

Enquiries to:
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Date: 22nd November 2023

Our Ref: MM

Dear Sir/Madam,

Borough Plan Committee – 28th November 2023

I refer to Item 6 (Borough Plan Review Update) on the Agenda for the Borough Plan Committee scheduled for Tuesday 28th November, 2023 and attach Appendix A which was marked 'To Follow', for the panel to consider.

Yours faithfully,

Brent Davis

Chief Executive

To: All Members of the Borough Plan Committee

Councillors: R. Smith (Chair), R. Baxter-Payne, L. Cvetkovic, J. Kennaugh, K. Kondakor, N. Phillips, J. Singh, R. Tromans and M. Walsh.

Organisations, Statutory Consultees and LPA's

Representation Reference	Organisation	Document Name	Section	Legally Compliant?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
1.1	North Warwickshire Borough Council	Borough Plan Review	Duty to Cooperate	No	No	No	<p>This Council (North Warwickshire Borough) raised concern that the DtC had not been adequately addressed.</p> <p>Since last year Nuneaton and Bedworth Borough Council has led on preparing a Draft Memorandum of Understanding – a draft was considered by North Warwickshire at the Planning and Development Board on 9th October 2023.</p> <p>It is recommended that this is revised to reflect our adopted Local Plan and reflect that as this Borough sits not only in the Coventry and Warwickshire Housing Market Area (CWHMA) but also the Greater Birmingham Housing Market Area (GBHMA) a significantly larger housing figure is addressed by the North Warwickshire Borough Local Plan.</p> <p>The MoU should reflect this situation to ensure a comprehensive picture is provided of the proactive work this Borough is doing in delivering homes for the much broader area.</p> <p>In addition, limited meetings have been held directly between the two adjoining Borough Councils to discuss the emerging Local Plan and Borough Plan Review and address issues and concerns, which needs to be addressed before the Nuneaton and Bedworth Borough Council Plan review reaches examination stage.</p>	<p>Revise the Draft Memorandum of Understanding to address North Warwickshire's concerns and reflect the true nature of housing provision and delivery the Council is undertaking and included within the North Warwickshire Local Plan.</p> <p>Arrange appropriate meetings to discuss the emerging Local Plan and Borough Plan Review and address issues and concerns to be addressed before the Nuneaton and Bedworth Borough Council Plan reaches examination stage.</p>	Unanswered

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1.2			Employment (Chapter 6 and paras 6.30 to 6.48 and Chapter 9) (Policies E1 and DS5)	No	No	No	<p>The employment allocations deal with the local employment need with one site being put forward as a strategic employment site of 19 hectares.</p> <p>There is however no strategic employment site of over 25 hectares being proposed nor is there any contribution to the B8 requirement as expressed in the HEDNA.</p> <p>Further discussion needs to be undertaken to ascertain the reasons for this and for NBBC to explain what work they will do to explore any possible opportunities for such sites.</p>	<p>To seek discussion with and clarification from NBBC as to how the strategic need identified in the HEDNA will be addressed, how the Plan will consider and/or explore any possible opportunities for such sites and how delivery (or non-delivery) may impact on the adjoining Boroughs/Councils.</p>	
1.3			Housing (Chapter 6 and paras 6.14 to 6.35) (Housing need, numbers and delivery implications and DS4)	No	No	No	<p>The evidence base documents referred to in para 4.3 of the Planning and Development Board Report on 9th October including the Coventry and Warwickshire Housing and Economic Development Needs Assessment (HEDNA) and the NBBC commissioned report called "Towards a Housing Requirement for Nuneaton and Bedworth" seek to justify more housing being delivered in Nuneaton and Bedworth above its local need.</p> <p>It is argued that this is required to ensure there is economic growth in the Borough.</p> <p>It is difficult to understand how this additional housing can be delivered without impacting on the delivery of other housing sites in and beyond the Borough, including those in Coventry and North Warwickshire, without a clear sub-regional agreement on the housing split. Clarification and assurance is requested around this issue.</p>	<p>To seek clarification from Nuneaton and Bedworth Borough as to how wider than local needs will be addressed and how delivery (or non-delivery) may impact on the adjoining Boroughs/Councils</p>	

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1.4							Please refer to the email sent through, from the representative, containing the representation for supporting evidence/documents.		
2.1	Coventry City Council	Borough Plan Review / Sustainability Appraisal	DS3	Unanswered	Unanswered	No	<p>Coventry City Council has worked in partnership under the Duty to Cooperate with Nuneaton and Bedworth Borough Council and other Local Authorities and partners across the Coventry and Warwickshire sub region and beyond on a range of strategic matters including a shared evidence base.</p> <p>The sub regional Coventry and Warwickshire HEDNA is a key strategic document which was jointly commissioned by local authorities in Coventry and Warwickshire. Coventry City Council notes the ambition of Nuneaton and Bedworth Borough Council to deliver higher levels of growth than those set out in the joint HEDNA. Coventry City Council has no objections to this approach in principle provided that this is taken forward in the context of acknowledging that other plans in the sub region are less advanced and at various stages of production so some flexibility will need to be built in to the process.</p> <p>The current Coventry City Council Local Plan (adopted December 2017) was heavily reliant on neighbouring authorities to deliver a shortfall in housing and employment provision – Nuneaton and Bedworth Borough Council assisted by taking an additional 4,408 homes. The apportionment of housing across the HMA to meet Coventry's shortfall was agreed through an MoU signed by the parties across the sub region. Nuneaton and Bedworth Borough Council accommodated 26 hectares of employment land to</p>	<p>Whilst it is for Nuneaton and Bedworth Council to determine exactly which sites it wishes to include in its reviewed plan, it seems clear that the 'lower growth' of the two scenarios put forward (albeit the lower of the two being still higher than the 'minimum' growth levels set out in the joint sub-regional HEDNA) is intended purely to address local need and ambition for Nuneaton and Bedworth Borough. The plan still needs to include flexibility which could be accommodated during the plan period as explained in the paragraph above. Retaining allocations HSG4 and HSG7 would appear to provide a simple opportunity for such flexibility but other options could be considered if the Council felt these might be more appropriate: potential allocations as 'reserve sites' might be a possible alternative option in case additional growth - as yet undetermined - was required.</p>	Yes if needed - this will depend upon the nature of the discussions which evolved under the Duty to Cooperate

