Independent Examination of the Nuneaton & Bedworth Borough Plan

Stage Two Hearings 2018 – Inspector’s Matters, Issues, and Questions
Version 1.0. 5 January 2018

Introduction and Advice

This document lists the matters (topics) and issues (points for consideration), that will form the basis for discussions during the Stage Two Hearing Sessions into the examination of the Nuneaton and Bedworth Borough Plan. They also provide the context for any further written statements (see updated Guidance Note of 19 December 2017). Matters and issues may evolve as the examination progresses, where this occurs representors will be given an opportunity to comment on any new issues that arise. If sufficient information/evidence is provided on any particular matters/issues, the Inspector may decide not to pursue them further in any depth.

References to the Plan are to the Publication version of the Borough Plan 2011-2031. This is the version which is being examined and has undergone public consultation between 30 January 2017 and 13 March 2017. Other references used in this document are:

- NPPF – National Planning Policy Framework
- PPG – Planning Practice Guidance
- SFRA – Strategic Flood Risk Assessment
- IDP – Infrastructure Delivery Plan
- HTP – Housing Topic Paper – produced by the Council, November 2017 (document NBBC/33)

Answers to these questions should be supported with reasons, unless, exceptionally, it is clear from the question that a simple yes or no answer is required. There may be some overlap between questions, in which case answers may be cross referenced as appropriate. Text that may be found in submitted evidence documents or within the Plan itself should not be repeated, but references (with page and paragraph numbers) to those documents should be provided where relevant. Responses to each Matter should be submitted as separate documents.
All questions should be answered by the Council. Other representors may respond to issues relevant to points they have made in their representations on the Publication Borough Plan 2011-2031 (January 2017).

The Council has outlined some main modifications to the Plan (document NBBC/34) and have indicated that it will request the Inspector to recommend further main modifications to the Plan where they are required to make the Plan legally compliant and sound. Any need for main modifications to parts of the Plan will be explored during the course of the Examination, although the detail of some main modifications may not be finalised until after the hearing sessions.

If it is thought that main modifications are required to make the Plan sound and/or legally compliant such modifications should be suggested in the submitted statements, if possible. Statements of Common Ground should be produced where an agreed position has been reached. A Statement of Common Ground may contain suggested wording for a main modification.

Participants are urged to read the latest Guidance Note, which was updated on 19 December 2017, and can be downloaded from the Examination website (document INS/19).

Any additional statements should be received by the Programme Officer, Carmel Edwards by the following deadlines:

Matters 3, 4, 5 & 6 (proposed housing and employment sites in Nuneaton) by 17:00 on Friday 2 February 2018

Matters 5 & 6 (proposed housing and employment sites in Bedworth & Bulkington), 7, 8, 9 & 10 by 17:00 on Friday 16 February 2018

Statements of Common Ground will be accepted whenever they become available, but should be submitted by the above dates if possible or at least by the Friday before the relevant hearing session to enable uploading and pre-discussion consideration.

The latest hearings programme and participants can be found on the Examination website or provided on request from the Programme Officer, Carmel Edwards. (07969 631930 or programmeofficer@carmeledwards.com)
Matter 3 – Housing Land Supply Revisited

This session follows on from discussions held on Friday 31 August 2017 (Matter 3) on the land supply to meet housing provision over the plan period. New evidence to the examination includes, amongst other things:

NBBC/20 – background on housing sites (made available during the August 2017 hearings and revised in early September); NBBC/30 Report to Cabinet on 6 September 2017 on the Interim Monitoring Report & associated paperwork; and NBBC/33- The Council’s Housing Topic Paper (November 2017).

Issue 1 – Clarification on identifying the housing land supply following the publication of revised NBBC/20 (background on housing sites) and NBBC/33 (Housing Topic Paper)

Q3.1) What is the up-to-date estimated total supply of new housing in the plan period 2011-2032? How does this compare with a planned level of provision of 703 dwellings per annum (14,060 in total)?

Q3.2) What is the up-to-date estimated total supply in the plan period from:

a) completions since 2011
b) existing planning permissions
c) other commitments e.g. sites subject to S106
d) windfalls
e) other sources
f) proposed site allocations

[Clarification as to whether the total supply for the plan period is 14,840 (NBBC/20); 15,223 [NBBC/33]; or an alternative figure].

Q3.3) In response to the Housing Topic Paper GVA [2.0025] and Lichfields for Greenlight Developments [1.0280] have undertaken detailed assessments of the housing land supply in NBBC/20. In terms of a factual baseline, is any adjustment needed in light of these assessments? [views on assumptions on matters such as lead-in times and delivery rates will be considered separately].

Q3.4) Is the approach to discounting of supply for non-implementation justified?

Q3.5) Confirm the contribution (in numbers and percentages) the strategic allocations are proposed to make to the housing supply in years 1-5, 6-10 and 11-15 (NPPF Paragraph 47, 3rd bullet point). Is this realistic and deliverable?

Q3.6) Similarly, confirm the contribution (in numbers and percentages) of: (1) the non-strategic allocations; (2) commitments; and (3) other sources of supply in years 1-5, 6-10 and 11-15. Are these realistic and deliverable?

1 Taken from paragraph 1.6 of Housing Topic Paper NBBC/33
Q3.7) The Employment Land Review 2014 identifies the removal of 20.34ha of employment land for principally qualitative/demand reasons. The 2016 Employment Land Study remarks at paragraph 6.10 that these sites could be redeveloped, principally for residential (subject to alternative land being available to relocate existing businesses). Have any of these sites been removed and allocated in the Plan for residential purposes?

