



Planning Inspectorate

Report to Nuneaton and Bedworth Borough Council

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Inspectors appointed by the Secretary of State

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Report on the Examination of the Nuneaton and Bedworth Borough Plan Review

The Plan was submitted for examination on 12 February 2024

The examination hearings were held between 9 and 12 July, 24 and 26 September
and on 8 October 2024.

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Abbreviations used in this report

AA	Appropriate Assessment
BNG	Biodiversity Net Gain
HEDNA	Housing and Economic Needs Assessment 2022
HRA	Habitats Regulation Assessment
NPPF	National Planning Policy Framework
SA	The Sustainability Appraisal of the Plan
SAC	Special Area of Conservation
The Council	Nuneaton and Bedworth Borough Council
The Plan	Nuneaton and Bedworth Borough Plan Review
WMSESS	West Midlands Strategic Employment Sites Study

Non-Technical Summary

This report concludes that the Nuneaton and Bedworth Borough Plan Review [the Plan] provides an appropriate basis for the planning of the Borough, provided that a number of main modifications [MMs] are made to it. Nuneaton and Bedworth Borough Council [the Council] has specifically requested that we recommend any MMs necessary to enable the Plan to be adopted.

Following the hearings, the Council prepared schedules of the proposed modifications and carried out sustainability appraisal [SA] and habitats regulations assessment [HRA] of them. The MMs were subject to public consultation over a six-week period. We have amended the detailed wording of one proposed modification (**MM44**) and have recommended its inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Amending the housing monitoring and review mechanism policies to ensure that they are effective;
- Amending the quantum of development, the key development principles and criteria for a number of strategic and non-strategic allocations to ensure that they are justified, consistent with national policy and achievable;
- The addition of a new strategic residential allocation East of Bulkington (Policy SHA7) in order to provide consistency with other strategic allocations and certainty in the planning process;
- Amending the Development Management policies to provide clarification and consistency with the National Planning Policy Framework [NPPF];
- A number of other modifications to ensure that the Plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains our assessment of the Nuneaton and Bedworth Borough Plan Review in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The NPPF (paragraph 35) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy. The relevant version of the NPPF for the examination of this Plan is September 2023.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Nuneaton and Bedworth Borough Plan Review, submitted in February 2024, is the basis for our examination. It is the same document as was published for consultation in September 2023.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that we should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. Our report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. In some cases, the MMs also include additional modifications [AMs]. Whilst these AMs are not required for soundness, where MMs are proposed to the same policy or same part of the Plan, the AMs have been incorporated for completeness. However, these AMs do not require justification or explanation within our report.
5. Following the examination hearings, and the issuing of our Post Hearing Note (EX/6) on 14 November 2024, the Council prepared a schedule of proposed MMs and, where necessary, carried out sustainability appraisal and habitats regulations assessment of them.
6. The MM schedule was subject to public consultation for six weeks between 2 June and 14 July 2025. We have taken account of the consultation responses in coming to our conclusions in this report and considering these, we have made one amendment to the detailed wording of one of the main modifications, **MM44**. This amendment does not significantly alter the content of the MM as published for consultation or undermine the participatory processes and sustainability appraisal/habitats regulations assessment that has been

undertaken. We have highlighted the reasoning relating to this amendment in the report.

Policies Map

7. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the Borough Plan Review Publication Policies Map and Key as set out in CD 2.1 and 2.2.
8. The policies map is not defined in statute as a development plan document and so we do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. These further changes to the policies map were published for consultation alongside the MMs [Nuneaton and Bedworth Borough Council – Proposed Modifications to the Borough Plan Review Policies Map, Borough Plan Review Main Modifications Policies Map & Updated Borough Plan Review Policies Map - Key]
9. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the Schedule of Main Modifications and the further changes published alongside the MMs.

Context of the Plan

10. The Development Plan for the Borough currently comprises the Borough Plan (adopted in 2019), the Gypsy and Traveller Site Allocations Development Plan Document (adopted in 2024), the Warwickshire Minerals Local Plan (adopted in 2022) and the Warwickshire Waste Plan (adopted in 2013). The Nuneaton and Bedworth Borough Plan Review will replace the Borough Plan in its entirety.
11. Nuneaton and Bedworth is the smallest Borough by area in Warwickshire, but the third largest in population with around 134,000 people (2021). The Borough is largely urban with two market towns, Nuneaton in the north and Bedworth in the south. The Borough contains many green spaces including a Grade II* registered park and garden at Arbury Hall, and contains 92 listed buildings, five conservation areas and a Special Area of Conservation at Ensor's Pool. The Borough is well served by the M6 and the west coast mainline railway. Historically the area prospered as a result of coal mining, minerals extraction and engineering, and the decline of traditional industries present environmental

and social-economic challenges for the area. The Borough is the most deprived in Warwickshire.

Public Sector Equality Duty

12. We have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included our consideration of several matters during the examination including the provision of accessible and adaptable housing. An Equality Impact Assessment dated 4 September 2023 has been prepared by the Council (CD13). This concludes that there are no direct equality considerations that have been identified within the Plan.

Assessment of Duty to Co-operate

13. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
14. In its Duty to Co-operate Compliance Statement (CD4) and in its hearing statement on Matter 1 (M1/1) the Council has set out its approach to the duty to co-operate in preparing the Plan along with supporting evidence including statements from other local authorities that they consider that the Council has met the duty to co-operate test. The Council identified the strategic matters for the Plan and positively engaged on them with neighbouring local authorities and prescribed bodies. These included key strategic matters of housing and employment needs across the Coventry and Warwickshire area given these matters being of prime importance for the Borough Plan. These have been the subject of continuous cross-border working for the local authorities. A number of the Statements of Common Ground between the Council and other local authorities or prescribed bodies have been signed.
15. We are satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