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							<p>assist with a shortfall arising from Coventry. Coventry City Council has just embarked on a review of its Local Plan – Reg 18 consultation concluded on 29th September 2023. Much work is yet to be undertaken on this plan and capacity levels are not yet fully understood in terms of whether a shortfall will still apply whereby the Council may need to engage with neighbouring authorities to assist with this. Coventry City Council aims to fulfil its needs in own boundaries but can't guarantee this. The reference to figures in the NBBC Reg 19 plan as 'minimum' is therefore supported.</p> <p>In terms of setting a figure for Strategic B8, the HEDNA cites a figure of 551 hectares across the sub region between 2021 and 2041. The indicative proposed contribution of 19.4 hectares is welcomed but it should be a minimum as joint working is currently ongoing across the West Midlands region in this regard and the outcome of the emerging West Midlands Regional Strategic Employment Sites Study is not yet known.</p> <p>Removal of HSG4 and HSG7 – whilst it is understood from discussions that this is because they are now the subject of planning applications/have resolution to grant and therefore form part of the committed supply, they are not yet built out.</p> <p>HSG4 and HSG7 – noted that the 'higher growth' option (Sustainability Appraisal) which retains the two strategic allocations does not result in any major significant negative effects as assessed through the Sustainability Appraisal and the differences between the two growth scenarios appear minor.</p> <p>It is important that more advanced plans in the Housing Market Area provide sufficient flexibility to be able to adapt to changes in circumstances as they evolve – an issue which the Sustainability Appraisal has highlighted.</p> <p>It seems clear that the 'lower growth' of the two scenarios put forward (albeit the lower of the two being still higher than the 'minimum' growth levels set out in the joint sub regional HEDNA) is intended to purely address local need and ambition for Nuneaton and Bedworth Borough.</p> <p>The Plan still needs to include flexibility which could be accommodated during the plan period.</p>		

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							<p>Retaining HSG4 and HSG7 would appear to provide a simple opportunity for such flexibility but other options could be considered if the Council felt these might be more appropriate – potential allocations as ‘reserved sites’ might be a possible alternative option in case additional growth was required.</p> <p>Coventry City Council would emphasise the importance of ensuring that there should be no coalescence between the settlements of Nuneaton and Coventry and reiterates its commitment to collaborative working under the Duty to Cooperate – includes proactively working on matters relating to air quality and traffic management.</p> <p>However, notwithstanding the ongoing work across the sub-region, given the absence of a Statement of Common Ground at the point of writing we do not consider at this point that the Regulation 19 process is currently fully compliant with the requirements of the Duty to Cooperate.</p>		

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2.2			DS4	Unanswered	Unanswered	No	<p>Coventry City Council has worked in partnership under the Duty to Cooperate with Nuneaton and Bedworth Borough Council and other Local Authorities and partners across the Coventry and Warwickshire sub region and beyond on a range of strategic matters including a shared evidence base.</p> <p>The sub regional Coventry and Warwickshire HEDNA is a key strategic document which was jointly commissioned by local authorities in Coventry and Warwickshire. Coventry City Council notes the ambition of Nuneaton and Bedworth Borough Council to deliver higher levels of growth than those set out in the joint HEDNA. Coventry City Council has no objections to this approach in principle provided that this is taken forward in the context of acknowledging that other plans in the sub region are less advanced and at various stages of production so some flexibility will need to be built in to the process.</p> <p>The current Coventry City Council Local Plan (adopted December 2017) was heavily reliant on neighbouring authorities to deliver a shortfall in housing and employment provision – Nuneaton and Bedworth Borough Council assisted by taking an additional 4,408 homes. The apportionment of housing across the HMA to meet Coventry's shortfall was agreed through an MoU signed by the parties across the sub region.</p> <p>Nuneaton and Bedworth Borough Council accommodated 26 hectares of employment land to</p>	<p>Whilst it is for Nuneaton and Bedworth Council to determine exactly which sites it wishes to include in its reviewed plan, it seems clear that the 'lower growth' of the two scenarios put forward (albeit the lower of the two being still higher than the 'minimum' growth levels set out in the joint sub-regional HEDNA) is intended purely to address local need and ambition for Nuneaton and Bedworth Borough. The plan still needs to include flexibility which could be accommodated during the plan period as explained in the paragraph above. Retaining allocations HSG4 and HSG7 would appear to provide a simple opportunity for such flexibility but other options could be considered if the Council felt these might be more appropriate: potential allocations as 'reserve sites' might be a possible alternative option in case additional growth - as yet undetermined - was required.</p>	

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							<p>assist with a shortfall arising from Coventry. Coventry City Council has just embarked on a review of its Local Plan – Reg 18 consultation concluded on 29th September 2023. Much work is yet to be undertaken on this plan and capacity levels are not yet fully understood in terms of whether a shortfall will still apply whereby the Council may need to engage with neighbouring authorities to assist with this. Coventry City Council aims to fulfil its needs in own boundaries but can't guarantee this. The reference to figures in the NBBC Reg 19 plan as 'minimum' is therefore supported.</p> <p>Removal of HSG4 and HSG7 – whilst it is understood from discussions that this is because they are now the subject of planning applications/have resolution to grant and therefore form part of the committed supply, they are not yet built out.</p> <p>HSG4 and HSG7 – noted that the 'higher growth' option (Sustainability Appraisal) which retains the two strategic allocations does not result in any major significant negative effects as assessed through the Sustainability Appraisal and the differences between the two growth scenarios appear minor.</p> <p>It is important that more advanced plans in the Housing Market Area provide sufficient flexibility to be able to adapt to changes in circumstances as they evolve -an issue which the Sustainability Appraisal has highlighted.</p> <p>It seems clear that the 'lower growth' of the two scenarios put forward (albeit the lower of the two being still higher than the 'minimum' growth levels set out in the joint sub regional HEDNA) is intended to purely address local need and ambition for Nuneaton and Bedworth Borough.</p> <p>The Plan still needs to include flexibility which could be accommodated during the plan period.</p> <p>Retaining HSG4 and HSG7 would appear to provide a simple opportunity for such flexibility but other options could be considered if the Council felt these might be more appropriate – potential allocations as 'reserved sites' might be a possible alternative option in case additional growth was required.</p> <p>Coventry City Council would emphasise the importance of ensuring that there should be no coalescence</p>		

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							<p>between the settlements of Nuneaton and Coventry and reiterates its commitment to collaborative working under the Duty to Cooperate – includes proactively working on matters relating to air quality and traffic management.</p> <p>However, notwithstanding the ongoing work across the sub-region, given the absence of a Statement of Common Ground at the point of writing we do not consider at this point that the Regulation 19 process is currently fully compliant with the requirements of the Duty to Cooperate.</p>		
3.1	Rugby Borough Council	Borough Plan Review	DS3 - Housing growth	Unanswered	Unanswered	Unanswered	<p>The sub-regional HEDNA, while published, is yet to be formally endorsed by some of the councils that commissioned it, including Rugby Borough Council. The methodology in the HEDNA adopts using more up to date information than the 2014-based household projections which underpin the standard method, resulting in a housing need for Nuneaton and Bedworth which is lower than the standard method but higher for Rugby Borough.</p> <p>Nuneaton and Bedworth Borough Council proposes to plan for housing growth in excess of the standard method and sub-regional HEDNA figures, but less than the proposed Preferred Options.</p> <p>Notes that the number for Rugby Borough in the HEDNA (735dpa) is higher than the current standard method number (516dpa). They have not yet assessed whether the higher number for Rugby Borough shown in the HEDNA would be deliverable. Therefore, at present they reserve the position on whether Rugby</p>		Unanswered

