

 <b>EXECUTIVE</b> <b>January 2019</b>		<b>Agenda Item No.</b> <h1 style="text-align: center;">10</h1>
<b>Title</b>	Supplementary Planning Documents (SPDs) – Requests to Consult	
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<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Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?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>	Warwick district Local Plan 2011-2029 Local Development Scheme – Executive March 2018, Item 11	

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	964
<b>Equality &amp; Sustainability Impact Assessment Undertaken</b>	Yes
The Local Plan and the policies within it has been subject to equalities impact assessment.	

<b>Officer/Councillor Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive	28/11/18	Chris Elliott
CMT	28/11/18	Chris Elliott, Bill Hunt, Andrew Jones
Section 151 Officer	28/11/18	Mike Snow
Monitoring Officer	28/11/18	Andrew Jones
Head of Service	28/11/18	Dave Barber
Portfolio Holder(s)	05/12/18	Councillor Alan Rhead
<b>Consultation &amp; Community Engagement</b>		
The report is a request to take draft Supplementary Planning Documents to public consultation for a minimum of 6 weeks.		
<b>Final Decision?</b>	No – As the document will need to come back to Executive for adoption	

## **1 SUMMARY**

- 1.1 The Warwick District Local Plan 2011-2029 was adopted in September 2017 and contains commitments to bring forward Supplementary Planning Documents (SPDs) on a variety of matters, including Public Open Spaces (Appendix 1) and Custom & Self-build (Appendix 2).
- 1.2 A further commitment was made in the Local Development Scheme to produce relevant SPDs on emerging planning issues that have developed since the adoption of the Local Plan, such as Purpose Built Student Accommodation (Appendix 3).

## **2 RECOMMENDATIONS**

- 2.1 That Executive notes the content of the attached documents (Appendices 1-3) and approves them for a six-week public consultation, in accordance with the Council's adopted Statement of Community Involvement (SCI).
- 2.2 That Executive note that following the public consultation a final version of each of the SPDs will be brought before them and if they are approved they will subsequently be a material consideration in the determination of planning applications.

## **3 REASONS FOR THE RECOMMENDATIONS**

### 3.1 Public Open Spaces

- 3.2 The provision of suitable and sufficient Public Open Space (POS) as a requirement of development is an integral part of ensuring that the District is a great place to live work and visit.
- 3.3 The Public Open Spaces SPD refreshes and updates the previous Open Spaces SPD adopted in 2008, ensuring that the evidence base and subsequent requirements are robust and appropriate, whilst adapting to changes in the National Planning Policy Framework (NPPF), case law and other legislation.
- 3.4 The SPD has been the result of collaborative work with the Green Spaces team to ensure that the guidance is deliverable and desirable.

### 3.5 Custom & Self-build

- 3.6 Policy H15 (Custom and Self-build Housing Provision) of the Local Plan encourages the provision of plots suitable for custom and self-builders, and also states that the Council will produce an SPD to assist in the delivery of self and custom build dwellings.
- 3.7 The authority is obliged to maintain a Register of demand for custom and self-build plots in the District in order to assist with formulating policy, and produces an annual Progress Report to provide information on the current demand.

- 3.8 The purpose of the SPD is not to allocate specific land parcels for custom and self-build but rather to simplify the delivery of plots both individually and as part of larger developments by providing extra clarity on the requirements.
- 3.9 Purpose Build Student Accommodation (PBSA)
- 3.10 Leamington Spa is home to 5782 students, principally in Houses of Multiple Occupancy (HMOs) in the south of Leamington. The benefits of students to the local economy, and to the district as a whole, have recently been acknowledged by Executive in the Student Strategy.
- 3.11 However, concerns are raised by local residents regarding the negative impact of a concentration of HMOs, and an Article 4 Direction is in place in Leamington to prevent HMOs coming forward without specific planning permission. Further, Policy H6 of the Local Plan (Houses in Multiple Occupation and Student Accommodation) sets out the criteria for assessing such applications. Policy H6 does not explicitly refer to PBSAs.
- 3.12 In response to these issues, and in order to accommodate the planned growth in the size of the University of Warwick, it is the position of the Council that more PBSA should be encouraged in order to alleviate the pressures on HMOs to the point where some are returned to mainstream housing. The PBSA SPD sets out the criteria where PBSAs can come forward to help deliver this aspiration, whilst also ensuring that any current concentration issues are not exacerbated.
- 3.13 The SPD is the result of collaborative work with the Housing Strategy team who have been leading on the Student Strategy work. Furthermore, there have been several cross-party member briefings that have helped shape the SPD.

#### 4 POLICY FRAMEWORK

##### 4.1 Fit for the Future (FFF)

The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. Amongst other things, the FFF Strategy contains Key projects.

The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The Council's SAP's are the programme of work fundamental to the delivery of the strands described in the table below.