**Issue 2 – Assumptions/inputs applied in determining the supply of housing land**

Q3.8) Are the projected build out rates on the larger strategic sites reasonable? In particular, given the scale and inherent complexities of the strategic urban extensions in Nuneaton, are the trajectories for delivery on sites HSG1 and HSG2 (at appendices N and O respectively of NBBC/33) justified? Please explain.

Q3.9) Has there been a risk assessment undertaken of site delivery as set out in the PPG as the final step in assessing housing land supply?

**Issue 3 – Ensuring a deliverable housing land supply in the Plan**

Q3.10) Explain how the Plan illustrates the expected rate of delivery of market and affordable housing through housing trajectories for the Plan period and sets out an implementation strategy for the full range of housing, including maintaining a 5 year supply of housing land to meet the housing requirement.

Q3.11) How will an adequate supply be maintained if the large sites do not come forward as quickly as anticipated? Is there sufficient flexibility?

Q3.12) Does the housing land supply provide for contingency or flexibility for unforeseen circumstances? What would be a reasonable contingency allowance that would be consistent with the policies set out in the NPPF?

Q3.13) In terms of the shortfall of 2,333 dwellings since 2011 would the Liverpool method (spreading the shortfall over the remainder of the plan period) be justified?

Q3.14) Do the circumstances in Nuneaton justify a stepped, rather than annualised, approach to the housing trajectory? Please explain.

Q3.15) What would be the requirement for a five year supply including a buffer and accommodating any shortfall since 2011?

Q3.16) Would the Borough Plan realistically provide for a five year supply on adoption? Will a five year supply be maintained?
Q3.17) In light of forthcoming Regulations (as from 6 April 2018) to complete reviews of Local Plans every 5 years, is there a need for a commitment to review the Plan within five years? If needed, could this ensure that the housing provision part of the Plan is sound and, if so, in what way? (PPG id 12-008-20140306)

Q3.18) In overall terms would the Borough Plan realistically deliver the number of dwellings required over the plan period?

**Matter 4 – Settlement Hierarchy (Spatial Strategy), Development Principles & Approach to the Green Belt**

**Issue 1: Whether the distribution of development is justified and consistent with the local evidence base and national planning policy.**

Q4.1) Is the submitted strategy the most sustainable when considered against reasonable alternatives? Please explain. What other spatial strategy options were considered and why were they rejected? How has Sustainability Appraisal assessed and recorded the process?

Q4.2) Does the Memorandum of Understanding relating to the planned distribution of housing within the Coventry & Warwickshire Housing Market Area include any spatial dimension such as requiring development arising from the unmet needs of Coventry to be located either adjacent to the City’s boundary or along key transport corridors that connect into the City?

Q4.3) Explain whether other locations in the Borough proximate to Coventry have been assessed in sustainability appraisal as part of an alternative spatial strategy for meeting the housing and employment land requirements? Which parts of the Borough are within the Coventry Travel to Work Area? Has accessibility to, and availability and capacity of, services outside of the Borough boundary informed the spatial strategy?

Q4.4) Does the spatial strategy in Policy DS2 reflect paragraph 179 of the Framework in terms of local planning authorities working collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans?

Q4.5) Explain why the strategy of concentrating new development around Nuneaton is the most appropriate for sustainable growth and justify the approach of two strategic urban extensions for the town (North of Nuneaton & Arbury).
Q4.6) Is the Plan’s spatial strategy robust and sufficiently flexible to accommodate higher homes and jobs figures and/or able to respond to changing circumstances? (NPPF paragraph 153)

Q4.7) Explain the evidence that Bulkington can sustainably accommodate the additional scale of development proposed (691 dwellings). What is the connectivity from Bulkington by non-car modes to higher order centres (including Coventry) and areas of employment?

**Issue 2: Development Principles – Policies DS1 and DS3**

Q4.8) Is there a need for Policy DS1 ‘the presumption in favour of sustainable development’, given the extent to which it recites paragraph 14 of the NPPF?

Q4.9) Is Policy DS3 justified and sufficiently flexible? How would ‘sustainable’ in the policy be decided?

**Issue 3: Whether the approach to the Green Belt is justified and consistent with the local evidence base and national planning policy.**

Q4.10) Is there a robust evidence base that demonstrates that all other reasonable options for development land have been examined fully prior to the consideration of alteration of Green Belt boundaries?

Q4.11) Is the Plan clear on what are considered to be the exceptional circumstances to justify the release of land from the Green Belt for housing and employment? What is the key supporting evidence that the Council relies on?

Q4.12) Is the Green Belt Review evidence justified and does it provide a sound basis for altering the Green Belt boundaries as submitted? (NPPF paragraphs 83-85) Is it up-to-date, robust and fit for purpose? Does it support the consideration of any reasonable alternative Green Belt alterations to those proposed in the submitted Plan?

Q4.13) Has the Green Belt Review used the most appropriate methodology? Please explain.

Q4.14) The Housing Topic Paper at paragraphs 3.5-3.6 refers to paragraph 3-034-20141006 of the PPG. Explain how the evidence has considered the guidance at paragraphs 3-044-20141006 and 3-045-20141006 of the PPG in relation to plan-making?
Q4.15) Having regard to their intended long term permanence, explain why it is considered the proposed Green Belt boundaries will be capable of enduring beyond the Plan period?