Assessment of Other Aspects of Legal Compliance

16. The Plan has been prepared in accordance with the Council's Local Development Scheme which was updated in September 2024 to reflect examination timescales and the likely adoption date of the Plan.
17. Consultation on the Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement.
18. The Council carried out a sustainability appraisal [SA] of the Plan, prepared a report of the findings of the appraisal, and published the report (CD7.2) along with the Plan and other submission documents under regulation 19. The SA was updated to address representations relating to the scoring of economic factors for two options and to assess the main modifications [SA Report Addendum: Appraisal of Modifications March, 2025]. Overall, we are satisfied that the SA has been carried out satisfactorily and that there is nothing which undermines the SA findings. The SA process was proportionate, objective and the judgements reached were reasonable and it, thus, constitutes appropriate evidence to inform the Plan.
19. The Habitats Regulations Assessment Report [HRA] September 2023 sets out why an Appropriate Assessment [AA] is necessary, due to likely significant effects on Ensor's Pool SAC and the Severn Estuary SAC/Ramsar and Humber Estuary SAC/Ramsar. An AA was undertaken and this concludes that in light of the avoidance and mitigation measures proposed within the Plan (incorporating the Main Modifications to the Publication Version, September 2023), no adverse effect on site integrity of a European or Ramsar site is predicted, either alone or acting in combination with other plans or projects, and no residual effects are anticipated. We are satisfied that the HRA process to both the Plan and the MMs has been robust and note that Natural England raise no objections to it.
20. The Development Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area. For example, the strategic policies clearly set out the approach to identifying settlement roles, addressing development needs and allocating land.
21. The Development Plan, taken as a whole, includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. For example, Strategic Policy DS1 sets out the approach to sustainable development.
22. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

23. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, we have identified six main issues upon which the soundness of this plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

Issue 1 – Have the vision, strategic objectives and the development strategy been positively prepared, are they justified, and consistent with national policy and can they be realistically achieved?

Plan introduction

24. The introduction to the Plan sets out context and background. There is potentially a need to update some of this text given the status of the Plan. Most of this is factual and not a soundness issue. However, there is a need, for effectiveness, for the Plan to set out the documents which constitute the development plan for the Borough, on adoption of the Plan. This change is made in **MM1**.

Plan period

25. The plan period is 2021 to 2039. The NPPF states that strategic policies should look ahead over a minimum 15 year period. With the Plan expected to be adopted in 2025, there will be less than 15 years of the plan period remaining. However, we consider that this is an acceptable position especially since the Plan contains policies to trigger an early review and bearing in mind the desirability of getting an up to date plan adopted as soon as possible. We therefore consider the Plan to be positively prepared with regard to its plan period.

Vision

26. The Plan sets out a positive vision that looks to 2039. To be effective however, given the importance of joint working, the vision should be modified to add a reference to the importance of working with other authorities and infrastructure providers to help secure this vision in order to ensure that the region thrives socially, economically and environmentally. **MM2** addresses this.

Strategic Policy DS1

27. Policy DS1 sets out the approach to securing sustainable development. However, the wording of some parts of the submitted policy unnecessarily repeats national policy and statements of fact, and the policy needs to be modified so as delete such references, to be effective. **MM3** addresses this.

Strategic Policy DS2

28. Policy DS2 is positively worded and sets out the settlement hierarchy and roles. To be justified and effective however, there needs to be reference added in relation to the continuation of the strategy set out in the Borough Plan (2019). Consequently, a paragraph sitting just below the policy in the supporting text to explain this is necessary. **MM4** makes this change along with clarifying, for effectiveness, the wording of a monitoring indicator relating to employment and housing land.

Strategic Policy DS3

29. Policy DS3 sets out the overall development needs for the Borough during the plan period.
30. The submitted plan refers to an 'indicative' need for B8 employment. The use of the word 'indicative' is not necessary, is ambiguous and should be removed for effectiveness.
31. The figures within the policy tables relating to housing need are required to be updated to reflect the March 2024 affordability ratios and the figures within the delivery tables in the policy need to be updated to reflect the bringing forward of the housing monitoring base date from 31 March 2023 to 31 March 2024. This is necessary for soundness so that the Plan is based upon the most up to date housing supply data available to the examination and to the expected date of adoption.
32. The housing delivery table also reflects changes to some site-specific delivery assumptions which we consider are necessary for soundness and are explained elsewhere in the report.
33. **MM5** makes these changes and also addresses some other points of updating some references in the policy.

Strategic Policy DS4

34. Policy DS4 lists the strategic and non-strategic sites which are allocated for residential development in the Plan. The strategic allocations are set out individually under section 7 of the Plan and we address the detail of the MMs relating to those elsewhere in this report.
35. For the strategic allocations which are set out in the table within Policy DS4, there is one change to the approximate dwellings numbers and that is at SHA5 West of Bulkington which needs to be amended from 348 dwellings to 375 dwellings as a result of updated information on capacity/likely delivery. This is necessary for soundness. A new site allocation, SHA7 East of Bulkington, needs to be added to the table as a consequence of this site being allocated through **MM18** addressed elsewhere in this report.
36. There is also a small reduction required to the approximate dwelling figure for the employment/housing site at Wilsons Lane given updated information relating to its likely delivery.
37. Policy DS4 lists and allocates the non-strategic housing sites. MMs are required to a number of non-strategic housing allocations and these are dealt with elsewhere in the report.

Strategic Policy DS5

38. Policy DS5 lists the employment allocations. There is a need to update the size of the SEA6 Bowling Green Lane employment allocation to more accurately reflect the planning permission granted for the site. Reference within the policy to the removal of SEA1 and SEA5 from the Plan is unnecessary and needs to be moved to supporting text. **MM7** makes these changes and is necessary for effectiveness.

Policy DS6

39. Policy DS6 sets out the approach to the Green Belt. It is described as a strategic policy. However, it is not justified as a strategic policy since it does not address strategic priorities and therefore not consistent with the definition in the NPPF. In addition, the third paragraph of the submitted policy is not consistent with national planning policy relating to the Green Belt. It refers to a test which is not set out in the NPPF and should therefore be deleted for soundness.
40. There is also a need to clarify the wording of monitoring indicator DS6a in relation to inappropriate development, such that the indicator is clear and effective.

41. **MM8** makes these changes.

Conclusion

42. Subject to the MMs identified above, the vision, strategic objectives and the development strategy have been positively prepared, are justified, and consistent with national policy and can be realistically achieved.

Issue 2 – Is the approach to housing requirement and supply justified by the evidence and consistent with national policy?

Housing Requirement

43. The housing requirement in the Plan has been calculated by using trend-based projections set out in the sub-regional Housing and Economic Development Needs Assessment (EB7.1) and then supported by other evidence in Towards a Housing Requirement for Nuneaton and Bedworth 2022 (EB8) and added to for economic growth and affordable housing need reasons. The figure exceeds the standard method figure based on the 2014 household projections. The higher figure is supported by evidence and consistent with the approach set out in national policy.
44. Although the adopted Borough Plan set a higher housing requirement based on accommodating the needs of areas outside of the Borough, we consider that the evidence does not justify this approach being carried through into this Plan. In reaching this view we have placed reliance on the evidence submitted by Coventry City Council which considers that its housing requirement should now be fully met within its own area and is proposing this approach in its now submitted local plan. We have also had regard to the evidence of other neighbouring authorities in supporting the approach taken in this Plan. We see no compelling evidence for Nuneaton and Bedworth to plan to meet the housing needs of neighbouring areas at this stage in this Plan. This position may change in the future however as revised assessments and further joint working is developed within Warwickshire.
45. We therefore consider that the figure of 545 homes per annum is positively prepared and justified and provides a sound basis for the Plan.

