

NORTH WARWICKSHIRE BOROUGH COUNCIL
LOCAL PLAN EXAMINATION

PROGRESS NOTE FOLLOWING INITIAL EXAMINATION HEARINGS

1. This note follows the first week of examination hearings in respect of certain strategic matters addressed in the Local Plan. It covers several areas where, at this point in time, I consider that the plan as submitted is not fully justified and further work is necessary. Whilst informed by everything that I have read and heard, any reasoning is interim and without prejudice to the outcome of the examination. The full reasoning for any conclusions will be set out in my final report.

Housing

2. Policy LP6 sets out the intention to provide a minimum of 5,808 dwellings to 2033. That figure reflects household projections, market factors, and a contribution of 540 dwellings towards unmet needs likely to arise in the Coventry and Warwickshire Housing Market Area. Policy LP6 also sets out the aspiration to deliver 10% of Birmingham's housing needs which the City Council is unlikely to be able to accommodate within its administrative boundaries to 2031. That 10% equates to 3,790 homes.
3. Whilst determining housing needs is not an exact science, I conclude that the combined total of a minimum of 9,598 dwellings to 2033 represents an appropriate figure for the housing needs of the Borough recognising its wider strategic context (i.e. 5,808 plus 3,790). However, subject to subsequent elements of this note, including in respect of reasonable alternatives, policy LP6 should refer to making provision for a single minimum housing requirement of 9,598.
4. That clarity is necessary for the plan to establish unambiguously a housing requirement, and to set a clear basis for what will be permitted and where. A lower housing requirement, or one phrased as an aspiration, would potentially result in some identified housing needs within the Borough's housing market areas being unprovided for.
5. A requirement of 9,598 homes to 2033 averages to 463 dwellings a year. That compares to 264 a year based on a requirement of 5,808 as in the submitted plan. The effect of the plan period starting at 2011 is to establish what should have been provided relative to a requirement year-on-year since. Therefore the extent of the shortfall is likely to be significantly greater than the 576 figure given by the Council.
6. It will only be following the hearing sessions concerning site allocations that I will be able to determine whether or not the plan provides for an adequate supply of deliverable and developable sites for housing. However, in view of the significant step-change in delivery proposed by the plan compared to the Core

Strategy, shortfall in the early years of the plan period set out above, and the realities of delivery in the future, it may be that stepped housing requirement figures across the plan period and/ or recovering past shortfall over the lifetime of the plan (known as the Liverpool method) would be justified.

7. Consequently I request that the Council consider possible options for such an approach. At the present time I consider that the five year land supply requirement should include a 5% buffer.

Strategic approach and reasonable alternatives

8. Aside from the option of accommodating none of Birmingham's likely unmet needs, no alternative levels of provision to the 3,790 homes figure cited above have been assessed in the Sustainability Appraisal [CD1/2]. In order to ensure that a requirement proposed via policy LP6 is justified, the Council should undertake a comparative assessment of the impacts of the plan making provision to deliver a minimum requirement of 5,808, 7,963 and 9,598 homes.
9. The middle figure of 7,963 homes is on the basis of accommodating approximately 2,155 dwellings for Birmingham based on 2011 Census data related to the functional commuting relationship between the two areas [AD24, PS.M3.01]. That assessment should be by way of an update to the Sustainability Appraisal, and must be undertaken without a predetermined outcome in mind. **Clearly, should the additional SA work indicate that a housing requirement figure of 9,598 is not the most appropriate in the light of reasonable alternatives, it would likely be necessary for me to significantly alter my interim findings in this note.**
10. Work to address the concerns of the Environment Agency and Historic England [SLP302, SLP341] should be made available in advance of hearings on examination matter 6 'planning and environmental constraints', and may inform the Sustainability Appraisal work referred to above. I may need to request further information thereafter in the event that there are significant issue remaining. In advance of hearings into site allocations, the Council's Settlement Sustainability Assessment ('SSA')[CD6/3B], updated to reflect present circumstances, should also be made available as supporting evidence.

Gypsies and Travellers

11. Both the evidence in support of, and targets set by, the Local Plan in relation to travellers are the same as in respect of the Core Strategy adopted in 2014, since which there is some evidence of traveller sites having been provided in response to applications [NWBC2]. Whilst I understand that the Council intend to undertake further assessment work in respect of traveller needs at some point, they now have no intention of bringing forward allocations directly. That does not appear to accord with the approach in Planning Policy for Traveller Sites published in 2015 ('PPTS'), broadly that traveller sites should be allocated in much the same way as for the settled community.
12. In order that I am able to determine whether or not the plan is sound in relation to the accommodation needs of travellers, I request that the Council provide a note which, having regard to PPTS, sets out the detailed justification for the approach proposed in the plan. This should detail the latest available

evidence in respect of traveller needs relative to supply, and may draw from secondary sources such as planning applications and caravan counts.

Future work and examination progress

13. In summary I ask the Council to undertake the following work:

- i. Additional Sustainability Appraisal work to assess the relative effects of providing for 5,808, 7,963 and 9,598 homes in the Borough.
- ii. Subject to the outcome of the SA work, policy LP6 should be modified to establish a single figure, i.e. 9,598, as a minimum housing requirement.
- iii. In that context the Council are asked to propose, if necessary, a stepped or phased housing requirement figures. Alongside the updated SSA, that should be available before hearings on site allocations in order to provide a suitable basis for determining the appropriateness of supply.
- iv. Before hearings on strategic matter 6 'planning and environmental constraints' [INSP5], the Council should seek to address, and to produce notes setting out the extent of agreement and remaining dispute between them and the Environment Agency and Historic England (and potential remedies for the latter).
- v. The Council should also provide a note setting out the latest evidence in respect of traveller needs relative to supply before hearings conclude.

14. Provided the Council agree to undertaking (i) through (iv), those actions need not necessarily delay proceeding to further hearings. It will, however, likely be necessary to provide the opportunity for representors to comment on any outcomes if they do not logically fall within hearings currently indicated in the programme [INSP4] or if written representations and main modifications would not provide suitable opportunity. I would ask the Council to explain how they intend that such further work would best be addressed in the course of the examination.

15. I acknowledge that the contents of this note will be met with some disappointment, and I appreciate that the Council is keen to make progress as quickly as possible. If the Council is agreed to the above, I will put arrangements in place for the next hearings into other strategic matters. As with previous correspondence I would ask that the Council acknowledges receipt, and I would welcome an indication of when the above work will be completed and submitted. Whilst I am not inviting comments on this note, I would be happy to provide clarification to the Council if necessary.

Thomas Bristow

INSPECTOR

14 December 2018