Q4.16) Are there the exceptional circumstances to expand the Green Belt designation in the Borough? (NPPF paragraph 83) Please explain, including particular reference to the Bedworth Woodlands area to the west/north-west of the town.

Q4.17) Has consideration been given to the need for a local policy to enhance the beneficial use of Green Belt? (NPPF paragraph 81)

**Matter 5 – Economic Growth – including Employment Policies & Employment Allocations**

The overarching discussion on economic growth in terms of the number and quality of jobs and general approach to employment land provision will take place on Thursday 22 February 2018. Proposed employment sites EMP1 (Faultlands), EMP2 (Phoenix Way/Wilsons Lane), EMP4 (Coventry Road) and EMP5 (Caldwell Road) will also be discussed on Thursday 22 February 2018. Any statements relating to these issues and sites will need to be submitted by 17:00 on Friday 2 February 2018.

Please note that proposed employment site EMP6 (Longford Road) will be considered as part of the discussion with adjoining housing site HSG6 (School Lane) on Tuesday 13 March 2018. Proposed employment site EMP7 (Bowling Green Lane) will be considered as part of the discussion with proposed housing site HSG5 (Hospital Lane) on Tuesday 13 March 2018. Any statements relating to these sites will need to be submitted by 17:00 on Friday 16 February 2018.

**Issue 1 – Does the Local Plan at Policies DS4 and DS6 make adequate and appropriate provisions to meet employment development needs over the plan period?**

Q5.1) Explain how the Plan sets out a clear economic strategy which positively and proactively encourages economic growth. (NPPF paragraph 21)

Q5.2) Explain how the Plan takes account of the Coventry & Warwickshire Local Enterprise Partnership’s Strategic Economic Plan (SEP)? How many jobs does the SEP seek to generate each year in the LEP area and in the Borough? What is the reasonable number of jobs to plan for in the Borough over the Plan period?
Q5.3) How many jobs will the planned provision of housing support and what is the evidence for this? (NPPF Paragraph 160)

Q5.4) Are the policies of the Plan sufficiently flexible to accommodate needs that are not anticipated and/or allow a rapid response to changes in economic circumstances?

Q5.5) From published Annual Monitoring Reports, and any other sources, what has been the past take-up of employment land in the Borough?

Q5.6) Explain how the requirement for additional new employment land was derived, including the cross-boundary work as part of the Memorandum of Understanding (MOU) relating to the Planned Distribution of Employment Land within the Coventry and Warwickshire Market Area. Please be clear on any differences between gross and net requirements for additional employment land.

Q5.7) What is the basis for the figure of 87 hectares (ha) for the Borough’s own needs and 26 ha for the shortfall from Coventry? [How does this square with the evidence in the Employment Land Study 2016 at para 8.8 which refers to a need identify a further 64 ha of land?]

Q5.8) When the Council submit in their background paper (NBBC/03) that only 16.6 ha of the 26 ha shortfall (from Coventry) has been met leaving an under-provision of 9.4 ha, how has this been calculated?

Q5.9) Is the provision of 103.6 ha of employment land in the Plan justified? Does the Plan’s variance of allocating approximately 80 ha compared to the Borough figure of 113 ha in the employment land MOU adversely affect the local and wider sub-regional economy? Will there be sufficient jobs? (NPPF Paragraphs 21, 160 & 161)

Q5.10) Explain the process for employment land identification and selection. What options were considered and why the preferred options were chosen? What role has Sustainability Appraisal played in the process?

Q5.11) Is the employment land trajectory (p31 of the Plan) robust and justified?

Q5.12) What employment land in Policy DS6 will come forward in the short term to provide the significant delivery anticipated in 2018/19 and sustained to 2021/22? Are there any critical infrastructure interdependencies in bringing this land forward and are these clearly set out in the IDP? Please explain.

Q5.13) Does the evidence support the idea of a single, large employment land release for a high quality business/science park?
Q5.14) The NPPF at paragraph 157 (5th bullet point) and the PPG (Ref ID 12-010-20140306) states that Plans should contain sufficient detail to developers, local communities and other interests about the nature and scale of development (addressing the ‘what, where, when and how’ questions). Does the Plan at Policies EMP1-7 and Policy SA1 provide sufficient detail in respect of the employment sites?

Q5.15) Are Policies E1 and E2 justified, effective and consistent with national policy? Is the flexible approach to sites listed in Table 12 to Policy E2 justified?

Q5.16) Does the Plan need to provide additional local policy content in addition to that found at Policy E1 and paragraph 22 of the NPPF on alternative uses on identified employment land? Do the tests at paragraph 8.12 of 2016 Employment Land Study (Document M7) need to be set out in the Plan?

**Issue 2 – Prologis Park / Coventry Fringe**

Q5.17) What is the latest position regarding the Prologis Park site? Has the evidence evolved to enable a more positive consideration of the role of this strategic cross-boundary site?

**Issue 3 – EMP1 Faultlands**

Q5.18) Are there exceptional circumstances to alter the Green Belt boundary at this location?

Q5.19) How would the site be accessed from the highway network and have the traffic impacts on the local network been modelled/considered? In particular, the impacts on the A444 Griff roundabout junction and Gipsy Lane. How would the site be accessible by foot/cycle and modes of public transport?