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							will ask Nuneaton and Bedworth Borough Council to contribute to meeting its unmet needs.		
3.2		DS3 - Employment Land		Unanswered	Unanswered	Unanswered	<p>The proposed requirement for employment land in the borough is based on Nuneaton and Bedworth HEDNA 2022 rather than the subsequently published sub-regional HEDNA on the basis that the former included more up to date data on employment land completions and included strategic scale warehousing sites – dealt with separately in the sub-regional HEDNA as a Warwickshire-wide figure.</p> <p>It appears that no additional employment land allocations are proposed in the publication plan beyond those in the current Borough Local Plan 2011-2031.</p> <p>We wonder whether a greater proportion of the larger consented/allocated employment sites at Faultands (former EMP1, 26ha), Wilson's Lane (SEA2, 19.09ha), Coventry Road (SEA4, 9.59ha) and Bowling Green Lane (SEA6, 19.89ha) might be able to contribute to meeting the sub-regional strategic B8 need than is suggested by the 19.4ha figure.</p> <p>It appears that the past completions data on which the 19.4ha figure was based may be influenced by a greater proportion of those past completions occurring on smaller sites which are less proximate to the strategic road network. As completions on larger, strategic sites are expected to form the mainstay of meeting employment land need in the new plan period, it seems likely that the proportion of development that is for strategic scale warehousing will increase.</p>		

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4.1	Warwick District Council and Stratford-upon-Avon District Council	Borough Plan Review	Housing and Duty to Cooperate Policy DS3	Unanswered	Unanswered	Unanswered	<p>Nuneaton and Bedworth's Towards our Housing Requirement report - modelled a planned economic growth scenario and suggested figure of 545 dwellings per annum. It can be considered that the Plan does meet the needs of its area based on the most up to date information and indeed proposes to deliver a greater number of dwellings than the sub-regional HEDNA.</p> <p>There is currently no 'known unmet need' from the neighbouring authorities making it difficult for the Plan makers to consider the accurate number that needs to be included in the Plan.</p> <p>Both Stratford and Warwick Councils have worked collaboratively with other Coventry and Warwickshire authorities including Nuneaton and Bedworth Borough Council in preparing the HEDNA and continue to meet regularly as a part of the Coventry, Solihull and Warwickshire Association of Planning Officers (CSWAPO) group.</p> <p>Notes that Council is willing to work with neighbouring authorities on strategic matters and identify any cross-boundary issues.</p> <p>This approach is welcomed, and we hope that the authority is able to produce a Statement of Common Ground before the Plan is submitted to the Inspector. Paragraph 1.11 of the Plan highlights the Council's commitment to the Duty to Cooperate.</p>		Unanswered

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4.2			Employment and Duty to Cooperate	Unanswered	Unanswered	Unanswered	<p>It is pleasing to note that the Council seeks to meet the employment needs for both office and general industrial uses through the Plan Review.</p> <p>Whilst it is acknowledged and welcomed that NBBC are seeking to provide a proportion of the identified sub-regional strategic B8 need, the current approach appears contradictory to the advice in the sub-regional HEDNA that strategic B8 distribution should be coordinated at a sub-regional level and indeed that it would not be appropriate to replicate past development patterns.</p> <p>Paragraph 6.40 of the Plan states that the indicative figure of 19.4 hectares will act in lieu of growth figure to be established in the West Midlands Strategic Employment Sites Study (WMSESS). It is the intention that once the WMSESS is published, the outcomes and final figure included in that study will be considered by NBBC either in the submission document or at the examination depending on the timing of the publication of the Study. This will ensure that an appropriate locational distribution of strategic B8 sites is achieved across the West Midlands Region.</p> <p>Paras 2.17 and 2.27 of the bespoke report have concluded that the Council will need to confirm what proportion of identified need for strategic warehousing it might accommodate, working with other authorities through the DtC. This strengthens the need for the Council to engage with other authorities and agree a position before the Plan examination starts.</p>		
4.3			General	Unanswered	Unanswered	Unanswered	<p>Based on the above observations both Councils consider that the Plan can be considered to meet the tests of soundness and legal compliance given the Council is in active discussion with both Councils and is leading on the preparation of Memorandum of Understanding (MOU) which is currently being considered by both Stratford and Warwick Councils.</p> <p>Both Councils welcome NBBC's desire to progress the Plan that meets the needs of its area. However, it may be considered that the submission can be considered somewhat premature given the distribution of B8 has not been resolved and any potential unmet housing need across the region is unknown.</p>		

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5	East Staffordshire Borough Council	Borough Plan Review	General	Unanswered	Unanswered	Unanswered	<p>We note that the Nuneaton and Bedworth Borough Plan Review plans for a minimum of 9,810 homes and 87.85 hectares of employment land within the Borough Council's administrative boundaries in the period 2021 – 2039. We also note that the Plan Review does not seek to remove any land from the Green Belt.</p> <p>We also note that the Borough Council is seeking to meet its objectively assessed needs for housing and employment over the plan period wholly within the plan area.</p> <p>Based on the above we consider that the Draft Plan is positively prepared in that it provides a strategy which, as a minimum, seeks to meet Nuneaton and Bedworth's objectively assessed needs.</p> <p>We acknowledge and appreciate that Nuneaton and Bedworth Borough Council has engaged constructively with East Staffordshire Borough council as part of the Council's Duty to Cooperate.</p> <p>East Staffordshire Borough Council is committed to further discussions as both the Borough Plan Review and our own Local Plan review progress to comply with on-going requirements associated with the Duty to Cooperate.</p>		Unanswered
6.1	Severn Trent Water	Borough Plan Review	DS1	Unanswered	Unanswered	Unanswered	We are supportive of this policy, especially inclusion of the water efficiency target and SuDS.		Unanswered
6.2			DS4	Unanswered	Unanswered	Unanswered	We have undertaken a high-level assessment of the residential allocations. Sites where there are likely to be impacts upon sewerage capacity are discussed below. Within Nuneaton there is an existing strategic growth scheme seeking to provide capacity for growth in the north-east of the catchment. In addition, it is expected that a phase 2 of this scheme will be promoted to address strategic growth risks from other sites within the Nuneaton - Hartshill WwTW catchment in due course (<i>Refer to representation for assessment table</i>).		

