warwickshire to address the unmet need quickly, the best way to achieve the certainty that an adopted plan could provide would be to argue for a suspension.

Due to the rapid progress the councils were able to make together, the Inspector agreed to a suspension timetable instead of withdrawal. This approach required striking and positive leadership from across the organisation including making difficult decisions about making significant contributions towards a neighbours housing need and allocating thousands more dwellings (mainly in the green belt) than the plan had originally proposed. A key part in the thinking behind this approach was an understanding that the certainty provided by an

adopted Plan was an important goal and that the pain of that process was a price worth paying to avoid the uncertainty of an unplanned approach.