<b>FFF Strands</b>		
<b>People</b>	<b>Services</b>	<b>Money</b>
<b>External</b>		
<b>Health, Homes, Communities</b>	<b>Green, Clean, Safe</b>	<b>Infrastructure, Enterprise, Employment</b>
<u>Intended outcomes:</u> Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active	<u>Intended outcomes:</u> Area has well looked after public spaces All communities have access to decent open space Improved air quality	<u>Intended outcomes:</u> Dynamic and diverse local economy Vibrant town centres Improved performance/productivity of local economy

communities	Low levels of crime and ASB	Increased employment and income levels
<b>Impacts of Proposal</b>		
These SPDs will help facilitate self-build homes, ensure that PBSAs come forward in the right locations and that appropriate open spaces are provided	The Public Open Spaces SPD will ensure that the right on and off site open spaces are provided as part of development	The Public Open Spaces SPD will ensure that appropriate POS is provided by development, along with commuted sums for ongoing maintenance.
<b>Internal</b>		
<b>Effective Staff</b>	<b>Maintain or Improve Services</b>	<b>Firm Financial Footing over the Longer Term</b>
<u>Intended outcomes:</u> All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	<u>Intended outcomes:</u> Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services	<u>Intended outcomes:</u> Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
<b>Impacts of Proposal</b>		
The SPDs will help officers in pre-application discussions and in determining applications	Not applicable	Not applicable

#### 4.2 **Supporting Strategies**

Each strand of the FFF Strategy has several supporting strategies. The Local Plan is one of the key strategies, cutting across many of the FFF strands.

#### 4.3 **Changes to Existing Policies**

This document seeks to support the student housing strategy agreed in May 2018 and the policies adopted within the Local Plan and adheres to national and local policies rather than changing them.

#### 4.4 **Impact Assessments**

The Consultation will be undertaken in line with the Council's Statement of Community Involvement (SCI) 2016 approved by Executive in January 2016. The SCI specifically seeks to ensure that all relevant sectors of the community are consulted. The Local Plan has been subject to an equalities impact assessment which assessed the implications of consultations on equalities.

### **5 BUDGETARY FRAMEWORK**

- 5.1 The costs of conducting the consultations and reviewing the responses are covered within the existing budget framework.

- 5.2 The adoption of Public Open Space by the Council means that additional maintenance costs will be occurred. The draft POS SPD provides for a commuted sum from the developer to cover these costs for the first twenty years.

## **6 RISKS**

- 6.1 There are no specific risks related to taking the proposed SPDs out to public consultation.

## **7 ALTERNATIVE OPTIONS CONSIDERED**

- 7.1 The Executive could decide not to pursue publication of a Public Open Spaces SPD. However, this would be contrary to the commitments made in the Local Plan and will not provide officers with a solid policy basis for the calculation of open space requirements.
- 7.2 The Executive could decide not to pursue publication of a Custom & Self-build SPD. However, this would be contrary to the commitments made in the Local Plan and not help facilitate the delivery of custom and self-build plots.
- 7.3 The Executive could decide not to pursue publication of a Purpose Built Student Accommodation SPD. However, this would not provide officers with a suitable policy basis for determining relevant applications and lose the opportunity to proactively plan for the provision PBSAs.
- 7.4 During the members' briefings the potential to restrict the development of PBSA in specific areas of the District was proposed. Officers took legal advice, which concluded that such a restriction may be deemed discriminatory and as such policies that sought to do this have not been pursued.

## **8 BACKGROUND**

- 8.1 Public Open Spaces
- 8.2 The Public Open Spaces SPD sets out the requirements for varying differing types of POS depending on the size of the development. These principally remain consistent with the 2008 Open Spaces SPD, ensuring the current ratio of high-quality open space remains the same.
- 8.3 Detailed advice is given regarding other aspects of Public Open Spaces, including quality and managements standards.
- 8.4 In response to case law, the SPD will no longer seek mandatory contributions from developments of 10 dwellings or less.
- 8.5 Custom & Self-build Housing
- 8.6 The SPD responds to the Government desire to encourage more custom and self-build dwellings, as articulated in the Self-build and Custom Housebuilding Act, 2015.
- 8.7 Purpose Built Student Accommodation

- 8.8 The SPD sets out why there is a need for this document and how there are pressures on certain areas of the district as a result of the current and forecast increases in student numbers in terms of housing provision.
- 8.9 With a further 1414 bedspaces for students needed within the district until 2029 the SPD sets out how, whilst wishing to acknowledge the benefits of having students in the area, both socially and economically, we need to ensure a sustainable balance in the local community.
- 8.10 The SPD policies aim to achieve this by advising the most acceptable locations for PBSA and setting out what is expected by way of design and management for each new proposal to allow planning officers to make informed decisions on applications for both new build and conversions, without detriment to the amenity of other local residents.