Overall Housing Land Supply

46. We consider it appropriate to use the most recent housing supply data available to us as a basis for the examination. The bringing forward of completion and forecast supply data to 1 April 2024 is set out in the Updated Housing Land Supply Background Paper (July 2024) (CD31). This is the most up to date information available to the examination.

47. However, some of the forecasts and delivery assumptions need to be adjusted as a result of the evidence presented to us in the examination. We have made reference to the principal changes in relation to the individual site allocations separately in this report.
48. Completions between 1 April 2021 and 31 March 2024 totalled 2,761. We consider that the supply of committed housing is 3,100 units leaving a residual need for 3,949 units to the end of the plan period, 2039. This is met by the strategic housing allocations, the non-strategic housing allocations (which together total 4,616) and an allowance for windfall sites.
49. As we set out in our Post Hearing Note (EX/6), we also consider that it is reasonable to take into account the oversupply which has occurred in the first four years of the Plan and to apportion that for the remaining Plan period. As we explained in our note, there are specific and unique circumstances applying as a result of the Borough Plan providing for the needs of the wider housing market at the time.
50. The allocation of the East of Bulkington site through **MM18** (set out in Issue 4) has a neutral effect on the housing supply numbers as it was in the Plan as a commitment.
51. In total the housing supply during the plan period would be 10,963 homes. This exceeds the requirement of 9,810 homes for the plan period. The overall housing supply meets the housing requirement and is consistent with national policy subject to **MM5** which sets out modifications to DS3 and the table within it, and by **MM46** which replaces the housing trajectory in Appendix B of the Plan with a new graph, incorporating the adjusted figures.

Five Year Housing Land Supply

52. The NPPF expects plans to set out specific, deliverable sites for years one to five of the plan period. The PPG states that this should be from the intended date of adoption.
53. We consider it most appropriate to use 1 April 2025 as this date as it is the closest date of intended adoption that housing completion forecasts could be obtained for and verified. We are satisfied that the completion forecast provided by the Council of 950 dwellings for 24/25 is a reasonable accurate assessment. This would give a figure of 3,711 dwellings completed in the first four years of the Plan against a requirement of 2,180. If this oversupply was taken into account throughout the remaining 14 years of the plan period, this would be 109 per year. For the 5 years from 1 April 2025 this would represent 545 dwellings.

54. As a result of assessing each strategic and non-strategic site within the Council's Updated Housing Land Supply Background Paper (July 2024) (CD31), we have removed a number of sites from the 5 year supply. The evidence indicates that these are not sites that fall within the definition of deliverable within the NPPF and PPG. We have already listed these sites within our post hearing note of 14 November 2024 (EX/6). The total supply of homes on deliverable sites for the 5 year period from 1 April 2025 would be 3,428. This would be against a 5 year requirement of 2,289 taking into account the adjustment for the 545 dwellings oversupply and a buffer of 5%. This would constitute a 7.49 years supply. Even, if the oversupply for the 2021-2025 period was not taken into account there would still be a supply in excess of 5 years.

Conclusion

55. For the reasons set out above the housing requirement is justified and consistent with national policy. Subject to MMs, the overall housing supply is justified, meets the housing requirement and is consistent with national policy. We also consider that there would be a five year supply of housing land on adoption of the Plan.

Issue 3 – Does the Plan make sufficient provision for employment land throughout the plan period and does this accord with the evidence?

Employment Requirement

56. The employment requirement in the Plan has been calculated using various evidence sources including the Nuneaton & Bedworth HEDNA (Housing & Economic Development Needs Assessment) May 2022 (EB6) and the Coventry & Warwickshire Housing & Economic Development Needs Assessment May 2022 (EB7). Towards a Housing Requirement for Nuneaton & Bedworth November 2022 (EB8) reviewed these two documents as well as other evidence sources and concluded that the Nuneaton & Bedworth HEDNA is a suitable basis for determining employment land need. Subsequent to this, the Council commissioned a review of its employment land portfolio - June 2023 (EB10) and this review calculated the employment land need over the plan period.
57. The Plan identifies an overall minimum land need for employment development of 87.85 hectares across the plan period. This is below the figure of 107.8 hectares set out in the adopted Borough Plan but is based on updated evidence set out in the various documents referred to above.
58. EB7 identifies the need to provide for the future growth of Strategic B8 warehousing across the region and the West Midlands Local Authorities, including the Council, commissioned a study into strategic employment sites in

the area. However, in lieu of this being published and identifying a B8 growth figure for the region, the Plan's employment requirement includes an indicative minimum provision for strategic B8 needs of 19.4 hectares.

59. The West Midlands Strategic Employment Sites Study August 2024 [WMSESS] (NBBC/11) was published during the examination. Whilst it identifies a need for additional B8 strategic sites across the West Midland area, it does not disaggregate this need into local authority areas. Nuneaton & Bedworth falls within Opportunity Area 7 in the WMSESS which also includes other local authority areas. Consequently, the WMSESS does not provide a definitive B8 strategic need figure for Nuneaton & Bedworth.
60. In light of this, we consider that the employment requirement figures set out in the Plan are positively prepared, justified and provide a sound basis for the Plan. There is currently no compelling evidence that justifies any increase in the employment requirement set out in the Plan, including for strategic B8 development. However, we consider it necessary for soundness to make it clear that significant changes to evidence relating to employment need may be a trigger for an early review of the Plan. We have set this justification out elsewhere in the report as part of **MM10**.

Employment Supply

61. The Plan identifies a surplus of 19.20 (updated to 20.30) hectares of employment land across the plan period, based on a requirement of 87.85 hectares and an identified supply of 107.05 (updated to 108.15) hectares. The strategic B8 need is being met by the Faultlands development which was an allocated employment site in the Borough Plan. Supply was also considered regionally by the WMSESS, though some concerns were raised during the examination about how supply was calculated within the WMSESS. The updated supply is shown in an updated Employment Trajectory set out in Appendix C of the Plan replacing the previous version through **MM47**, which is necessary for effectiveness.
62. We are satisfied, based on the evidence currently available, that sufficient employment supply exists to meet the current and likely future employment requirement in the Borough. Should further evidence regarding additional employment requirement become available during the plan period, there are review mechanisms within the Plan that would trigger a full or partial review if there is clear evidence that employment need has changed significantly.

