

Agenda Item No 6

Local Development Framework Sub-Committee

3 August 2016

**Report of the Assistant Chief Executive
and Solicitor to the Council**

**North Warwickshire Local Plan –
Draft for consultation**

1 Summary

- 1.1 This report brings a new Draft Local Plan to Members for their consideration with a view on taking forward the proposals to a consultation in late September / early October 2016.

Recommendation to the Sub-Committee

- a A sustainable appraisal be carried out on the Draft Local Plan and any minor changes incorporated into the document;
and**
- b That the draft Local Plan be authorised for consultation.**

2 Background

- 2.1 Members will recall that the decision was taken to merge the Core Strategy, the Draft Site Allocations Plan and the Draft Development Management Plan together to form once again a Local Plan for the Borough. This document is now attached as Appendix A.

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- 2.2 The Draft Local Plan is considered to be the best Plan that could achieve the development required and give opportunities to seek improvements that will benefit both the existing and future residents and businesses of the Borough. However not all questions over the exact infrastructure can be answered at the present but if members agree the Draft Plan it can form the basis of constructive discussions with landowners, developers and funding agencies to try and get answers to as many of these queries as possible. In addition this will be further improved and considered through local consultations with communities.

- 2.3 The proposed consultation gives the opportunity for more changes to be made to the Plan. The next stage will be the submission version which will be the version that the Borough Council will want to submit for independent examination. It is envisaged that consultation on the submission version will take place early in 2017.

2.4 Since the last LDF meeting presentations have been made to all Area Forum meetings and two Parish / Town Council meetings in order to update local communities on the emerging housing and employment figures and to provide them with copies of the Growth Options Paper.

3 Evidence

3.1 Evidence behind the Local Plan is important to ensure that the best information is available to make decisions in terms of policies and allocations. The list of evidence grows throughout the production of the Local Plan and the most recent list is attached as Appendix C within the Draft Local Plan.

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3.2 Recently the following key documents have been completed:

- Growth Options Paper and Sustainability Appraisal
- Employment Land Review Addendum – this is an update to the ELR 2013
- Coventry and Warwickshire Housing Market Assessment 2015 (CW HMA)
- Strategic Land Availability Assessment (SHLAA) – a final document is being finalised.
- Joint Coventry and Warwickshire Green Belt Study

3.3 A further report is still awaited on the Meaningful Gap. The consultants are also looking at the detailed boundaries of the Green Belt to ensure wherever possible defensive boundaries are put in place. If there are changes as a result of this report these will be brought back to members for consideration.

4 Changes from Core Strategy

4.1 The Core Strategy was only adopted in 2014 but as Members saw in the report to this sub-committee in April there have been many issues that mean that its content needs to be updated and if necessary policies changed.

4.2 The Draft Local Plan includes all of the Core Strategy policies except for the Split of Housing Numbers NW5. It does not include policy NW5 as all sites over 0.2 hectares and 5 units are now allocated and the expectation is that windfalls are likely to be small in scale. Development boundaries are being altered to go around allocations. The new policy LP2 is written so that no further expansion beyond these boundaries is expected.

4.3 There are a few policies that remain unchanged. Others have been expanded to take on board comments and issues highlighted through both the Draft Site Allocations Plan and the Development Management Plan consultation processes. There are in addition some new policies.

4.4 One of the main issues is whether the Core Strategy pattern of development can be accommodated with the higher housing and employment land requirements. The Growth Options are discussed below.

5 The Numbers

5.1 Before going on to consider the growth options and sites it is important to reiterate what the Draft Local plan is seeking to deliver:

- In terms of housing this will be a minimum of 5280 with an aspiration to deliver a further 3790.
- In terms of employment land this is up to around 91 hectares.

Both of these are subject to the delivery of infrastructure.

6 **Benefits**

6.1 Many will see little benefit of having large amounts of development close to where they live or work. There are however three key benefits:

- 1 The development can be planned in order to ensure the delivery of infrastructure;
- 2 By clearly allocating the sites active discussions can take place with funding agencies to ensure the delivery of infrastructure. The Borough Council will work with developers, statutory agencies and funding agencies to deliver the infrastructure alongside the housing and employment land; and,
- 3 It is important to avoid planning by appeal where the long term infrastructure requirements are not thought about let alone delivered. Trying to retrofit the right infrastructure does not make places work.