Q5.20) What would be the impact on biodiversity value of the Coventry Canal corridor, the Griff Hollows Local Wildlife Site and the geological SSSI?

Q5.21) How would the residential amenity of future adjoining properties (HSG3) be suitably safeguarded?

Q5.22) Would there be an impact arising from the proposed development on heritage assets including the character of the canal and any recognised/established site value from association with George Eliot?

Q5.23) Is the policy, by virtue of having 20 criteria, sufficiently flexible to foster economic development? Are the criteria justified?
**Issue 4 – EMP2 Phoenix Way/Wilson’s Way**

Q5.24) Are there exceptional circumstances to alter the Green Belt boundary at this location?

Q5.25) How would the site be accessed from the highway network and have the traffic impacts on the local network been modelled/considered? How would the site be accessible by foot/cycle and modes of public transport?

Q5.26) How would the residential amenity of existing and future adjoining properties be suitably safeguarded?

**Issue 5 – EMP4 Coventry Road**

Q5.27) Are there exceptional circumstances to alter the Green Belt boundary at this location?

Q5.28) What is the biodiversity status of the proposed EMP4 allocation and the land to the south of the EMP4 allocation? Has this been correctly considered as part of the Sustainability Appraisal process?

Q5.29) How would the site be accessed from the highway network and have the traffic impacts on the local network been modelled/considered?

Q5.30) How would the residential amenity of adjoining properties be suitably safeguarded?

**Issue 6 – EMP5 Caldwell Road**

Q5.31) Is there a demand for employment uses at this location?

Q5.32) Is the site deliverable for employment uses?

Q5.33) What would be the impact on the biodiversity value of the Coventry Canal corridor and does criterion 3 of the policy provide sufficient safeguarding?

**Issue 7 – EMP6 Longford Road**

Q5.34) Does the site involve an alteration to Green Belt boundary and if so (a) what the exceptional circumstances and (b) should it be identified in Policy DS7?

Q5.35) Unlike other proposed employment allocations, this is a site that does not have a policy in the Plan providing development principles and guidance on the form of development. Is that approach justified?
Q5.36) How would the site be accessed from the highway network and have the traffic impacts on the local network been modelled/considered?

Q5.37) How would the residential amenity of future adjoining properties be suitably safeguarded?

**Issue 8 - EMP7 Bowling Green Lane**

Q5.38) Are there exceptional circumstances to alter the Green Belt boundary at this location?

Q5.39) How would the site be accessed from the highway network and have the traffic impacts on the local network been modelled/considered as part of the Strategic Transport Assessment work?

Q5.40) Does access to the site give rise to issues of air quality or severe impacts on highway safety for those accessing local schools?

Q5.41) How would the residential amenity of existing adjoining properties be suitably safeguarded?

Q5.42) Would the proposed allocation result in appropriate development in an area at risk of flooding? Is the site known to be at risk from any form of flooding?

Q5.43) Is there a recognised / recorded biodiversity value at the site? Does the site form part of an ecological network or contain priority habitats and/or species populations which are linked to national and/or local biodiversity targets?

Q5.44) Are there any heritage assets affecting this site? If so, what is their significance? Does the policy for EMP7 need to reflect key development principles in the Heritage Assessment (Document J7.1, page 220)?

**Matter 6 – Proposed Housing Sites**

Strategic Housing Sites at Nuneaton will be considered at hearing sessions in Week 2 (27 February – 1 March 2018). Any statements in relation to these housing sites will need to be submitted by 17:00 on Friday 2 February 2018.

Strategic Sites at Bedworth and Bulkington and any Non-Strategic Site will be considered at hearing sessions in Week 3 (13 – 15 March 2018). Any statements in relation to these housing sites will need to be submitted by 17:00 on Friday 16 February 2018.
Any further statements on Policy SA1 (development principles on strategic housing sites) will need to be submitted by 17:00 on Friday 2 February 2018.

**Issue 1: Development principles on strategic housing sites**

Q6.1) Is Policy SA1 justified, effective and consistent with national policy? Is it suitably flexible to respond to changing circumstances? Is it necessary given the policies of the Plan (including the detailed criteria within strategic site policies)? Would a policy mechanism for masterplans and/or concept plans embedded within the Plan achieve a similar outcome?

Q6.2) Should Policy SA1 refer to SUDS as recommended by the Environment Agency in their correspondence OTH/07? Is this sufficiently dealt with in Policy NE4?

**Nuneaton – Strategic Housing Sites**

HSG1 North of Nuneaton
HSG2 Arbury
HSG3 Gipsy Lane
HSG9 Golf Drive
HSG10 Attleborough Fields
HSG11 Tuttle Hill

**Issue 2 – Are the Strategic Housing Sites in Nuneaton justified, effective and consistent with national policy?**

For each of the above sites in Nuneaton please provide brief details of the following:

Q6.3) Explain whether there are any significant land use constraints on the site and how is it envisaged that such constraints will be overcome.

Q6.4) Explain whether the site contains best and most versatile agricultural land, and, if so, of what grades.

Q6.5) Explain whether there are any features on or near the site, including heritage assets (and their settings), biodiversity and geodiversity which require preservation/protection, and briefly how it is envisaged this will be achieved.

Q6.6) With reference to the evidence base, explain what key infrastructure requirements are necessary to enable the site to satisfactorily come forward and what certainty there is that this infrastructure will be viably delivered.
Q6.7) Explain what access options have been considered as part of the Strategic Transport Assessment work and explain why preferred access options have been chosen. How have traffic impacts been strategically assessed in respect of residential amenity, air quality and assumptions on modal shift?