Conclusion

63. The Plan makes sufficient provision for employment land throughout the plan period and accords with the evidence.

Issue 4 – Are the Strategic and Non-Strategic Site Allocations justified and deliverable?

Strategic Policy SA1

64. Policy SA1 is an overarching policy which sets out a number of principles that proposals on the strategic sites will be expected to adhere to. As submitted however the policy is too detailed, too prescriptive, ambiguous and repeats national planning policy. The policy therefore needs to be modified for effectiveness and to accord with national planning policy. These changes comprise the deletion of criterion 1 which is unnecessary, clarifying criteria 6, 7 and 8 for effectiveness, making criterion 10 clear and unambiguous, clarifying requirements for proposals relating to open space in criterion 12, and deleting unnecessary wording in relation to criteria 13, 15, and 16.
65. There is a need to add a new paragraph to the supporting text which sets out how the strategic sites are expected to be developed through collaboration agreements to ensure appropriate phasing and delivery. This is necessary given the status and nature of the strategic sites in the Plan.
66. All but two of the strategic housing allocations already have planning permission. Individual transport assessments have been considered as part of the determination of those applications. The delivery of off-site highways improvements to enable traffic to be satisfactorily accommodated on the network is a matter for the agreements put in place through the granting of those permissions. Given this we are satisfied that the provisions within Policy SA1 and within the individual site allocations are soundly based.
67. All of the above changes are addressed by **MM11**.

Strategic Allocations

SHA1 Land at Top Farm, North of Nuneaton

68. This allocation is carried over from the Borough Plan. The principle of development on the site is established and the site has planning permission for 1700 dwellings. The policy sets out a number of key development principles for the site. The reference to 'at least' 1700 dwellings is not justified by the evidence relating to the site's capacity and likely delivery and the words "at least" should be replaced by 'approximately'.
69. A reference to the provisions of the Council's Indoor Sports Facility Needs Assessment and Strategy should be added to principle 15 and this is required for soundness based on the evidence.

70. The contributions set out in principle 22 and 23 are not justified as specific requirements and they should be replaced by a single principle relating to infrastructure requirements for Warwickshire Police where they are justified and compliant with the CIL regulations.
71. Subject to the above modifications which are addressed in **MM12**, the site allocation and policy is justified and soundly based.

SHA2 Arbury

72. This is a site allocated in the Borough Plan and for which the principle of development has been established. The reference to 'at least' 1525 dwellings is not justified by the evidence relating to the site's capacity and likely delivery and therefore the words 'at least' should be replaced by 'approximately'.
73. The contributions set out in principle 11 are not justified as specific requirements and they should be replaced by a single principle relating to infrastructure requirements for Warwickshire Police where they are justified and compliant with the CIL regulations.
74. A reference to the provisions of the Council's Indoor Sports Facility Needs Assessment and Strategy should be added to principle 14 and this is necessary for soundness based on the evidence.
75. Development requirement 30 relating to the creation of a wildflower and wetland habitat and pathway to the Arbury Estate woodland extension is not justified by evidence and should be deleted. However, a new requirement relating to the need to create a landscape buffer to the western edge of the development is required for soundness based on the evidence.
76. The Council intends to make some additional modifications to the supporting text to provide guidance for developers, but these are not modifications made for soundness.
77. Subject to the above modifications which are addressed in **MM13**, the site allocation and policy is justified and soundly based.

SHA3 Land at Tuttle Hill (Judkins Quarry)

78. This site is allocated in the Borough Plan. The reference to 'at least' 350 dwellings is not justified by the evidence relating to the site's capacity and likely delivery and therefore the words 'at least' should be replaced by

'approximately'. We consider that the delivery of this site is not likely to take place within the first five years from adoption.

79. The contributions set out in principles 13 and 14 are not justified as specific requirements and they should be replaced by a single principle relating to infrastructure requirements for Warwickshire Police where they are justified and compliant with the CIL regulations.
80. The Council intends to make some additional modifications to the supporting text to provide guidance for developers, but these are not modifications required for soundness.
81. Subject to the above modifications which are addressed in **MM14**, the site allocation and policy is justified and soundly based

SHA4 Hospital Lane

82. This site is allocated in the Borough Plan. The figure of approximately 445 dwellings is not justified on the delivery evidence now given planning permission has been granted, and the figure in the policy should be increased to 455.
83. Principles 5 and 15 of the submitted policy deal with related requirements and for effectiveness and to avoid ambiguity they should be amalgamated. Principle 15 is therefore proposed to be deleted and the text added to principle 5.
84. The contributions set out in principle 17 are not justified as specific requirements and they should be replaced by a single principle relating to infrastructure requirements for Warwickshire Police where they are justified and compliant with the CIL regulations.
85. The Council intends to make some additional modifications to the supporting text to provide guidance for developers, but again these are not modifications required for soundness.
86. Subject to the above modifications which are addressed in **MM15**, the site allocation and policy is justified and soundly based.

SHA5 Land West of Bulkington

87. The site is allocated in the Borough Plan and has planning permission. The principle of development has been established. The reference to 'at least' 343 dwellings is not justified by the evidence relating to the site's capacity and likely delivery and therefore the words 'at least' should be replaced by 'approximately'. Given more up to date evidence on likely site delivery, principle 1 should refer to 'approximately 375 dwellings'.
88. A reference to needing to adhere to the provisions of the Council's Indoor Sports Facility Needs Assessment and Strategy should be added to principle 13 and this is necessary for soundness based on the evidence.
89. The contributions set out in principle 16 are not justified as specific requirements and they should be replaced by a single principle relating to infrastructure requirements for Warwickshire Police where they are justified and compliant with the CIL regulations.
90. The Council intends to make some additional modifications to the supporting text to provide guidance for developers, but these are not modifications required for soundness.
91. Subject to the above modifications which are addressed in **MM16**, the site allocation and policy is justified and soundly based.

SHA6 Land at former Hawkesbury Golf Course

92. This site is allocated in the Borough Plan and has planning permission. The principle of development on the site has been established. To be effective, the word 'approximately' should be inserted in front of the likely delivery figure of 176 dwellings.
93. The contributions set out in principle 13 are not justified as specific requirements and they should be replaced by a single principle relating to infrastructure requirements for Warwickshire Police where they are justified and compliant with the CIL regulations.
94. The Council intends to make some additional modifications to the supporting text to provide guidance for developers, but these are not modifications required for soundness.
95. Subject to the above modifications which are addressed in **MM17**, the site allocation and policy is justified and soundly based.

