



T: [Redacted]
F: [Redacted]

E: [Redacted]
W: www.tetlow-king.co.uk

Development Policy Manager
Development Services
Warwick District Council
Riverside House
Milverton Hill
Leamington Spa
CV32 5QH

Date: 27 June 2014
Our Ref: EB/CB M5/0504-12
Your Ref:

By email only:
newlocalplan@warwickdc.gov.uk

Dear Sir or Madam

RE: CONSULTATION ON THE PRE PUBLICATION DRAFT LOCAL PLAN

We represent the **West Midlands HARP Planning Consortium** which includes all the leading Housing Association Registered Providers (HARPs) across the West Midlands. Our clients' principal concerns are to optimise the provision of social/affordable housing and to ensure the evolution and preparation of consistent policy throughout the region.

Plan Period

As it stands, the Plan covers a 15 year period, which is within keeping of paragraph 157 of the NPPF. However if the Plan faces any delay this timeframe will slip. This point is emphasised by the Inspector at the Lichfield Local Plan Examination where in his Initial Findings to the Council he states that:

"...the plan, which runs to 2028, would only have a 14 year life – rather than the 15 year time horizon which the NPPF indicates would be preferable. The Council should, therefore, consider extending the end date of the Plan to 2029 and making the necessary adjustment to housing number," (Paragraph 39 Initial Findings)

We would ask that the Council keeps this in mind as the Plan progresses and takes action if the adoption date looks like it will force a plan period of under 15 years.

Plan Objectives

As a Plan objective paragraph 1.46 is wholly un-ambitious. It should not look to merely reduce the number of people who are currently homeless or living in unsatisfactory accommodation but should actively strive to remove the need altogether. This sentiment is encouraged by Policy DS2 which promises to provide in full for the Objectively Assessed Housing Need.

DS2 – Providing the Homes the District Needs

We give strong support to the Council's ambition to meet its objectively assessed housing need; our concern is with the evidence provided by the Council to endorse this need. The Joint SHMA 2013 is the core evidence document used for establishing the District's affordable housing need; it identifies a requirement for 268 new affordable homes each year between 2013 and 2031. However this figure of 268 has been calculated based on an assumed period of 18 years over which the backlog of affordable housing should be met. The NPPG sets out clear guidelines stipulating that Local Authorities should deal with past undersupply of housing within the first five years (paragraph 035 reference ID: 3-035020140306). If this guidance is adhered to, the backlog, which works out at 35 affordable houses per annum, is increased to 127, giving a new affordable dwelling target of 360 affordable dwellings over the first five years.



It is also of note that the 2012 SHMA identified a need for 698 affordable dwellings per annum in the District; a figure which is significantly higher than that of the joint SHMA, but which is only one year older.

Further concern is that the 2013 Joint SHMA incorporates an assumption of zero migration; this is in contrast to the 2012 SHMA for Warwick which included trend based migration of 460 persons per annum and the December 2012 Economic and Demographic Forecasts Study which shows a baseline projections in net migration of 855 persons a year. Therefore the zero migration scenario employed in the 2013 SHMA is likely to have underestimated the need for affordable housing.

In order to meet the requirements of policy DS2, it is imperative to ensure that all the needs are fully understood and that the rest of the plan is consistent with delivering them.

DS20 - Accommodating Housing Need Arising from Outside the District

We are glad that the Council has recognised the issues faced with regards to a housing need arising from outside of the District; this is supported by the NPPG which requires effective strategic planning for cross border growth *“from the outset”* of Plan preparation. It is also material that the NPPG (ID 9-001-130729) states that:

“Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination” (emphasis added).

It is of course desirable for an authority to have assessed the entire housing need that must be accommodated in its borders before preparing its Plan. Though this is not the case in Warwick the Council seems to be taking significant measures to positively front up to this potential need. One recommendation we would like to see adopted is the inclusion of a proactive timetable defining key moments or events that will trigger a review with regards to cross border need.

H2 - Affordable Housing

We wish to see the production of the highest number of affordable homes as possible and for that reason we are supportive of the 40% affordable housing target. However the policy wording currently states that residential development *“will not be permitted unless provision is made for a minimum of 40% affordable housing”* We are of the opinion that such a blanket policy does not allow the flexibility a developer may require to bring forward sites that may not be viable at such a high rate of delivery. In the interests of delivering more affordable housing it would be of benefit to the Council to make clear that lower contributions may be acceptable providing the developer can offer clear evidence to justify a lower target.

H3 - Affordable Housing on Rural Exception Sites

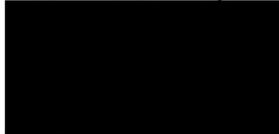
We support the Council in its allowing of Rural Exception Schemes. As our comments above show we have reservations that 40% affordable housing will be achieved on all sites. This will reduce the number of affordable houses developed and so positive affordable housing schemes such as this will promote the production of affordable housing.

Concluding Comments

We strongly support the Council in seeking to meet its objectively assessed housing need. However we are concerned that the need identified in the SHMA is not sufficient, failing to take into account migration and the need to make up for its affordable housing backlog over the next 5 years. The Affordable Housing Viability Assessment (Nov 2011) would suggest that a 40% affordable housing commitment is near the top end of viability so if further affordable housing is required the Council will have to proactively pursue other affordable housing delivery methods, such as rural exceptions.