Overall it is intended that providing new homes will mean better facilities for the wider community.

7 **Growth Options**

7.1 At the last meeting in April Members considered a paper on Growth Options. The paper set out various options for dealing with growth from within and outside of the Borough. Since that meeting a Sustainability Appraisal has been carried out on these and is attached as Appendix B.

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7.2 As expected however there are positive and negatives of all options and detailed analysis of impacts cannot be fully undertaken until the actual sites are known.

7.3 For the Options dealing with the majority of growth from within the Borough it is considered that the Options IN2 (Development In and around the Main Settlements including Green Belt Market Town) and IN5 (New Settlement) would have more significant positive effects than the other options. In terms of the options of dealing with growth from outside of the Borough it was considered that in general, the effects of OUT1 (Development adjoining the out boundary of the Borough) and OUT2 (Settlements closest to where the need arises) had more positive effects.

7.4 In terms of the possibility of a new settlement this is a longer term option. Based on the experience of other local authorities this option would not assist with delivering the housing that is required now and can take many years to bring to fruition. This may be an option that could be discussed with neighbouring local authorities and a comprehensive study undertaken to ascertain where a possible location or locations may be.

8 The Sites

8.1 The sites that have been included in the Draft Local Plan have been chosen for a number of reasons:

- 1 They all fit with the updated settlement hierarchy which, in the main, has been recently adopted through the Core Strategy;
- 2 All of the sites are considered to be deliverable within the Plan period;
- 3 They are all considered to be achievable if the relevant infrastructure is provided; and
- 4 They have an element of fit with the Growth Options and the results of the Sustainability Appraisal.

8.2 The allocation of sites needs to make sure that there is a good supply of housing sites. Within a Plan an Inspector will be looking at not just the five year picture but the 10 and 15 year periods.

9 Green Belt

9.1 Members will see in the Draft Local Plan land that some sites are being advocated to be released from the Green Belt and put forward for development within this Plan period. The sites are:

Table 1: Sites advocated to be released from Green Belt

	<i>Name of Site</i>	<i>Area hectares</i>	<i>Main Use(s)</i>
1	Land at Hams Hall	20	Employment
2	Land between Birmingham Road and Plank Lane, Water Orton		Housing & School
3	Land off Packington Lane, Coleshill		Housing

9.2 In addition due to the nature of the Green Belt and its permanence it is important to see what sites / areas need to be safeguarded for the future. A safeguarded site can only come forward for development through a review of a Local Plan. They however indicate possible future locations for growth. Table 2 indicates the sites advocated as being safeguarded.

Table 2: Sites to be excluded from Green Belt and Safeguarded

	<i>Name of Site</i>	<i>Area</i>	
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		<i>hectares</i>	
1	Land off Hawkeswell Lane, Coleshill		Safeguarded
2	Land to the west of Tamworth Road Kingsbury		Safeguarded

9.3 Two additional pieces of work have been carried out that relate to the Green Belt. These are outlined below:

9.4 *Additional Areas of Green Belt*

9.4.1 Members have been keen to explore the possibility of extending the Green Belt. As part of the report on the Meaningful Gap the outer boundary of the Green Belt is being looked at. The outcome of this work is still awaited so the current Draft Local Plan has been written as if there are no changes forthcoming from the report. If there are changes these will be brought back to Members for consideration

9.5 *Detailed Green Belt Boundaries*

9.5.1 The Green Belt boundaries were first put forward in the 1960's and many of the detailed boundaries within the Borough have been about since the 1990's. It is important therefore when the Green Belt is reviewed that the detailed boundaries are also reviewed. Again if there are changes these will be brought back to Members for consideration

10 **Infrastructure**

10.1 An Infrastructure Delivery Plan (IDP) needs to accompany the Draft Local Plan. An IDP accompanied the Draft Site Allocations Plan in June 2014 which updated the one that accompanied the Core Strategy. This of course now needs to be updated to reflect the additional development that is being proposed. There is therefore some additional work that needs to be completed over the summer to bring this up to date reflecting all of the new site allocations.

10.2 Information on infrastructure is difficult to find out with out exact sites being known. Many of the infrastructure providers have found it hard to say what infrastructure is required to accompany sites without knowing the exact sites. With Members' approval of the Draft Local Plan this will give the infrastructure providers confidence in the sites that the Borough Council wishes to promote.