SHA7 East of Bulkington (site to be allocated)

96. This site is allocated in the Borough Plan for at least 196 dwellings but has not been included in the submitted Plan. However, it has planning permission for 230 dwellings and complements the West of Bulkington site.
97. The Council did not include the site in the submitted plan preferring it to form part of the committed supply. However, this approach is at odds with the other strategic allocations which have been carried over from the Borough Plan and which have planning permission. We therefore consider that there is clear justification for the site to be allocated in this Plan on soundness grounds. It would not only be consistent with the approach on the other strategic sites but would provide certainty to the planning process.
98. We therefore consider that a MM is necessary to allocate the site for development and to introduce a new policy, SHA7, including a list of key development principles and requirements which would apply to future development proposals on the site. These 18 principles and requirements relate to those which have been agreed through the planning application and approval process, and we consider that they are positively prepared and are justified. The diagram showing the boundary of the site would be added to the policy consistent with the approach to the other strategic sites in the Plan. The Council will need to make a consequential change to the policies map.
99. For the reasons set out above, we consider that for soundness reasons it is necessary to add a new policy to the Plan, SHA7, which allocates land for development to the East of Bulkington and sets out key development principles and requirements for the long-term planning of the site. **MM18** makes this change.

SEA2 Wilsons Lane

100. The site is allocated in the Borough Plan for employment land and housing. Outline planning permission has been granted.
101. **MM19** sets out a number of modifications to the policy including the removal of planning permission information as this is not necessary in the policy and can quickly become outdated: the replacement of the site plan within the policy with a simple red line plan for the whole of the site; removal of the requirement to provide contributions to Warwickshire Police which are not justified; the introduction of more flexibility where required and the removal of criteria 19 regarding a landscape buffer which is no longer required following the grant of planning permission.

102. There are also a number of modifications to the supporting text to reflect the changes to the site allocation plan, to address residential amenity in relation to B2 and B8 uses and to address the possible effect of the allocation on the historic environment.

103. This modification is required for soundness to make the Plan effective and subject to it, the allocation is justified.

SEA3 Prologis extension

104. The site is allocated in the Borough Plan for employment land and outline planning permission has been granted.

105. **MM20** sets out several required modifications to the policy including the removal of planning permission information as this is not necessary and can quickly become outdated and the removal of the requirement for contributions towards increasing capacity to the treatment works as these have not been justified.

106. There are also a number of modifications to the supporting text to introduce more flexibility where necessary and to address the possible effect of the allocation on the historic environment.

107. This modification is required for soundness to make the Plan effective and subject to it, the allocation is justified.

SEA4 Coventry Road

108. The site is allocated in the Borough Plan for employment land.

109. **MM21** sets out several modifications to the policy including introducing more flexibility where necessary. Principle 6 has been amended to relate to financial contributions towards the investigation of re-opening Griff Brook rather than its re-opening as there is some uncertainty about whether this is possible. Principle 8 has been modified to just relate to sewage connections as the other requirements are not justified. Principle 9 is modified to introduce more flexibility regarding contributions to a crossing point for Coventry Road due to uncertainties as to whether this has already been secured through other projects.

110. The MM also introduces two additional key development principles relating to contamination and to flooding. These are necessary and justified given the sites previous use and its location in relation to the floodplain.

111. The supporting text to the policy has been modified to ensure that the site area corresponds with that stated by the policy, to provide guidance and set out requirements regarding contamination and to address the possible effect of the allocation on the historic environment.

112. **MM21** is required for soundness to make the Plan effective and subject to it, the allocation is justified.

SEA6 Bowling Green Lane

113. The site is allocated in the Borough Plan for employment land and for housing. Various planning applications have been submitted for the development of the site.

114. **MM22** includes various modifications to the policy and supporting text including the removal of planning permission information as this is not necessary and can quickly become outdated. The boundary of the employment area and housing area have been modified for effectiveness to more closely reflect current development proposals. This requires a modification to the allocation maps and to key development principles 1 and 2 regarding the quantum and type of development.

115. Key development principle 3 relating to access requirements has been modified to enable the provision of more than one access to serve the residential allocation and to confirm that the employment allocation requires a new junction onto Bowling Green Lane. Additionally key development principle 7 has been amended to remove the need to provide contributions towards increasing sewage treatment capacity as this has not been justified.

116. The contributions set out in principle 8 are not justified as specific requirements and they should be replaced by a single principle relating to infrastructure requirements for Warwickshire Police where they are justified and compliant with the CIL regulations.

117. Criteria 12 has been modified to allow more flexibility in relation to the retention of the public footpath.

118. Some additional modifications have also been made to the supporting text to the policy including new text relating to boundary edges and the historic environment.

119. **MM22** is required for soundness to make the Plan effective and subject to it, the allocation is justified.

Non-Strategic Allocations

120. The non-strategic allocations are set out in Policy DS4 and the MMs that we consider are necessary for soundness are set out below.

NSRA1 - Former Bedworth Rugby Club

121. The site was under construction at the time of the hearings, and the expected dwelling figure should be altered from 124 dwellings to 122 given updated delivery evidence and the reference in the supporting text about its planning status should be updated.

NSRA2 - Former Manor Park Community School

122. There is a need to add a reference to the policy which recognises that the site has archaeological potential, and that an archaeological report would be required as part of any planning application. Reference to the site having planning permission needs to be removed as this is not necessary in the policy.

NSRA3 – West of Coventry Road/Wilson Lane

123. The reference to requiring financial contributions to Warwickshire Police for Bedworth Police Station is not justified on the evidence and should be removed.

NSRA4 – Vicarage Street Development

124. To be effective there is a need to add a reference to the policy which recognises that the site has archaeological potential, and an archaeological report would be required as part of any planning application. There is a need to delete reference to the previous planning permission on the site as this is not necessary in the policy. The site does not meet the definition of deliverable in the NPPF and should not form part of the 5 year supply.

NSRA5 – Land rear of Burbages Lane, Ash Green

125. The reference to requiring contributions to Warwickshire Police for Bedworth Station is not justified on the evidence and should be removed. To be effective there is a need to add a reference to the policy which recognises that the site has archaeological potential, and an archaeological report would be required as part of any planning application. The site does not meet the definition of deliverable in the NPPF and should not form part of the 5 year supply.

NSRA6 – Land at Bucks Hill, Nuneaton

126. To be effective there is a need to add a reference to the policy which recognises that the site has archaeological potential, and an archaeological report would be required as part of any planning application. The site does not meet the definition of deliverable in the NPPF and should not form part of the 5 year supply.