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6.3			DS5	Unanswered	Unanswered	Unanswered	We have undertaken a high-level assessment of the employment allocations. Sites where there are likely to be impacts upon sewerage capacity are discussed below. Within Nuneaton there is an existing strategic growth scheme seeking to provide capacity for growth in the north-east of the catchment. In addition, it is expected that a phase 2 of this scheme will be promoted to address strategic growth risks from other sites within the Nuneaton - Hartshill WwTW catchment in due course (<i>Refer to representation for assessment table</i>).		
6.4			SA1	Unanswered	Unanswered	Unanswered	We are supportive of this policy, particularly ensuring that BREEAM standards are applied for non-residential buildings, policy wording on blue-green infrastructure and protection of watercourses and drainage ditches. We are supportive of the encouragement of green roofs to manage surface water sustainably as well as the water efficiency target inclusion.		
6.5			SHA1	Unanswered	Unanswered	Unanswered	We would like to note that bullet 21 'Contribution to local sewage network improvements to improve biological treatment capacity to accommodate the development', would be made through developer infrastructure connection charges, and we are not expecting additional financial contributions. More information on our developer infrastructure charges can be found here. We do expect contribution through adhering to approved design standards, meeting the water efficiency target of 110l/person/day and managing surface water sustainability by following the drainage hierarchy.		
6.6			SHA2	Unanswered	Unanswered	Unanswered	We would like to note that bullet 12 'Contribution to local sewage network improvements to increase capacity, improvement to the local network to reduce impact on hydraulic performance and improve biological treatment capacity to accommodate the development', would be made through developer infrastructure connection charges, and we are not expecting additional financial contributions. More information on our developer infrastructure charges can be found here. We do expect contribution through adhering to approved design standards, meeting the water efficiency target of 110l/person/day and		

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							managing surface water sustainability by following the drainage hierarchy.		
6.7		SHA4		Unanswered	Unanswered	Unanswered	We would like to note that bullet 13 'Local sewage network improvements to improve capacity to accommodate the development' would be made through developer infrastructure connection charges, and we are not expecting additional financial contributions. More information on our developer infrastructure charges can be found here. We do expect contribution through adhering to approved design standards, meeting the water efficiency target of 110l/person/day and managing surface water sustainability by following the drainage hierarchy.		
6.8		SHA5		Unanswered	Unanswered	Unanswered	Regarding point 12 following detailed site assessment we will advise whether local sewerage network improvements are required to provide capacity.		
6.9		SHA6		Unanswered	Unanswered	Unanswered	We would like to note that bullet 12 'Contributions to local sewage network improvements to improve capacity to accommodate the development, subject to discussions with Severn Trent Water' would be made through developer infrastructure connection charges, and we are not expecting additional financial contributions. More information on our developer infrastructure charges can be found here. We do expect contribution through adhering to approved design standards, meeting the water efficiency target of 110l/person/day and managing surface water sustainability by following the drainage hierarchy.		

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6.10			SEA2	Unanswered	Unanswered	Unanswered	We would like to note that bullet 10 'Potential local sewage network improvements in order to improve capacity to accommodate the development, subject to discussions with Severn Trent Water' would be made through developer infrastructure connection charges, and we are not expecting additional financial contributions. More information on our developer infrastructure charges can be found here. We do expect contribution through adhering to approved design standards, meeting the water efficiency target of 110l/person/day and managing surface water sustainability by following the drainage hierarchy.		
6.11			SEA3	Unanswered	Unanswered	Unanswered	We would like to note that bullet 11 'Suitable sewage connection to the existing foul drainage network and contributions to increase capacity to the treatment works to support growth' would be made through developer infrastructure connection charges, and we are not expecting additional financial contributions. More information on our developer infrastructure charges can be found here. We do expect contribution through adhering to approved design standards, meeting the water efficiency target of 110l/person/day and managing surface water sustainability by following the drainage hierarchy.		
6.12			SEA4	Unanswered	Unanswered	Unanswered	We would like to note that bullet 8 'Suitable sewage connection to the existing foul drainage network and contributions to local sewage network, improvements to increase capacity, improvement to the local network to reduce impact on hydraulic performance and improve biological treatment capacity to accommodate the development' would be made through developer infrastructure connection charges, and we are not expecting additional financial contributions. More information on our developer infrastructure charges can be found here. We do expect contribution through adhering to approved design standards, meeting the water efficiency target of 110l/person/day and managing surface water sustainability by following the drainage hierarchy.		

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6.13			SEA6	Unanswered	Unanswered	Unanswered	We would like to note that bullet 7 'Suitable sewage connection to the existing foul drainage network and contributions to increase capacity to the treatment works to support growth' would be made through developer infrastructure connection charges, and we are not expecting additional financial contributions. More information on our developer infrastructure charges can be found here. We do expect contribution through adhering to approved design standards, meeting the water efficiency target of 110l/person/day and managing surface water sustainability by following the drainage hierarchy.		
6.14			HS1	Unanswered	Unanswered	Unanswered	We are supportive of this policy in that developers are recommended to get in touch with us at an early stage in planning to ensure infrastructure can be provided in a timely manner.		
6.15			NE1	Unanswered	Unanswered	Unanswered	We are supportive of this policy and recognise that new blue and green infrastructure and protection of existing is important in planning for a future concerning the impact of climate change.		
6.16			NE2	Unanswered	Unanswered	Unanswered	We are supportive of this policy, especially the wording regarding multi-functional use of open spaces as flood storage.		
6.17			NE4	Unanswered	Unanswered	Unanswered	We are supportive of this policy, particularly ensuring that new developments make space for water through blue-green infrastructure, SuDS and ensuring that the drainage hierarchy is followed to restrict connection of surface water into the foul/combined sewer.		
6.18			BE3	Unanswered	Unanswered	Unanswered	We are supportive of this policy, especially reference to Water Efficiency targets.		
6.19								Drainage Hierarchy Policy: 'New developments shall demonstrate that all surface water discharges have been carried out in accordance with the principles laid out within the drainage hierarchy, whereby a discharge to the public sewerage system is avoided where possible.' Supporting text - 'Generally the aim should be to discharge surface water run off as high up the following hierarchy of drainage options as reasonably practicable: 1. into the ground	

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								(infiltration), 2. to a surface water body; 3. to a surface water sewer, highway drain, or another drainage system; 4. to a combined sewer".	
6.20								SuDS Policy: 'All major developments shall ensure that Sustainable Drainage Systems (SuDS) for the management of surface water run-off are included, unless proved to be inappropriate. All schemes with the inclusion of SuDS should demonstrate they have considered all four areas of good SuDS design: quantity, quality, amenity and biodiversity. Completed SuDS schemes should be accompanied by a maintenance schedule detailing maintenance boundaries, responsible parties and arrangements to ensure the SuDS are managed in perpetuity.' Supporting text - 'Sustainable Drainage Systems (SuDS) should be designed in accordance with current industry best practice, The SuDS Manual, CIRIA (C753) to ensure that the systems deliver both the surface water quantity and the wider benefits, without significantly increasing costs. Good SuDS design can be key for creating a strong sense of place and pride in the community for where they live, work and visit, making the surface water management features as much a part of the development as the buildings and roads'.	