**Site Specific Issues**

In addition to those questions in Issue 2 for Nuneaton sites, the following issues, specific to each site, are set out as follows:

**Issue 2a - HSG1 North of Nuneaton**

Q6.8) Is the Plan (and the evidence base (Appendix N of NBBC/33)) sufficiently clear on what has been built/permitted/remains to be allocated at this location?

Q6.9) During the Plan period, as a result of permissions and allocations, what would be the total scale of growth North of Nuneaton (HSG1, Longshoot, Hinckley Road)?

Q6.10) Does the Old Hinckley Road Air Quality Management Area constrain the proposed levels of housing development to the north of Nuneaton? Has Sustainability Appraisal of HSG1 reflected latest Air Quality data and assessments? Can impacts on air quality be appropriately mitigated?

Q6.11) What is the connectivity by modes other than the car from this part of Nuneaton to: (i) the town centre / railway station; and (ii) employment areas.

Q6.12) Is the proposed extent of the landscape buffer and criterion 31 of Policy HSG1 justified? Is the retention of land above the 90metre AOD for open space justified?

Q6.13) Paragraph 6.34 of the Plan refers to a new distributor/link road through the allocation. Is the alignment understood and should it be identified on the Policies Map? Would it be delivered through existing permissions and resolutions to grant permission?

Q6.14) Should the Plan recognise that an additional junction onto the A5 could serve North of Nuneaton as advised by Highways England [3.0017]?

**Issue 2b - HSG2 Arbury**

Q6.15) Has the site been appropriately assessed through Sustainability Appraisal, in particular in terms of objectives relating to landscape and cultural heritage?
Q6.16) Are there exceptional circumstances to alter the Green Belt boundary at this location?

Q6.17) Is the Green Belt boundary here capable of enduring beyond the Plan period (NPPF paragraph 83)?

Q6.18) Are there any likely significant effects from the proposed development on the integrity of Ensor’s Pool Special Area of Conservation (SAC)?

Q6.19) Would the proposal lead to the loss or deterioration of ancient woodland or aged/veteran trees outside such woodland? If so are the benefits of the proposal sufficient to outweigh this loss or deterioration? (Reference has been made to the presence of adjacent ancient and semi-natural woodlands at Spring Kidden and North Woods).

Q6.20) Is there recorded evidence of medieval settlement at the proposed allocation? If so, what is the heritage significance? What is the heritage significance of Arbury Hall, the Registered Park and Garden and any associated designated heritage assets within the parkland (such as the North Lodge and Tea House)? What weight should be attached to the heritage assets? Would the proposed allocation result in any harm to the significance of the heritage assets? What is the purpose and implications of a potential Heritage Partnership Agreement and how would this relate to an Asset Management Plan for the Arbury Estate?

Q6.21) Is there sufficient detail and clarity on the infrastructure requirements for the site in the Infrastructure Delivery Plan?

Q6.22) Does the scale of the site and its context necessitate a master-planned approach and for that masterplan to be approved by the Council prior to any over-arching outline application?

**Issue 2c - HSG3 Gipsy Lane**

Q6.23) Are there exceptional circumstances to alter the Green Belt boundary at this location?

Q6.24) For those not travelling by car, how would the site connect to EMP1 (Faultlands) and the wider employment at Bermuda Park?

Q6.25) What is the evidence of heritage significance and/or valued landscape at this site in relation to local author George Eliot?
**Issue 2d - HSG9 Golf Drive**

Q6.26) Are there exceptional circumstances to alter the Green Belt boundary at this location?

Q6.27) Does the site have any known archaeological value that would preclude development? How has the assessment of the proposed allocation taken into account issues relating to the setting of the Grade II listed Hill Farmhouse?

**Issue 2e - HSG10 Attleborough Fields**

Q6.28) Are there exceptional circumstances to alter the Green Belt boundary at this location?

Q6.29) Does the proximity of the crematorium present issues in terms of (a) the satisfactory operation of that facility and/or (b) residential amenity of future occupants of this site?

**Issue 2f - HSG11 Tuttle Hill**

Q6.30) Does the allocation make the most of an opportunity to regenerate the area and rejuvenate the Coventry Canal at this location?

**Bedworth and Bulkington – Strategic Housing Sites**

HSG4 Woodlands
HSG5 Hospital Lane
HSG6 School Lane
HSG7 East of Bulkington
HSG8 West of Bulkington

**Issue 3 – Are the Strategic Housing Sites in Nuneaton justified, effective and consistent with national policy?**

For each of the above sites in Bedworth and Bulkington please provide brief details of the following:

Q6.31) Explain whether there are any significant land use constraints on the site and how is it envisaged that such constraints will be overcome

Q6.32) Explain whether the site contains best and most versatile agricultural land, and, if so, of what grades.
Q6.33) Explain whether there are any features on or near the site, including heritage assets (and their settings), biodiversity and geodiversity which require preservation/protection, and broadly how it is envisaged this will be achieved.

Q6.34) With reference to the evidence base, explain what key infrastructure requirements are necessary to enable the site to satisfactorily come forward, including green, social and community infrastructure, and what certainty there is that this infrastructure will be viably delivered.