NSRA7 – Abbey Street, Nuneaton

127. To be effective there is a need to update the supporting text which refers to the detail of planning permissions which the site benefits from. This is confusing and is not necessary for the policy to be effective. There is also a need to add reference to the need for any planning application on the site to be accompanied by a Heritage Impact Assessment, given the location of this site. Such a change is justified for soundness. The site does not meet the definition of deliverable in the NPPF and should not form part of the 5 year supply.

NSRA8 – Land rear of Lilleburne Drive and Willow Close

128. To be effective there is a need to add a reference to the policy which recognises that the site has archaeological potential, and an archaeological report would be required as part of any planning application. There is also a need, to be effective, to delete the now outdated references to planning history. The site does not meet the definition of deliverable in the NPPF and should not form part of the 5 year supply.

NSRA9 – Former New Inn Public House, Bulkington

129. Updated evidence relating to capacity now indicates that the expected capacity of the site should be amended from 29 to 42 units and this is justified for soundness. To be effective the planning status of the site needs to be updated. The site does not meet the definition of deliverable in the NPPF and should not form part of the 5 year supply.

NSRA10 Land at Bermuda Road, Nuneaton

130. To be effective, the policy should be amended to clarify that a proposal for 25 dwellings or 60 extra care units would be acceptable on the site as this is justified by the evidence. Furthermore, the wording in the submitted plan regarding the potential provision of a GP surgery on the site is confusing and ambiguous. The policy needs to be amended to clarify what would be expected in respect of any future planning applications on the site, for effectiveness.

131. There is a need to add a reference to the policy which recognises that the site has archaeological potential, and an archaeological report would be required as part of any planning application. The site does not meet the definition of deliverable in the NPPF and should not form part of the 5 year supply.

NSRA11 Upper Abbey Street, Nuneaton

132. There is a need to add reference to the need for any planning application on the site to be accompanied by a Heritage Impact Assessment, given the location of this site. Such a change is necessary for effectiveness and required for soundness.

NSRA12 Kingswood Road, Nuneaton

133. During the examination it became clear that this site was no longer available and was unlikely to come forward for development. It is therefore no longer justified as an allocation and should be deleted.

NSRA13 Armson Road, Exhall

134. There is a need to add a reference to the policy which recognises that the site has archaeological potential, and an archaeological report would be required as part of any planning application. There is also a need to add reference to the need for any planning application on the site to be accompanied by a Heritage Impact Assessment, given the location of this site. Such changes are needed for effectiveness and are required for soundness.

NSRA14 Mill Street/Bridge Street, Nuneaton

135. There is a need to add references to the policy which recognises that the site has archaeological potential and an archaeological report would be required as part of any planning application and also that any planning application on the site is to be accompanied by a Heritage Impact Assessment, given the location of this site. Such changes are justified for soundness. Removal of references to the now outdated planning status of the site is required for effectiveness. The site does not meet the definition of deliverable in the NPPF and should not form part of the 5 year supply.

NSRA15 Bennetts Road, Keresley

136. To be effective, there is a need to add a reference to the policy which recognises that the site has archaeological potential, and an archaeological report would be required as part of any planning application.

Conclusion on the non-strategic allocations

137. All of the above changes are necessary for soundness to make the policy justified and/or effective. Subject to the modifications set out, the allocations of the non-strategic housing sites are justified and soundly based.

138. **MM6** makes these changes.

Conclusion

139. Subject to the MMs identified above, the Strategic and Non-Strategic Site Allocations are justified and deliverable.

Issue 5 – Whether the Non-Strategic detailed policies reflect the Plan's vision, strategic objectives and development strategy and accord with the evidence and national policy?

140. The Plan contains a number of development management policies that collectively seek to set out the requirements for and to control impacts from development. These include policies relating to housing, employment, town, district and local centres, healthy, safe and inclusive communities, the natural and built environment.

141. Policies H3, H5, E2, HS3 and HS5 and the corresponding supporting text are sound without MMs. The remaining non-strategic policies are considered below.

Policy H1

142. Policy H1 sets out the approach to the range and mix of housing. In the section on General Market Housing a change is necessary to make the policy effective so as to not simply refer to housing mix but refer to various components such as tenure, type and size and to have regard to the characteristics of the area. This change will make the policy clear and unambiguous.

143. In the sections of the policy relating to Homes for Older People and Other Specialised Housing, the references to the requirements of the building regulations is unnecessary in a policy. The references are not justified and should be deleted for soundness.

144. In the section relating to Self and Custom Build Homes, the reference to the development being sustainably located is not justified and should be deleted for soundness.

145. **MM23** makes these changes.

Policy H2

146. Policy H2 sets out requirements for the provision of affordable housing. The policy seeks to secure at least 25% of new dwellings on sites of more than 15 dwellings to be affordable. This is justified by the evidence and accords with national policy. However, the wording of the part of the policy is too detailed and ambiguous in its requirements and needs to be amended to be effective. Additional wording to provide clarity around requirements for tenure, mix and size relating to up to date housing need evidence is also necessary for the policy to be effective.
147. The policy's references to First Homes and requirements for 10% affordable home ownership are out of step with the provisions of the NPPF of December 2024. Whilst we are examining the Plan under the September 2023 version of the NPPF of, planning applications for housing would be determined having regard to the most up to date version of the NPPF and so based upon all that we have read and heard, we consider that the references to First Homes and 10% affordable housing ownership requirement in this particular plan is not justified.

148. **MM24** makes these changes

Policy H4

149. This policy requires all residential dwellings, subject to some exceptions, to comply with the Nationally Described Space Standards (NDSS). The Council currently attempts to apply NDSS through its Sustainable Design and Construction Supplementary Planning Document (the SDCSPD), but recognises that this should be set out in a policy in the Plan. Government policy is to allow Councils to introduce NDSS where there is evidenced need and viability is not compromised. Regard must also be had to timing.
150. Evidence on housing need in the Borough indicates an increasing likely demand for smaller properties, where internal space standards would be critically important to protect the living conditions of occupiers. We consider that this and other evidence including the provisions of the SDCSPD provide justification for the introduction of the NDSS in this Plan. We have no evidence that such an approach would make development unviable.
151. Policy H4 is therefore in principle positively prepared and is justified although parts of the policy, which simply state facts, are not necessary and duplicate the supporting text. The policy also needs to include a provision for when such an approach to a particular scheme is not feasible.
152. **MM26** makes these changes.

Policy E1

153. Policy E1 deals with employment growth and part 2 of the policy refers to employment sectors in line with those prioritised in the Economic Development Strategy. It then lists a number of these, but the list is not exhaustive. **MM27** modifies the policy by removing the list and is necessary for soundness to make the Plan effective.

Policy TC1

154. This policy sets out what type of development will be supported and considered acceptable in the town centres as well as setting out the requirements for such development. There is a degree of duplication between the second and third paragraphs of the policy both of which refer to the type of uses which will be acceptable/supported in town centres. All of the uses referred to in paragraph 3 fall within the definition referred to in paragraph 2.

155. For clarity and to ensure effectiveness, **MM28** is required to modify the policy to delete paragraph 3. The MM also deletes part of the supporting text in paragraph 10.3 which incorrectly refers to the previous town centre growth figures in the Borough Plan being based on the Regional Spatial Strategy.

156. This MM is necessary for soundness to make the Plan effective.

Policy TC2

157. Policy TC2 deals with the nature of town centre growth. Reference is made within the second part of the policy dealing with defined town centres and primary shopping areas to the effect of proposals on 'primary frontages'. The glossary defines these as shopping frontages that contain a high proportion of retail uses.

158. A modification is required to replace 'primary frontages' with 'primary shopping areas' as the latter term is defined in the NPPF and is less ambiguous than the definition of 'primary frontages' included in the Glossary appended to the Plan. **MM29** includes this modification together with a modification to monitoring ref TC2a removing reference to changes and replacing it with maintained or decreased.

159. This MM is necessary for soundness and to make the Plan effective and consistent with national policy.

Policy TC3

160. This policy sets out the hierarchy of centres, thresholds for distances from new residential development to centres and criteria for assessing development in centres. It requires any new residential development to be within the stated distance and driving distance of a district or local centre.
161. **MM30** is required to modify the second line of the policy to refer to 'any new major residential development' rather than any new residential development and to provide a source for the 800m walking distance referred to in relation to criteria 1. This is necessary to explain the source of the distance referred to and to ensure that the distances/times stated do not unnecessarily hinder smaller scale new residential development. The modification is required for soundness and ensures that the Plan is effective and positively prepared.

Policy HS1

162. This policy sets out requirements for new supporting infrastructure. The wording in the policy as submitted is too long and lacks clarity in parts. To be effective some of the text needs to be deleted as it is not necessary. Other text needs to be clarified so that its requirements are unambiguous.
163. **MM31** makes these changes.

Policy HS2

164. This policy sets out the approach to strategic accessibility and sustainable transport and identifies a number of criteria which planning applications are expected to meet. Criterion 3 however is conflicting in its requirements and needs clarification. Criterion 5 is too prescriptive in its requirements and needs to be amended to be more flexible and apply only where relevant.
165. **MM32** makes these changes for effectiveness.

Policy HS4

166. This policy relates to proposals which involve the loss of community facilities. There is a need to add a reference to the definition of community facilities, which are listed in the supporting text, to avoid any ambiguity in the way in which the policy would be applied. The reference in the fourth bullet point to surplus to requirements is not necessary as it repeats descriptions in other bullet points and should be deleted.

167. The list of community facilities in the supporting text includes sports facilities, yet there is a duplication with Policy HS6 and therefore a possible ambiguity. In the examination, the Council was clear that Policy HS4 should relate to community facilities and not sporting facilities and so the list should be amended accordingly.

168. **MM33** makes these changes for effectiveness

Policy HS6

169. This policy seeks to support proposals which can help to create a healthier environment across the Borough.

170. Its requirement for the retention of sports pitches should be widened out to include recreational buildings and land since this is supported by the evidence and is justified.

171. A number of the other paragraphs of the policy must be amended to reflect the changes to Policy HS4 in that Policy HS4 is focused on community facilities and Policy HS6 on sport and exercise. This includes deleting references to allotments and community facilities and community halls from Policy HS6 as they are covered by Policy HS4 and to not delete would create uncertainty and ambiguity and make the policy not effective. A consequential change to the monitoring indicator HS6c is also necessary.

172. **MM34** makes these changes for effectiveness.

Policy HS7

173. This policy seeks to create a healthier food environment in the Borough by restricting proposals for hot food takeaways. The policy is justified by the public health evidence in the Borough including levels of obesity. However, changes are necessary to refer to the 400m radius around schools being measured from access points rather than the school boundary, as that is more effective and is a justified measurement. Some of the existing wording relating to the support to tackle obesity in other ways is not justified in the policy and should be deleted.

174. **MM35** makes these changes

Policy NE1

175. This policy focuses on green and blue infrastructure. **MM36** makes various modifications to it and its supporting text to introduce more flexibility, to remove

statements as opposed to requirements, to make reference to the role of the historic environment in green-blue infrastructure and to require monitoring ref NE1a to refer to blue as well as green infrastructure.

176. This MM is required for soundness to make the Plan effective and consistent with national policy.

Policy NE2

177. This policy deals with open space and playing fields. The second paragraph of the policy addresses climate change and **MM37** modifies it to ensure that it is effective and more clearly sets out requirements for new development in this regard. The modification also adds to the supporting text to provide more detailed guidance relating to open space and playing fields.

178. The MM is required to make the Plan effective and consistent with national policy.

Policy NE3

179. Policy NE3 relates to biodiversity and geodiversity. **MM38** is required for soundness and makes extensive changes to the policy, its footnotes and supporting text.

180. In summary, the changes incorporated within the MM amend the policy name to also cover ecology and local nature recovery; introduce more flexibility to the policy wording where necessary; remove unnecessary statements of fact; modify and update the section on biodiversity net gain (BNG) to ensure consistency with the statutory requirements, delete the previous sections relating to ecological and geological assessment and Special Areas of Conservation and Sites of Special Scientific Interest; insert new sections on species and the Warwickshire Local Nature Recovery Strategy and amend the wording of the ecological network part of the policy.

181. Additionally, there are a number of new footnotes, and the MM incorporates changes to the supporting text including amending existing text and adding new sections on ecological and geological assessment and survey and development expectations. The monitoring ref NE3b has also been amended to update it following the introduction of the statutory requirement for BNG.

182. The modifications incorporated within **MM38** are required for soundness to make the Plan effective and consistent with national policy.

Policy NE4

183. This policy relates to managing flood risk and water quality. **MM39** modifies the policy to make it more flexible where necessary, to move a requirement to contact Severn Trent from the policy to the supporting text and to add a requirement to improve water quality where possible.
184. The MM is required for soundness to make the Plan effective and consistent with national policy.