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6.21								<p>Blue and Green Infrastructure Policy: 'Development should where possible create and enhance blue green corridors to protect watercourses and their associated habitats from harm.' Supporting text - 'The incorporation of Sustainable Drainage Systems (SuDS) into blue green corridors can help to improve biodiversity, assisting with the wider benefits of utilising SuDS. National Planning Policy Framework (2021) paragraph 174 States: "Planning policies and Decisions should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their Statutory Status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.' 	
6.22								<p>Green Open Spaces Policy: 'Development of flood resilience schemes within local green spaces will be supported provided the schemes do not adversely impact the primary function of the green space'. Supporting text - 'We understand the need for protecting Green Spaces, however open spaces can provide suitable locations for schemes such as flood alleviation schemes to be delivered without adversely impacting on the primary function of the open space. If the correct scheme is chose,</p>	

Representation Reference	Organisation	Document Name	Section	Legally Compliant?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
								the flood alleviation schemes can result in additional benefits to the local green space through biodiversity and amenity benefits'.	
6.23								Protection of Water Resources Policy: 'New developments must demonstrate that they will not result in adverse impacts on the quality of waterbodies, groundwater and surface water, will not prevent waterbodies and groundwater from achieving a good status in the future and contribute positively to the environment and ecology. Where development has the potential to directly or indirectly pollute groundwater, a groundwater risk assessment will be needed to support a planning application'. Supporting text - 'National Planning Policy Framework (July 2021) Paragraph 174 states: "Planning policies and decisions should contribute to and enhance the natural and local environment by:... e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.'	

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6.24								Water Efficiency Policy: 'New developments should demonstrate that they are water efficient, incorporating water efficiency and reuse measures and that the estimated consumption of wholesome water per dwelling is calculated in accordance with the methodology in the water efficiency calculator, not exceeding 110 litres/person/day'. Supporting text - 'National Planning Policy Framework (July 2021) Paragraph 153 states: Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.'	
7.1	The Coal Authority	Borough Plan Review	BE1	Yes	Yes	Yes	The Coal Authority supports the inclusion of Policy BE1 - Contamination and land instability. We are pleased to see that this policy identifies that development proposals will need to ensure that consideration is given to the potential risks posed by land instability and that it requires any land affected to be adequately mitigated.		No
7.2			13.3	Yes	Yes	Yes	We are pleased to see that this paragraph acknowledges Nuneaton and Bedworth's long history of coal mining and identifies the Development High Risk Area across the Borough where past coal mining activity has taken place at surface and shallow depth.		
8	Flood Risk Management (Warwickshire County Council - Lead Local Flood Authority)	Borough Plan Review	Unanswered	Unanswered	Unanswered	Unanswered	We have no specific comments to raise.		Unanswered

Representation Reference	Organisation	Document Name	Section	Legally Compliant?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
9.1	National Highways	Borough Plan Review	General	Unanswered	Unanswered	Unanswered	Whilst we can provide some comments from a transport perspective in relation to the soundness of the Local Plan and the duty to cooperate, we do not consider that we have any comments in relation to the legal compliance of the document.		Unanswered
9.2			DS3	Unanswered	Unanswered	Unanswered	Note that a revised assessment has been undertaken wherein, the minimum requirement has increased slightly to 9,810 dwellings and 87.85ha of employment land during the plan period. This could rise to 12,127 dwellings based on the development of windfall sites and taking into account the allocation of a buffer to provide flexibility in the housing supply across the plan period.		
9.3			DS4	Unanswered	Unanswered	Unanswered	A large proportion of the housing supply is expected to be delivered through a number of strategic housing allocations set out as part of Strategic Policy DS4 – Residential allocations. We have reviewed these sites against those set out at the Preferred Options stage and note that there are a few small changes in the scale of growth at individual sites, but the overall quantum of growth to be delivered across all strategic housing allocations remains the same at 4,769 dwellings. Due to the scale and location of some of these allocations, in particular SHA1 – Top Farm for 1,700 dwellings and located just south of the A5; and SHA4 & SHA6, located to the north of M6 J3, we expect that these sites are likely to impact upon the capacity of our network. This in-turn can create potential congestion and safety issues. In terms of employment land, it is also expected that a large proportion of the supply will be delivered through a series of strategic employment allocations. At the Preferred Options stage, there were six sites identified. Four of these have been carried forward to the current consultation as part of Strategic Policy DS5 – Employment allocations (with very minor changes to their quantum), whilst the other two sites (SEA1 – Faultlands and SEA5 – School Lane/Longford Road) are now under construction and therefore form part of the pipeline supply. The cumulative total of these remaining strategic allocations equates to over 50ha of land. The majority of these sites are		

Representation Reference	Organisation	Document Name	Section	Legally Compliant?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
							located close to M6 J3 which could add further demand on the performance of the SRN in this location.		

Representation Reference	Organisation	Document Name	Section	Legally Compliant?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
9.4		Transport evidence base and Infrastructure Delivery Plan		Unanswered	Unanswered	Unanswered	<p>We would expect that the growth proposals put forward as part of the Local Plan be supported by a robust transport evidence base and we acknowledge that a Strategic Transport Assessment (STA) has been prepared in this regard. Whilst we understand that the STA does not specifically form part of the Regulation 19 consultation, we would welcome the opportunity to review the document to ensure its suitability for underpinning the transport evidence base.</p> <p>The STA highlights the transport implications of bringing forward the strategic allocations and identifies that they should adopt a 15% modal shift target to ensure that the transport network continues to operate to a satisfactory level.</p> <p>We welcome the inclusion of Policy HS2 within the Publication version of the Local Plan. Adherence to this policy will help to support the STA findings for the network to continue to operate at a satisfactory level.</p> <p>The inclusion of this policy within the Local Plan also aligns with NPPF guidance and National Highways' Net Zero Strategy which helps to ensure the soundness of the Plan.</p> <p>We note that the STA also identifies a total of 11 highway mitigation schemes to be delivered across the plan period in order to facilitate the Local Plan growth. We acknowledge that these have been included in the IDP which supports the Publication Version of the Plan. Three of these schemes; A5/Woodland Lane, Redgate Roundabout scheme and M6 J3 Interim Scheme will provide mitigation along the SRN.</p> <p>However in the IDP, the timescale for the A5/Woodford Road and Redgate Roundabout schemes, is set out as 'assumed by 2039'. The IDP is therefore inconsistent with the findings of the STA and we consider that this should be updated.</p> <p>The draft Borough Plan sets out the requirement for a transport assessment to be carried out in support of any planning application to develop each of the strategic allocations, alongside some of the non-strategic residential sites. It will be expected that the transport assessment will identify measures to deal with any anticipated transport impacts of the site. This is welcomed by National Highways as a means of safeguarding the efficient operation of the SRN.</p>		