Q6.35) Explain what access options have been considered as part of the Strategic Transport Assessment work and explain why preferred access options have been chosen. How have traffic impacts been strategically assessed in respect of residential amenity, air quality and assumptions on modal shift?

**Site Specific Issues**

In addition to those questions in Issue 3 for Bedworth and Bulkington sites, the following issues, specific to each site, are set out as follows:

**Issue 3a - HSG4 Woodlands**

Q6.36) Is the site sustainably located in terms of connecting to services, facilities and employment?

Q6.37) What are the implications of the proposed housing allocation for the Newdigate Colliery, Bedworth Woodlands Flash Meadow and The Nook Local Wildlife Sites? If the proposal would have an impact on a local site would it significantly undermine the intrinsic scientific interest of the protected site and/or reduce the opportunity it provides for contact with and enjoyment of nature and a resource for learning about the natural world? If so are the benefits of the proposal sufficient to outweigh any harm?

Q6.38) What is the site’s flood risk (from surface water and any other sources) and does it function as a flood mitigation area for Croft Pools? In light of the Environment Agency’s evidence (document OTH/1.7), how (in broad terms) would any flood risk be mitigated on the site? Is there potential to reduce flood risk elsewhere by storage/attenuation on this site?

Q6.39) Given previous mining activity in the locality is the land stable?

Q6.40) Does the scale of the site, the separate land ownerships and its context necessitate a master-planned approach and for that masterplan to be approved by the Council prior to any initial applications?
**Issue 3b - HSG5 Hospital Lane**

Q6.41) Are there exceptional circumstances to alter the Green Belt boundary at this location?

Q6.42) Is the proposed density of 40 dwellings per hectare justified?

Q6.43) Is there a recognised / recorded biodiversity value at the site? Does the site form part of an ecological network or contain priority habitats and/or species populations which are linked to national and/or local biodiversity targets?

**Issue 3c - HSG6 School Lane**

Q6.44) Are there exceptional circumstances to alter the Green Belt boundary at this location? Clarification on whether exceptional circumstances (NPPF Paragraph 83) would still apply to the whole of the parcel if the allocation was reduced in area to exclude land in the ownership of Miss Startin?

Q6.45) Given the landowner objection to part of the proposed allocation at HSG6 can the proposed scale of development be achieved on a reduced land area to the east? Would compulsory purchase be a justified or likely course of action if the entire allocation was retained?

Q6.46) Is the proposed density of 40 dwellings per hectare (or possibly higher) justified?

Q6.47) Given the proximity of the M6, how would the residential amenity of future adjoining properties be suitably safeguarded?

**Issue 3d - HSG7 East Bulkington**

Q6.48) Are there exceptional circumstances to alter the Green Belt boundary at this location?

Q6.49) At a strategic level, what assessment has been undertaken that there is a suitable point(s) of access that would not have a severe impact on highway safety?

**Issue 3e - HSG8 West Bulkington**

Q6.50) Are there exceptional circumstances to alter the Green Belt boundary at this location?

Q6.51) Has the site been appropriately assessed through Sustainability Appraisal and the Strategic Housing Land Availability Assessment processes? What
evidence has informed the Council to revise its earlier assessments that the environmental sensitivity of the site meant it was not suitable for development?

**Issue 4 – Are the Non-Strategic Housing Sites in the Plan justified, effective and consistent with national policy?**

Q6.52) A number of the non-strategic sites are meaningful in terms of their capacity (including seven sites of between 66 and 143 dwellings). How have these sites been appraised for their sustainability and assessed for their environmental impact (including highways)?

Q6.53) Are any of the non-strategic housing sites particularly complex that the Plan should contain sufficient detail to developers, local communities and other interests about the nature and scale of development - addressing the ‘what, where, when and how’ questions (NPPF at paragraph 157 (5th bullet point) and the PPG (Ref ID 12-010-20140306))? For example, Historic England request relevant references to the evidence in the Historic Environment Assessment.

Q6.54) Is site NUN286/NUN317, land rear of Burbages Lane, Ash Green justified for 127 dwellings in terms of exceptional circumstances for altering Green Belt boundary, highway safety, residential amenity, biodiversity and flood risk?

Q6.55) Is site NUN350 (Disused garage site, Raveloe Drive, Nuneaton) deliverable? Is there sufficient evidence that the site would be safe in terms of flood extent, depth, velocity and hazard rating associated with the adjacent Griff Brook watercourse?

Q6.56) Would development at site NUN174 (Charity Docks) significantly undermine the intrinsic scientific interest of the Local Wildlife Site and/or reduce the opportunity it provides for contact with and enjoyment of nature and a resource for learning about the natural world? If so are the benefits of the proposal sufficient to outweigh the harm?

Q6.57) Would development at sites NUN015 (Donnithorne Avenue); NUN061 (Whitburn Road); and NUN305 (Bucks Hill) affect recognised / recorded biodiversity value at the site? Does the site form part of an ecological network or contain priority habitats and/or species populations which are linked to national and/or local biodiversity targets? Would mitigation or compensation be required?
**Matter 7 – Housing Policies, including Gypsy & Traveller Provision**

**Issue 1: Policies H1 & H2 Housing Mix & Affordable Housing**

Q7.1) Is Policy H1 justified, effective and consistent with national policy? (NPPF paragraph 50). Does the Plan contain appropriate policy content for homes for older people and self-build and custom housebuilding? What is the evidence of need / demand for these types of housing in the Borough? Should specific sites be allocated for particular forms of housing or specific provision incorporated within larger residential allocations?

Q7.2) What is the evidence in relation to the need for affordable housing? What does this show and will the thresholds/proportions in Policy H2 meet that need? Have alternative thresholds been considered and assessed?

Q7.3) Explain the viability evidence to justify the affordable housing contributions of 25% on sites of 15 units or more and 20% on sites of 11-14 units. (NPPF paragraphs 173-176). Does the viability evidence indicate that certain policy compliant residential developments in the Borough would be unviable?

Q7.4) Is Policy H2 sufficiently flexible, particularly in terms of the tenure split and the effect on viability and the potential for off-site contributions?

Q7.5) Is Policy H2 up-to-date with regards to Starter Homes? Is the Policy and supporting text sufficiently flexible on affordable housing models given potential changes in national policy?

**Issue 2 – Policies DS4 & H3 Provision for Gypsies and Travellers**

Q7.6) Explain how the analysis of need in the 2016 Gypsy, Traveller and Travelling Show People Accommodation Assessment is based on up-to-date and robust evidence and how the approach in Policy H3 would be justified and effective. Is the target number of additional permanent and transit gypsy and traveller pitches in Policy DS4 soundly based and should the pitches targets be expressed as “at least”?

Q7.7) Explain how the Plan deals with pitch targets for gypsies and travellers in accordance with Planning Policy for Traveller Sites (PPTS).
Q7.8) Is it justified and in accordance with national policy to leave pitch allocations to a separate Gypsy and Traveller Site Allocations Plan Document? Please explain. Should Policy H3 provide spatial direction to guide the allocations in the separate Plan document?

Q7.9) Explain how the criteria in Policy H3 are the most appropriate for speculative applications. Should paragraph 7.47 be amended to clarify that Policy H3 will be used to determine applications on unallocated sites after the Gypsy and Traveller Site Allocations Plan is adopted.

**Matter 8 Climate Change, the Environment & Design**

**Issue 1 - Climate Change**

Q8.1) Please explain how the policies of Plan are designed to secure that the development and use of land in the Borough contribute to the mitigation of, and adaptation to, climate change.

Q8.2) Is Objective 8 of the Plan sufficiently robust on the issue of Climate Change? Please explain. Should it include a reference to geodiversity in part c) as per Natural England’s correspondence in OTH.06?

**Issue 2 - Air Quality**

Q8.3) Is Objective 7 of the Plan sufficiently robust, particularly in relation to air quality? What is the available baseline data on air quality in the Borough? How has air quality been dealt with in the Sustainability Appraisal of the Plan?

Q8.4) Would a specific policy / policy content on air quality be necessary for plan soundness in light of the evidence for the Borough?

**Issue 3 - Natural Environment**

Q8.5) Should Objective 7 be amended as per Natural England’s suggestion in document OTH.6?

Q8.6) Is Policy NE1 (Green Infrastructure) justified and effective? What is the basis for seeking a retained 8 metre easement to watercourses? Would a wider buffer be justified in relation to ecological buffering from watercourses?

Q8.7) Is Policy NE2 (Open Space) justified at criterion (d)? Does it infer that new development would be expected to address existing deficiencies in provision?
Q8.8) Should Policy NE2 recognise the potential of open space to multi-function as flood storage as per Section 11.8 of Level 2 Strategic Flood Risk Assessment?

Q8.9) Is Policy NE3 (Biodiversity & Geodiversity) justified, effective and consistent with national policy including paragraph 118 of the NPPF on the principles of conserving and enhancing biodiversity? Is the wording of the policy sufficiently clear that developments that would adversely affect a European Site or cause significant harm to a Site of Special Scientific Interest (SSSi) will not normally be granted planning permission?

Q8.10) Are the various amendments suggested by the Local Lead Flood Authority to the wording of Policy NE4 reasonable, justified and consistent with national policy and guidance? Similarly, would the amendments suggested by the Environment Agency in correspondence (OTH/7.1) be necessary for soundness?

Q8.11) Is Policy NE5 (Landscape Character), and in particular, the sequential approach to landscape value, consistent with national policy?

Q8.12) Does the Plan give sufficient recognition of soil as an environmental resource and to safeguarding the long term capability of best and most versatile agricultural land (Grades 1, 2 and 3a) having regard to paragraph 112 of the NPPF?

**Issue 4 - Design / Built & Historic Environment**

Q8.13) Is Policy BE2 (Renewable and Low Carbon Energy) justified, effective and consistent with national policy? Does it accord with the provisions of the Deregulation Act 2015 as it relates to energy policies?

Q8.14) Is Policy BE3 (Sustainable Design and Construction) justified, effective and consistent with national policy? Are the proposed optional standards in relation to accessible and adaptable dwellings and water efficiency justified by evidence as set out in the PPG (56-007-20150327 and 56-016-20150327 respectively)? Have the viability and density implications of 35% provision of M4(2) accessible and adaptable standards been assessed? Is the Borough an area of water stress? Is the policy justified in seeking compliance with Buildings for Life standards and Secured by Design (residential) and BREEAM very good standard (commercial)?