Policy NE5

185. **MM40** modifies Policy NE5 by removing monitoring indicator and target NE5b which is not relevant to the policy. The policy is concerned with protecting landscape character and whether the council maintains a five year supply of housing land is not a relevant monitoring indicator of the effectiveness of the policy.
186. This modification is necessary for soundness to make the Plan effective

Policy BE1

187. Policy BE1 sets out the approach to how development proposals on or adjacent to sites of potential contamination or land instability will be considered. To be effective criterion 2(c) needs to reference the need to demonstrate evidence of satisfactory mitigation of risks having been undertaken. **MM41** makes this change and is necessary for soundness.

Policy BE2

188. Policy BE2 encourages schemes to provide renewable and low carbon technologies. To be effective the wording of the first part of the policy needs to be amended to clarify requirements, and the second paragraph of the policy relating to district heating schemes is not justified and should be deleted. To be effective the third paragraph needs to be amended to enable flexibility and to be clear about requirements whilst the fourth paragraph needs to reference the need for proposals to accord with other policies of the Plan, again for effectiveness.
189. **MM42** makes these changes.

Policy BE3

190. Policy BE3 relates to sustainable design and construction and sets out a series of criteria that development must meet. **MM43** modifies the policy by introducing more flexibility where necessary, removing duplication with national policy and other policies in the Plan and in some cases moving it into supporting text, by modifying and reducing the water consumption figure to reflect up to date evidence, to remove reference to heritage assets guidance from the policy and move it into supporting text.
191. The MM also includes a new heading at the end of the policy to address circumstances where the policy requirements cannot be met and modifies the policy requirement to make it clear what evidence is required in what circumstances.
192. Monitoring indicator BE3a is also modified to make it clear why Sustainable Design and Construction checklists are required to be submitted to show compliance with the policy.
193. **MM43** is necessary for clarity and soundness and to make the Plan effective and consistent with national policy.

Policy BE4

194. This policy relates to the historic environment. **MM44** modifies the policy to introduce more flexibility where necessary and to ensure consistency with national policy, particularly in respect of non-designated heritage assets, scheduled monuments archaeological remains.
195. The wording of the paragraph in the MM which is concerned with non-designated heritage assets has been amended following consultation. After consideration, we are of the view that the alternative wording suggested by Historic England would more closely reflect the provisions of the NPPF in respect of the balancing exercise for applications affecting non-designated heritage assets. It is this wording that is incorporated into **MM44** in the schedule appended to this report.
196. The MM also alters the policy by removing reference to change of use from class E to C3 in Conservation Areas as such changes of use are permitted development and cannot be controlled by policy.
197. This MM is necessary for soundness and to make the Plan effective and consistent with national policy.

Conclusion

198. Subject to the MMs identified above, the non-strategic detailed policies reflect the Plan's vision, strategic objectives and development strategy and accord with the evidence and national policy.

Issue 6 – Are the provisions for monitoring and review justified and effective?

Monitoring Indicators

199. The Plan sets out monitoring indicators for each policy in a box under each policy. Some of the wording for some of the indicators needs to be clarified such that the indicator is described in a way which would make it an effective measure of the success of that policy such that it would help properly inform the monitoring and review process.
200. Where modifications to the monitoring indicators are necessary, we have referenced them in this report in the sections relating to the respective policies. The MM necessary to make them sound are set out in those sections.

Policy DS7

201. Policy DS7 sets out the approach to monitoring housing delivery and how the Council will take steps to help ensure that delivery rates can be maintained as expected in the housing trajectory. The Council is required, in accordance with the NPPF and regulation, to undertake a review of the Plan within 5 years in any case.
202. The wording of the policy in the submitted Plan is ambiguous and needs to be made clearer and more precise such that delivery can be monitored effectively and the steps that would be taken at a particular trigger point are clear, measurable and achievable.
203. There is a need to introduce a clear trigger point, and we consider that this should be if the annual delivery rate is less than 75% of the annualised requirement for three consecutive years. We also consider that an additional step needs to be added to the potential actions which would be to assist in bringing forward non-allocated sites where these would accord with the strategic framework in the Plan. Also reference needs to be made to bringing forward an early review of the Plan in accordance with Policy DS8 such that the two policies work together in an effective manner.
204. These would help to potentially increase housing delivery, make the policy positively prepared, justified and effective.

205. **MM9** addresses these points and makes the changes for soundness.

Policy DS8

206. The policy in the submitted Plan states that the Plan will be reviewed in accordance with national policy (i.e. within 5 years) but lists two circumstances where an earlier review might be triggered. We consider that these need to be broadened out to include scenarios such as where housing delivery needs to be addressed in accordance with the triggers identified in Policy DS7. The wording of the policy should refer to an 'earlier' review rather than a 'quicker' review and some of the criteria need to be made clearer so as to be unambiguous. These changes are for effectiveness.

207. In order to be positively prepared it is necessary for the policy to make reference to needing to keep under review the issue of whether any future established unmet needs within the Coventry and Warwickshire sub-region should be addressed, and that this may include by through the preparation of a separate Development Plan Document in conjunction with the other authorities in the sub-region

208. **MM10** makes these changes.

209. It is necessary to make four modifications to the appendices of the Plan. **MM46** updates the housing trajectory in Appendix B as set out elsewhere in this report. In respect of using the Plan effectively, **MM45** updates the schedule of policies within the Borough Plan which are superseded by the adoption of this Plan and which are set out in Appendix A. This provides continuity between the policies in the Borough Plan, which is to be replaced, and the Plan and is necessary for effectiveness.

210. **MM48** updates the plan of Local Wildlife Sites in Appendix K from 2019 to 2023. **MM49** makes a number of changes to the Glossary to remove the definition relating to primary frontages as this is no longer necessary; update some biodiversity definitions and to add definitions relating to local wildlife sites, health impact assessments, strategic and semi strategic biodiversity areas, and low and zero carbon energy. These MMs are necessary for effectiveness.

Conclusion

211. Subject to the MMs identified, the Plan's provisions for monitoring and review are justified and effective.

Overall Conclusion and Recommendation

212. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

213. The Council has requested that we recommend MMs to make the Plan sound and capable of adoption. We conclude that the duty to co-operate has been met and that with the recommended main modifications set out in the Appendix the Nuneaton and Bedworth Borough Plan Review satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

214. The Council has requested (letter of 28 March 2024 ref NBBC/2) that we confirm the housing land supply position through the examination. We conclude that if adopted promptly (with the recommended MMs) the Plan establishes a five-year supply of deliverable housing sites. Accordingly, we recommend that in these circumstances the Council will be able to confirm that a five-year housing land supply has been demonstrated in a recently adopted plan in accordance with paragraph 75 and footnote 40 of the NPPF.

Beverley Wilders and Mike Worden

Inspectors

This report is accompanied by an Appendix containing the Main Modifications.