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							We recommend that the requirement for a transport assessment (or transport statement if more appropriate) be extended to include any site which is expected to have a likely impact (traffic and/or boundary related) on the SRN in the area. We would expect to be engaged in the consultation exercise for these sites to determine the suitability of the assessment and understand the extent of the potential impacts on the SRN. This approach is in accordance with both the DfT Circular 01/2022 and the NPPF guidance, which further helps to ensure the soundness of the Local Plan.		
9.5		Borough Plan Review	Duty to Cooperate	Unanswered	Unanswered	Unanswered	We consider that due to the scale of growth being proposed and the proximity of some sites to the SRN, that there is likely to be some impacts on the operation of the SRN. We welcome the development of an evidence base in the form of the STA to assess the cumulative impact of the strategic allocations and the identification of a number of schemes which aim to provide traffic mitigation along the A5 and M6 J3. We have identified some inconsistencies in the timescales for delivery of these schemes between the STA and IDP which the Council should look to address. We would also welcome further engagement in the development of the STA to ensure its suitability for underpinning the transport evidence base for the Local Plan. The emphasis on encouraging modal shift as part of future proposals by including provisions which promote more sustainable transport options is also welcomed by National Highways as a means of reducing trip demand on our network.		

Representation Reference	Organisation	Document Name	Section	Legally Compliant?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
9.6			General	Unanswered	Unanswered	Unanswered	<p>From our review of the growth proposals put forward as part of the Publication Version of the Local Plan, we consider that due to the scale of growth being proposed and the proximity of some sites to the SRN, that there is likely to be some impacts on the operation of the SRN. We welcome the development of an evidence base in the form of the STA to assess the cumulative impact of the strategic allocations and the identification of a number of schemes which aim to provide traffic mitigation along the A5 and M6 J3. We have identified some inconsistencies in the timescales for delivery of these schemes between the STA and IDP which the Council should look to address. We would also welcome further engagement in the development of the STA to ensure its suitability for underpinning the transport evidence base for the Local Plan.</p> <p>We acknowledge the commitment in the Local Plan for a transport assessment to be submitted alongside any planning application for each of the strategic allocations, alongside some of the non-strategic residential sites. This will help to ensure that any potential impacts on the SRN are identified and managed, thereby safeguarding the operation of our network. The emphasis on encouraging modal shift as part of future proposals by including provisions which promote more sustainable transport options is also welcomed by National Highways as a means of reducing trip demand on our network.</p>		
10	The Canal and River Trust	Borough Plan Review	Unanswered	Unanswered	Unanswered	Unanswered	<p>Thank you for consulting the Canal & River Trust on the Publication Version of the Borough Plan Review. I can confirm that the Trust has no comments to make on the Plan at this stage.</p>		Unanswered
11.1	Sports England	Borough Plan Review	SA1	Yes	Yes	Yes	<p>Sport England welcomes reference to Sport England's Active Design Guidance and its checklist in assessing SA1 requirement 12. Clarity is sought as to whether applicants would need to submit a completed checklist to demonstrate compliance with the Design Guidance. The approach would demonstrate how the development has considered and embedded the Active Design Guidance principles.</p>		No

Representation Reference	Organisation	Document Name	Section	Legally Compliant?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
11.2			7.19	Yes	Yes	Yes	Sport England supports reference being made to the Council's Playing Pitch and Outdoor Sports Strategy (PPOSS) which would guide the provision of new/enhancements to community, sports and physical activities at each of the strategic allocations.		
11.3			SHA1	Yes	No	Yes	<p>Sport England welcomes Policy SHA-1 key development principle 6 of on site provision for indoor and outdoor sports. However, principle 6 as currently worded is not effective as it is with it not providing certainty as to what is expected to be delivered.</p> <p>This is due to the principle 6 not setting out a land take requirement for the on site sports provision. This is important to establish to ensure that the listed sports provision can be accommodate at the site. It is also unclear if the provision would be standalone provision or part of secondary school as implied in the Infrastructure Delivery Schedule.</p> <p>Further clarity is also required as to the size/scale of the indoor court sports hall, changing rooms (will it serve indoor and outdoor), indoor health and fitness facility and dance studio.</p> <p>There also appears to be duplication of text related to the natural turf pitches and 3G pitches within principle 6.</p>	<p>Principle 6 should set out the land take required; the quantum of provision sought for each of the sports provision listed; and clarity if this would be a standalone provision or part of a secondary school site.</p> <p>It is noted that outline planning permission has been granted for the site. As such, the above comments in relation to the land take requirement may have already been confirmed. If so, this should be reflected within the policy.</p>	
11.4			SHA1	Yes	No	Yes	Sport England welcomes principle 15 which relates to financial contributions towards sport and physical activity. However, several of the sporting provisions listed do not form part of the Playing Pitch and Outdoor Sports Strategy (PPOSS) with it instead relating to the findings from the Council's Indoor Sports Facility Needs Assessment and Strategy.	Reference should be made to the Indoor Sports Facility Needs Assessment and Strategy within principle 15.	
11.5			SHA2	Yes	No	Yes	<p>Sport England welcomes principle 14 which relates to financial contributions towards sport and physical activity. However, several of the sporting provisions listed do not form part of the Playing Pitch and Outdoor Sports Strategy (PPOSS) with it instead relating to the findings from the Council's Indoor Sports Facility Needs Assessment and Strategy (ISFNS).</p> <p>Sport England also welcomes the production of the PPOSS and ISFNS in line with NPPF paragraph 98, though it is unclear if the projects identified within principle 14 are specific to the site as informed by the</p>	<p>Reference should also be made to the Indoor Sports Facility Needs Assessment and Strategy within principle 14. It is also recommended that specific schemes/projects should be reviewed in light of the findings of the PPOSS or consideration should be had to the wording be altered "provision or contributions towards playing pitch as identified within the PPOSS...".</p>	

Representation Reference	Organisation	Document Name	Section	Legally Compliant?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
							evidence base documents. It should be noted that the site is located within a different PPOSS sub area than SHA1, but the projects identified are the same even though the findings/recommendation in PPOSS differ for the two sub areas.		
11.6		SHA4	Yes	No	Unanswered		<p>Sport England welcomes principle 14 which relates to financial contributions towards sport and physical activity. However, several of the sporting provisions listed do not form part of the Playing Pitch and Outdoor Sports Strategy (PPOSS) with it instead relating to the findings from the Council's Indoor Sports Facility Needs Assessment and Strategy (ISFNS).</p> <p>Sport England also welcomes the production of the PPOSS and ISFNS in line with NPPF paragraph 98, though it is unclear if the projects identified within principle 14 are specific to the site as informed by the evidence base documents. For example, the site is located within a different PPOSS sub area than SHA1 but the projects identified are the same even though the findings/recommendation in PPOSS differ for the two sub areas.</p> <p>Sport England notes that principle 5 also incorporates financial contributions towards upgrading a number of playing field sites which is a potential overlap with principle 14.</p>	<p>Reference should be made to the Indoor Sports Facility Needs Assessment and Strategy within principle 14. It is also recommended that specific schemes/projects should be reviewed in light of the findings of the PPOSS or consideration should be had to the wording be altered "provision or contribution towards playing pitches as identified within the PPOSS...".</p> <p>Further to the above, consideration should be had to combining the playing pitch improvements into one principle".</p>	
11.7		SHA5	Yes	No	Unanswered		<p>Sport England welcomes principle 13 which relates to financial contributions towards sport and physical acitivity. However, several of the sporting provisions listed do not form part of the Playing Pitch and Outdoor Sports Strategy (PPOSS) with it instead relating to the findings from the Council's Indoor Sports Facility Needs Assessment and Strategy (ISFNS).</p> <p>Sport England also welcomes the production of the PPOSS and ISFNS in line with NPPF paragraph 98, though it is unclear if the projects identified within principle 14 are specific to the site as informed by the evidence base documents. For example, the site is</p>	<p>Reference should be made to the Indoor Sports Facility Needs Assessment and Strategy within principle 13.</p>	

Representation Reference	Organisation	Document Name	Section	Legally Compliant?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
							located within a different PPOSS sub area than SHA1 but the projects identified are the same even though the findings/recommendation in PPOSS differ for the two sub areas.		
11.8			CEM1	Yes	No	Unanswered	<p>The policy is not considered to be consistent with national planning policy as it fails to contain a principle relating to the loss playing field land (and ancillary facilities) should only occur if it meets NPPF paragraph 99a or 99b, with this instead being referenced within the supporting text of the policy.</p> <p>Further to this, it should also be noted that a part of the safeguarded land should have been utilised as playing field land. This was as a result of a previous extension to the cemetery (planning reference 030179) with the land identified within the below plans mitigating for the loss of playing field land.</p> <p>As such, if the playing field to the north of the cemetery is not demonstrated to be surplus to requirement (note Playing Pitch Strategy highlights shortfalls in pitch provision in the sub area the site is located within) then it should be demonstrated that this could be accommodated on the wider CEM1 site. This would ensure that there is no double counting of replacement playing field land within the site (<i>Refer to representation form B for plans/images</i>).</p>	<p>To ensure the policy is compliant with national policy the explanation text paragraph 7.132 should be inserted within the policy.</p>	

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11.9			Paragraph 11.40 and 12.16 Policies HS4 and NE2	Yes	No	Yes	<p>Sport England objects to the policy as it is not consistent with NPPF paragraph 99 and with it not being an effective policy to assess proposals against. This is due to scope of community facilities within Policy HS4 relating to open space, sports and recreational buildings and land, including playing fields. The criteria for the policy is not consistent with NPPF paragraph 99 for example the policy does not require the replacement to be equivalent or better provision in terms of quantity and quality in a suitable location (NPPF paragraph 99b). It is also unclear if an assessment of need to demonstrate that the open space, sports and recreational buildings and land, including playing fields is surplus to requirement would be required to justify the first two bullet exceptions in policy HS4. Sport England are also not supportive of viability being a factor within the loss of open space, sports and recreational buildings and land, as this could lead to sites purposefully been left to ruin resulting in significant costs to be reinstating them being argued to support the loss of the site. This is of particular concern where there are shortfalls in provisions identified within the Council's up to date evidence base. There has also been occasions where disused sites have also had investment to bring them back into use as opposed to it being argued that the site has not been in use due to the investment required to make it fit for purpose.</p> <p>In terms of assessing proposals resulting in the loss of open space, sports and recreational buildings and land, there is the added confusion of paragraph 12.16 of Plan stating "The NPPF also sets out criteria for the loss of existing open space, sports and recreational buildings and land, including playing fields. 'Policy HS4 - Retaining community facilities', sets out the local approach to the loss of such facilities. Where losses are proposed, the Council will consider the criteria in the NPPF as well as relevant standards and assessments set out in the Open Space Strategy and Playing Pitch and Outdoor Sports Strategy (or as per any subsequent updates) in terms of using 'Policy HS4 - Retaining community facilities'". If this is the intention then this should be reflected within the policy itself.</p>	<p>Sport England considers that policy HS4 should remove reference to open space, sports and recreational buildings and land, including playing fields, with it instead being incorporated within an expanded Policy NE2 or HS6 which seeks to protect such provision in line with NPPF paragraph 99.</p>	

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11.10			HS6	Yes	No	Yes	Sport England considers the whole Local Plan approach to the protection of open space, sports and recreational buildings and land, including playing fields, is confused. Policy HS6 also sets out an approach for the loss of existing local sports pitches and playing fields with paragraphs 11.57 and 11.58 again referencing NPPF paragraph 99 and that the policy would take account of this policy and the wider NPPF requirements.	Sport England considers that the intention of the policy is to apply NPPF paragraph 99 as part of the policy then this should be stated in a single policy as opposed to multiple references within various explanation texts in the Plan.	
11.11			NSRA10	Yes	No	Yes	Sport England notes the supporting text for the allocation of NSRA 10 which states "Any re-provisioning of car parking should not take place on the adjoining playing field land nor should the proposed residential development prejudice the use of the playing field site in accordance with Sports england requirements. " but considers that it could be worded more appropriately to be consistent with NPPf paragraph 99 and 187. Sport England considers that the proposal should not specifically state in accordance Sport England requirements instead it should state that the any replacement car parking provision should not result in the loss of playing field land and that the proposal should not have an prejudicial effect on the operations of the adjacent playing field site and its ancillary facilities (agent of change principle NPPF para 187).	Sport England considers that the proposals should not specifically state in accordance Sport England requirements instead it should state that the any replacement car parking provision should not result in the loss of playing field land and that the proposal should not have an prejudicial effect on the operations of the adjacent playing field site and its ancillary facilities (agent of change principle NPPF para 187).	
11.12			DS4, NSRA1 and NSRA2	Yes	No	Yes	The allocated sites NSRA1 and 2 contain sports provisions, and it is noted that they benefit from planning permission resulting in the loss of provision. If development has not started commenced on these sites, then it is considered that there should be a requirement for any future proposals resulting in the loss of the sporting provision should demonstrate compliance with NPPF paragraph 99. This is due to the respective planning permission might not be implemented and should any future applications be submitted then an assessment of the scheme should be undertaken taking account of findings of the Playing Pitch and Outdoor Sports Strategy (PPOSS) at that point of time.	Include a requirement for proposals to demonstrate compliance with a NPPF paragraph 99 policy contained within the Plan.	
11.13							Please refer to representation received for supporting evidence.		