The above comments are intended to be constructive; we would welcome the opportunity to be consulted on future drafts of the Charging Schedule. Please ensure that the **West Midlands HARP Planning Consortium** is listed as a consultee with **Tetlow King Planning** as their agents.

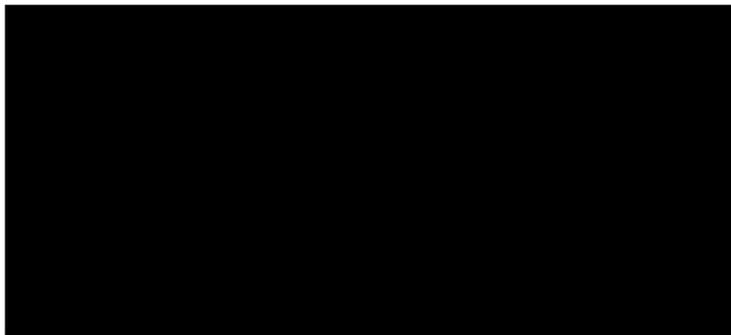
Yours faithfully



CHRIS BURTON MPlan
ASSISTANT PLANNER
For and On Behalf Of
TETLOW KING PLANNING



Cc:



Enc: Response Form

Publication Draft Representation Form 2014

For Official Use Only
Person ID:
Rep ID:

This consultation stage is a formal process and represents the last opportunity to comment on the Council's Local Plan and accompanying Sustainability Appraisal (SA) before it is submitted to the Secretary of State. All comments made at this stage of the process are required to follow certain guidelines as set out in the **Representation Form Guidance Notes** available separately. In particular the notes explain what is meant by legal compliance and the 'tests of soundness'.

This form has two parts:

- **Part A – Personal Details**
- **Part B – Your Representations**

If you are commenting on multiple sections of the document, you will need to complete a separate Part B of this form for each representation on each policy.

This form may be photocopied or alternatively extra forms can be obtained from the Council's offices or places where the plan has been made available (see the table below). You can also respond online using the Council's e-Consultation System, visit: www.warwickdc.gov.uk/newlocalplan

Please provide your contact details so that we can get in touch with you regarding your representation(s) during the examination period. Your comments (including contact details) cannot be treated as confidential because the Council is required to make them available for public inspection. If your address details change, please inform us in writing. You may withdraw your objection at any time by writing to Warwick District Council, address below.

All forms should be received by **4.45pm on Friday 27 June 2014**

To return this form, please deliver by hand or post to: **Development Policy Manager, Development Services, Warwick District Council, Riverside House, Milverton Hill, Leamington Spa, CV32 5QH**
or email: newlocalplan@warwickdc.gov.uk

Where to see copies of the Plan

Copies of the Plan are available for inspection on the Council's web site at www.warwickdc.gov.uk/newlocalplan and at the following locations:

Warwick District Council Offices, Riverside House, Milverton Hill, Royal Leamington Spa
Leamington Town Hall, Parade, Royal Leamington Spa
Warwickshire Direct Whitnash, Whitnash Library, Franklin Road, Whitnash
Leamington Spa Library, The Pump Rooms, Parade, Royal Leamington Spa
Warwickshire Direct Warwick, Shire Hall, Market Square, Warwick
Warwickshire Direct Kenilworth, Kenilworth Library, Smalley Place, Kenilworth
Warwickshire Direct Lillington, Lillington Library, Valley Road, Royal Leamington Spa
Brunswick Healthy Living Centre, 98-100 Shrubland Street, Royal Leamington Spa
Finham Community Library, Finham Green Rd, Finham, Coventry

Where possible, information can be made available in other formats, including large print, CD and other languages if required. To obtain one of these alternatives, please contact 01926 410410.

Part A - Personal Details

	1. Personal Details*	2. Agent's Details (if applicable)
Title	WEST MIDLANDS HARP	MR
First Name		CHRIS
Last Name		BURTON
Job Title (where relevant)		
Organisation (where relevant)		
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Postcode		
Telephone number		
Email address		

3. Notification of subsequent stages of the Local Plan

Please specify whether you wish to be notified of any of the following:

The submission of the Local Plan for independent examination	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
The adoption of the Local Plan.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Part B - Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

PLEASE SEE ATTACHED LETTER

Paragraph Number:

Policy Number:

Policies Map Number:

5. Do you consider the Local Plan is :

5.1 Legally Compliant?

Yes No

5.2 Complies with the Duty to Co-operate?

Yes No

5.3 Sound?

Yes No

6. If you answered no to question 5.3, do you consider the Local Plan and/or SA unsound because it is not: (please tick that apply):

Positively Prepared:

Justified:

Effective:

Consistent with National Policy:

For Official Use Only

Person ID:

Rep ID:

7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

PLEASE SEE ATTACHED LETTER

Continue on a separate sheet if necessary

8. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

PLEASE SEE ATTACHED LETTER

Continue on a separate sheet if necessary

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

For Official Use Only

Person ID:

Rep ID:

9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination



Yes, I wish to participate at the oral examination



10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

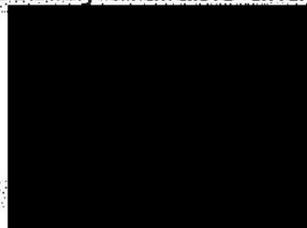
Continue on a separate sheet if necessary

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name/organisation.

Signed:



Date:

27/06/2019

Copies of all the objections and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with consideration of planning applications in accordance with the Data Protection Act 1998.

For Official Use Only

Person ID:

Rep ID: