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|  <p>Nuneaton & Bedworth United to Achieve</p> | <p>Borough Plan Main Modifications Representation Form</p> | <p>Ref:</p> <p>(For official use only)</p> |
|---|---|---|

Name of the Local Plan to which this representation relates:

Borough Plan Main Modifications

Please return to Nuneaton and Bedworth Borough Council by **7th November 2018** via:

Email: planning.policy@nuneatonandbedworth.gov.uk

Post: Planning Policy Consultation, Town Hall, Coton Road, NUNEATON, CV11 5AA

This form has 2 parts:

Part A – Personal details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

| | 1. Personal details* <small>* If an agent is appointed, only the Title, Name and Organisation boxes in section 1. are required. Agent details should be completed in section 2.</small> | 2. Agent's details (if applicable) |
|------------------------------------|---|---|
| Title | Mr | Mr |
| First name | Alan | Lance |
| Last name | Bulpin | Wiggins |
| Job title (where applicable) | | Director |
| Organisation (where applicable) | FCC Environment | Landmark Planning |
| House number | | |
| Street | | |
| Town | | |
| Post code | | |
| Telephone number | | |
| Email address | | |

3. Which of the following age brackets do you fall within?

| |
|----------|
| Up to 15 |
| 16-19 |
| 20-29 |
| 30-39 |
| 40-49 |
| 50-59 |
| 60-69 |
| 70-79 |
| 80+ |

Part B – Please use a separate sheet for each representation

4. Name or Organisation | Landmark Planning on behalf of FCC Environment

5. To which main modification does this representation relate?

Reference | MM91

6. Do you consider the Borough Plan is:

6.(1) Legally compliant

| | |
|-----|---|
| Yes | X |
| No | |

6.(2) Sound

| | |
|-----|---|
| Yes | |
| No | X |

Please mark with an 'X' as appropriate

7. Please give details of why you consider the main modifications are not legally compliant or are unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the main modifications, please also use this box to set out your comments.

MM91 suggests that the text related to the yield from site HSG11 (Tuttle Hill) be amended to say at least 200 dwellings. My client's representations on the Borough Plan sought an expansion of the area allocated under reference HSG11 such that land on both sides of the Coventry Canal could be developed. This would give rise to approximately 400 dwellings at an average density of 32 dwellings to the hectare. Increasing the area of the allocation and the number of dwellings that would be delivered from the site would provide an additional 200 dwellings in a sustainable location close to services and facilities. The site in question is in an

established residential/commercial area and the site is previously developed land outside of the Green Belt.

The proposed main modifications to Policy DS4 (MM13 and MM14) acknowledge that the development of the allocated sites that are dependant on Green Belt releases are unlikely to be considered before the adoption of the Plan and will not be able to yield completions until 2020/21. That being the case, there is a need for additional development on non-Green Belt sites to increase the speed of delivery of new dwellings in the short term. An increased yield from HSG11 would facilitate this because an outline application has already been submitted to the Council for consideration. Subject to the resolution of some technical issues, outline planning permission could be granted in 2018 with reserved matters approval following in early/mid 2019. This would enable completions on site before the end of 2019, considerably earlier than the forecast for the allocated sites currently in the Green Belt. Such an approach would be reflective of the terms of paragraph 67 of the Framework and it would ensure that the Borough Plan is positively prepared consistent with national policy.

(Continue on a separate sheet / expand box if necessary)

8. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified at 5 above where this relates to soundness. You will need to say why this modification will make the Borough 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.

Revise policy HSG 11 such that the yield is increased to 400 dwellings and the description of the site altered to ensure that it is clear that land on both sides of the Coventry Canal would be developed to deliver this (approximately 12.7 hectares).

The Plan detailing the site allocation HSG11 would need to be amended to reflect the extent of the site that is the subject of the current application for the development of the site (ref 035595).

(Continue on a separate sheet / expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support and justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations.

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.

9.

| | |
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| Signature: (If you are filling in an electronic copy, please just type your name) |  |
| Date: | 3/10/18 |

Guidance notes for Representation Form

1. Introduction

1.1 The Planning and Compulsory Purchase Act 2004 (as amended) (PCPA) states that the purpose of the examination is to consider whether the plan complies with the legal requirements and is sound. The publication of the Schedule of Proposed Main Modifications to the Borough Plan Publication (2017) document is a formal stage in the Examination process. Representations should relate specifically to the legal compliance and soundness of the proposed main modifications. The Council has prepared a schedule setting out the proposed Main Modifications it considers necessary in order for the Borough Plan to be found sound. This document, along with an updated Sustainability Appraisal Report and Habitats Regulations Assessment have now been published for public consultation, alongside other updated documents that helped inform the modifications.

2. Legal Compliance

2.1. The Inspector will first check that the plan meets the legal requirements under s20(5)(a) of the PCPA before moving on to test for soundness.

2.2. You should consider the following before making a representation on legal compliance:

- The plan in question should be included in the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the Local Development Documents (LDDs) it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for independent examination. If the plan is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at its main offices.
- The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement (SCI) (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of LDDs (including plans) and the consideration of planning applications.
 - The plan should comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations). On publication, the LPA must publish the documents prescribed in the Regulations, and make them available at its principal offices and on its website. The LPA must also notify the various persons and organisations set out in the Regulations and any persons who have requested to be notified.
- The LPA is required to provide a Sustainability Appraisal Report when it publishes a plan. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors.

3. Soundness

3.1. Soundness is explained in paragraph 182 of the National Planning Policy Framework (NPPF, 2012). The Inspector has to be satisfied that the plan is positively prepared, justified, effective and consistent with national policy:

- Positively prepared: This means that the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- Justified: The plan should be the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence.
- Effective: The plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
- Consistent with national policy: The plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

4. General advice

4.1. If you wish to make a representation seeking a modification to a plan or part of a plan you should make clear in what way the plan or part of the plan is inadequate having regard to legal compliance and the four requirements of soundness set out above. You should try to support your representation by evidence showing why the plan should be modified. It will be helpful if you also say precisely how you think the plan should be modified. Representations 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 submissions based on the original representation made at the main modifications 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.

4.2. Where there are groups who share a common view on how they wish to see a plan modified, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases, the group should indicate how many people it is representing and how the representation has been authorised.

5. Duly Made

5.1 Only representations considered 'duly made' will be forwarded to the Inspector for consideration. Representations will only be considered duly made where they:

- refer to a change as shown in the Schedule of Proposed Main Modifications to the Borough Plan Publication (2017);
- relate to the legal compliance and soundness of the proposed main modification;
- do not repeat previous representations;
- do not raise new issues or seek additional changes to the Borough Plan;
- refer to the updated Sustainability Appraisal Report or Habitats Regulations Assessment; and,
- are received within the consultation period.

5.2 Representations on the absence of any modifications will also not be considered.