10.3 More information is required on two particular issues: transport and health.

10.4 Transport modelling work is underway and an interim report will be available by late September. A more detailed report will be available by the end of the year. This will take into account any issues raised during the consultation process.

10.5 Discussions are underway with health colleagues in Public Health WCC, CCG and NHS England. With the approval of the Draft Local Plan this will help

partners to be clear on the service provision requirements for the area. Due to the funding of health facilities it is hoped to get to a position where as much information can be provided as possible. However the exact provision on any site may change during negotiations with the developers.

10.6 Part of the consultation process will also involve getting as much information as possible from local communities where development is taking place as to what they consider to be required or necessary.

11 Members Meeting

11.1 A Report on the comments made on the Draft Development Management Plan was presented to the Planning and Development Board on 10 June. It was agreed that Members from the Board and the LDF Sub-committee would meet to go through the suggested changes to the Draft Development Management Plan policies. A meeting was held on 28 June. The following changes were made as a result of that meeting:

Table 3: Member Changes included in Draft Local Plan

		Draft Local Plan policy
DM3	Employment Site	
	A change is made to restrict B8 where its concentration becomes disproportionate within existing industrial estates.	LP12: Within all of these estates, changes of use between the B1 light industrial, B2 general industrial and B8 warehouse and distribution Use Classes will be permitted provided that there is not a disproportionate concentration of B8 uses on any one estate. However at Collier's Way, New Arley and at Manor Road, Mancetter B8 uses will not be permitted
DM4	Existing Employment Sites	
	Existing employment sites in the countryside were discussed.	Proposals for limited infilling and the partial or complete redevelopment of existing employment land outside of development boundaries for employment purposes will be treated in the same way as set out in Policy LP3 will be considered against Local Plan policies LP1 and LP2 in order to retain the rural character, appearance and openness of the countryside throughout the Borough in line with Core Strategies LP1 and LP2
DM5	Development Matters	
	A discussion took place in relation to flooding and sewage. A change is made to delete the last sentence of the policy relating to Atherstone and	In order to improve and protect water quality, infiltration measures are the preferred means of surface water disposal where ground conditions are appropriate and where practicable, the separation of surface water from sewers should be undertaken. New development proposals

	Mancetter. Reference instead will be made in the justification to the policy about the need for sewage infrastructure to be improved.	should be accompanied by a Water Statement that includes evidence to demonstrate that there is adequate sewerage infrastructure in place or that it will be in place prior to occupation. This particularly applies to Atherstone and Mancetter.
DM6	Built Form	
	There should be the protection and recognition of important views throughout the Borough	DM6 (now LP38) does refer to views in section b and c under General Principles: “b) make use of and enhance views into and out of the site; c) make appropriate use of landmarks and local features” It is proposed to add to the end of (c) “both in and outside of the site”.
DM1 3	Services and Facilities	
	Insert into justification of policy that where appropriate advice is sought from the District Valuer	LP24 – insert reference in the justification of Draft Local Plan policy LP24

12 Next Steps

- 12.1 It is proposed that a Sustainability Appraisal be carried out on the Draft Local Plan. Where possible any changes be incorporated into the Draft Local Plan prior to consultation or if substantive changes are sought that the report comes back to Members for their consideration.
- 12.2 If members agree to the basis of the Local Plan officers will work with Birmingham City Council, Tamworth and Lichfield DC in particular to agree Memorandum of Understandings based on the information included in the Draft Local Plan.
- 12.3 There is more work that is required on the provision of infrastructure including updating the Infrastructure Delivery Plan. This is a live document which will evolve through the consultation process and as more evidence is provided by statutory undertakers. It is proposed that a Draft IDP is prepared and discussed with the LDF members in an informal way in order for it to be part of the consultation process.
- 12.4 If there are implications from the awaited reports these are brought back to Members for their consideration.

13 Report Implications

13.1 Legal and Human Rights Implications

13.1.1 There will be a further period of consultation and objectors will have the opportunity of representing their case in front of a Planning Inspector at a later date.

13.2 Sustainability and Environmental Implications

13.2.1 These policies are predicated on maintaining a balance between a sustainable pattern of new development in the Borough and the protection of its environmental assets.

13.3 Links to the Council's Priorities

13.3.1 The policies seek to protect the rural character and heritage of the Borough through the management of new sustainable development.

The Contact Officer for this report is Dorothy Barratt (719250).