Q8.15) Is Policy BE4 (Valuing and Conserving Our Historic Environment) consistent with national policy (NPPF paragraph 134)? Please explain.
Matter 9 Infrastructure (including transport), Viability and Monitoring

**Issue 1– Does the Local Plan provide the infrastructure necessary to support the delivery of development?**

Q9.1) Does Plan policy clearly identify the infrastructure necessary for each phase of development on strategic site allocations and the likely timing of delivery? Is there a clear understanding of the timing, phasing and overall delivery of infrastructure needed over the plan period to support the growth proposals?

Q9.2) Does the updated 2016 Strategic Transport Assessment (STA) provide a robust, proportionate and up-to-date evidence base for the purpose of Plan-making? Is there a need for more detailed modelling of each site to determine travel demand, impact on existing networks and any required mitigation?

Q9.3) Is there a clear policy relating to travel assessments and, where necessary, (Green) Travel Plans?

Q9.4) Is the Plan’s target of a modal shift of 15% in Policy HS2 justified and suitably realistic in terms of delivery? Is any progress being made on achieving modal shift in the Borough?

Q9.5) Explain who is going to provide the infrastructure to support the growth in the Plan and what assurances have been given by service providers and others that their investment plans and/or developer contributions will facilitate the infrastructure necessary to support levels of growth over the Plan period. Explain what certainty there is that the required infrastructure will be delivered, including what funding is currently secured and what funding gap remains.

Q9.6) The capacity of education and health infrastructure to support the proposed numbers of additional homes appears to be of particular local concern. How have the Education Funding Agency and Health Authorities been engaged in the Plan preparation and is this reflected in the IDP? What robust evidence is there that education and health services cannot be expanded to accommodate additional needs arising from the planned growth?

Q9.7) Explain what the consequences would be of non-delivery of infrastructure and what contingency plans and/or alternative strategies are in place. Is the Plan sufficiently flexible to deal with this?

Q9.8) Do the IDP and Local Plan Viability Assessment meet the requirements of NPPF (paragraphs 173-177)? Please explain.
Issue 2 - Whether sufficient and justifiable provisions for transport infrastructure have been made and whether the provisions are deliverable.

Q9.9) Explain how the transport evidence base fully complies with Part 54 of the PPG (‘Transport evidence bases in plan making and decision taking’).

Q9.10) Are there any outstanding issues, including cross-boundary matters, relating to highways and transport infrastructure? What is the strategic approach to capacity at Junction 3 of the M6?

Q9.11) Are there any strategic transport infrastructure priorities or schemes, contained within the Local Transport Plan or West Midlands Strategic Transport Plan which the Borough Plan should recognise, facilitate or promote? Are there any specific transport schemes in and around Nuneaton whose routes/alignments should be indicated or protected in the Plan? What is the ‘Northern Relief Road’? [North Warwickshire Borough Council representation 3.0024]. Is this the proposed distributor link road through North of Nuneaton (HSG1)? Should such a scheme be identified in the Plan?

Q9.12) Are there any additional infrastructure requirements relating to the Nuneaton – Coventry rail corridor which should be identified in the Plan?

Q9.13) Does the Plan reflect the West Midlands Metropolitan Transport Emissions Framework (WMMTEF) in respect of transport’s role in tackling air quality issues? Are there grounds to require new air quality monitoring apparatus as necessary new infrastructure?

Issue 3 - Health impact assessments & sports provision
(see also Matter 10 for Policy HS5 provisions on Hot Food Takeaways)


Q9.15) Is Policy HS6 (Sport and Exercise) justified, effective and consistent with national policy?

Issue 4 – Does the Plan set out effective arrangements for monitoring the achievement of its policies and proposals?

Q9.16) Is the Plan’s approach to monitoring practicable?
Q9.17) What contingency measures are in place in the event of non-delivery?

Q9.18) Are suitable arrangements in place for reviews at appropriate times?

Q9.19) Are the suggested monitoring indicators in Natural England’s correspondence [OTH/06] reasonable and relevant to plan-making in Nuneaton & Bedworth?

**Matter 10 Town Centres – including health (Hot Food Takeaways)**

**Issue 1 – Does the Borough Plan make appropriate provision for retail, leisure, tourism and related uses? Are the Borough Plan’s policies for the hierarchy of retail centres positively-prepared, justified and effective?**

Q10.1) What is the evidence of the overall need for additional retail floorspace and other main town centre uses?

Q10.2) Is the approach to the development of retail and other main town centre uses set out in Policies TC1 and TC2 justified and consistent with national policy?

Q10.3) Does Policy TC3 provide an appropriate basis for applying the sequential test? Does the local evidence support the national threshold (NPPF paragraph 26) for impact assessments for main town centre uses at 2500sqm?

Q10.4) What is the basis for the town centre boundaries and primary and secondary frontages in Nuneaton and Bedworth? Are they appropriate?

Q10.5) Is the proposed Nuneaton town centre café quarter and associated policy content in Policy TC2 justified?

Q10.6) Is Table 16 in support of Policy TC3 accurate and up-to-date? (Is there a local centre at Goodyer’s End). What is the rationale for the distance and time thresholds in Policy TC3, are they justified?

**Issue 2 – Approach to Hot Food Takeaways in Policy HS5**

Q10.7) Is the approach in Policy HS5 to hot food takeaway proposals justified and effective? What is the evidence, particular to Nuneaton & Bedworth Borough, that the health and wellbeing of the Borough’s residents requires the planning system to intervene in the local food environment in terms of consumption choices? Explain how the evidence base fully complies with Part 53 of the PPG on ‘Health and Wellbeing’ (incl. paragraph 53-006-20170728).