

Nuneaton & Bedworth Borough Plan Examination



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25 August 2017

Dear Mr Evans

Nuneaton and Bedworth Borough Plan – Additional Evidence

Thank you for your letter of 23 August 2017 regarding additional evidence that the Council has intimated it intends to submit into the Examination on housing land supply. Whilst I am aware the Council intends to do this I have not, at the time of writing this, had sight of it and as such cannot comment on what it may or may not mean for next week's examination.

Whilst I accept that the timing is far from ideal, I would advise at this stage that next week's examination hearings proceed for the following three reasons (which also echo the structure of the hearings).

Firstly, there is the substantive matter of the Duty to Cooperate. The Duty applies in preparing the plan not during examination. It is important that matters of soundness are not conflated with the legal Duty. For reasons, which I am sure you will understand, where the issue of failure to comply with the legal Duty has been raised, this needs to be addressed expediently and at an early stage of the examination process.

Secondly, matters of the Duty have become inherently entwined with the full objectively assessed need (OAN) and translation into a housing requirement. As you will be aware from the representations, notwithstanding the HMA wide work on the OAN there are opposing views that the OAN should be lower or higher than the apportionment assigned to the Borough in the Memorandum of Understanding. I am of the view that the OAN and the broad principles of whether that OAN needs to be adjusted in setting a housing provision target should be examined early as an adjunct to the Duty to Cooperate issue and separately from matters of housing land supply which is how I have set out Matter 2.

Thirdly, in setting my agenda for the stage 1 hearings I have sought to emphasise that Matter 3 on housing land supply will be a strategic half-day session with a focus on the principles of land supply in the Borough, the processes of site selection and the general approach to calculating a five year deliverable supply. My intention under Matter 3 was for a preliminary exploration of supply capacity issues in the Borough. Notwithstanding what the Council's additional evidence may offer on housing land supply, I am nonetheless keen at this early stage to hear the strategic thoughts from those who consider the Council's approach on submission has been unsound and what could be done, in broad

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terms, to modify the Plan (if at all possible). Given the timing of the Council's evidence and uncertainties as to whether or not it will be signed off/agreed by Members my view is that the discussion for Matter 3 will remain, at this early stage, principally grounded in the evidence presented on Plan submission.

As I have outlined to the Council in my preliminary letter of 3 July 2017 (INS1), if I am able to reach a positive conclusion on the Duty then the examination will progress and there will be resumed hearings. If under the scenario that (a) the legal Duty is passed and (b) the Council produces updated housing land supply evidence as of 1 April 2017, then I provide my assurance to the points in the final sentence of your letter that any resumed Stage 2 hearings would be programmed to (1) enable more detailed discussion on housing land supply (with time to take account of any updated evidence), site selection and specific sites together with any related main modifications to the Plan. Any main modifications would in turn be subject to further consultation, with the possibility, on an exceptional basis, of further resumed hearings.

I trust this letter is of assistance and I look forward to your cooperative input at the various hearings sessions next week.

Yours sincerely

David Spencer

Inspector.