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12.1	Warwickshire Wildlife Trust	Borough Plan Review	General	Unanswered	Unanswered	Unanswered	<p>In terms of legal tests in particular the Sustainability Appraisal and legal duty to fully assess the most appropriate sites for development with the least environmental impact.</p> <p>Warwickshire Wildlife Trust has a number of serious concerns regarding a number of the housing allocations and their proximity to important local wildlife sites. It is hard to believe that these sites, many of which adjoin and actually cover Designated Local Wildlife Sites, are the most appropriate out of all promoted and that a justified and detailed housing site assessment was carried out considering ecological impacts in full.</p>		Unanswered
12.2			SHA3	Unanswered	Unanswered	Unanswered	<p>Serious concerns regarding the important designated Whittleford Park, Bar Pool Valley and Red Banks Local Wildlife Sites – was this considered fully in the Sustainability Appraisal and Housing Site Assessment?</p> <p>7.53 Land to the west of part of designated Judkins Quarry Local Wildlife Site. How did this site pass a sustainability appraisal and score the highest in terms of an appropriate site? The plan even acknowledges the site supports a number of legally protected species and newts.</p> <p>Surveys should have been carried out before site selection.</p> <p>Concern regarding the impact of lighting on canal Local Wildlife Site.</p>	<p>Remove words of retention and enhancement 'where possible' and 'where necessary'.</p>	
12.3			SHA2	Unanswered	Unanswered	Unanswered	<p>Serious issue regarding proximity to Dagleys Wood and New Park Wood.</p> <p>Need to ensure any enhanced public access don't affect protected species, through increased dog walking, noise activity etc on the local wildlife site. Should also detail what mitigation measures are required.</p> <p>The site shouldn't be allocated for housing as the best assessed site. It's hard to believe their weren't higher scoring sites as part of the SA process. How is the council fulfilling the soundness test of in line with National policy and its legal duty NERC to not harm protected species. This shouldn't be a key site to meet housing need with impacts on the very important LWS ensors pool.</p> <p>These ecological important Surveys should have been carried out already, before this site was chosen as the</p>	<p>34 remove word 'significant' impact should be 'impact' on ancient woodland.</p>	

Representation Reference	Organisation	Document Name	Section	Legally Compliant?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
							most suitable site. How can council fulfil its legal NERC duty otherwise.		
12.4		SHA1		Unanswered	Unanswered	Unanswered	Access needs to be appropriately managed onto local wildlife site. To ensure increased noise, activity, light, dog walking etc doesn't impact protected and important species and habitats. Surveys should have been carried out before this was selected as more suitable site.		
12.5		SEA4		Unanswered	Unanswered	Unanswered	7.118 very concerned regarding this allocation directly on a PLWS. Mitigation should be a last resort, the SA should have assessed all submitted development sites surely this wasn't the most appropriate site. The council in line with its legal NERC duties and wildlife and countryside Act as well as its duty to reach 30 by 2030, shouldn't allocate land that is clearly affecting important wildlife sites. Surveys should have also already have been carried out. Water voles are indeed known to use the area and we are extremely concerned regarding their impact.		
12.6		SEA3		Unanswered	Unanswered	Unanswered	Serious concern regarding Prologis Country Park PLWS - Did the SA fully assess the ecological impacts when choosing this land allocation? Known to house protected great crested newts amongst others. 7.110 land to the south/ south east houses great crested newts. How did this site pass a site assessment and SA. Mitigation should be a last resort. Existing off site county park monitoring is not enough, and it will be too late by that point to monitor impacts. Detailed surveys should have been carried out before to meet councils legal NERC duties.		

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							7.112 mitigation is a last resort, how was this chosen as the most suitable site.		
12.7		SEA2		Unanswered	Unanswered	Unanswered	Concern regarding the Designated LWS Bassford bridge meadow. Was this site fully ecologically assessed as part of the SA and housing assessment. Financial contribution isn't good enough when considering impact on the important LWS. Mitigation is a last resort. These sites shouldn't have been chosen as part of an appropriate SA if they are impacting local wildlife sites. Need to ensure any new access doesn't impact habitats and species in the LWS through increased noise, lighting disruption etc. Again mitigation should be last resort, how did this site score highest in a site selection process.		
12.8		SHA6		Unanswered	Unanswered	Unanswered	Concern regarding Designated Bayton rd lakes LWS. Houses facing areas of open space will increase impact on protected species known to use the site. Wording not strong enough. Weak and vague. Mitigation is last resort surveys should have already been carried out at site selection stage. 21. Enhanced connectivity would need to consider the noise/ lighting/ disruption impact on the designated LWS. Not impact protected species in line with Council legal NERC duty and environment act requirements.		

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12.9			General	Unanswered	Unanswered	Unanswered	<p>We are pleased to see the buffer areas included in the plan as these are crucial to protect important legally protected species and transition between new build development.</p> <p>Although we note that you haven't included the recommend 8m for wetland features including emergent vegetation, lakes and ponds.</p> <p>In terms of compliance with National policy and the 30 by 2030 wildlife target. Whilst pleased to see reference to Wildbelts we are disappointed their isn't a separate policy on this as discussed. Also disappointed no separate nature recovery strategy policy outlining how this will be delivered through the planning process.</p> <p>In terms of the legal test and line with the National policy, and the Governments commitment to 30% more land for nature recovery by 2030 and the Environment Act. We would have hoped to see higher than the standard 10% net gain. A number of other council such as Greater Cambridgeshire and Cornwall have now got plans through examination with 20% net gain as a more ambitious starting point to help with climate emergencies and achieve government 30 by 30 targets.</p> <p>In terms of the legal soundness tests. We note that the plan sets out a huge 9,000 new homes and 87ha employment land. This is not considered to be justified and in proportion with the size of the district.</p> <p>In terms of the legal tests and requirements under the duty to cooperate. We also have concern regarding the additional 100 homes over the county wide housing assessment and whether these figures are robust and in line with the duty to cooperate with neighbouring councils and their evidence base.</p> <p>In line with the National policy test.</p> <p>We are also very surprised their are no Neighbourhood plans in the area. When the council has a legal duty to support the community to put these important plans together and which would help get the community more involved. The plan doesn't appear to include a proactive policy on neighbourhoods planning in the area.</p> <p>In terms of the legal checks and evidence base the open space study doesn't go into enough detail on GI and the detailed GI study dates back to 2013.</p>	<p>In terms of the soundness test and compliance with National policy. 13.33 should remove negative and weak wording, such as 'small element' and 'coherent physically connected'.. and 'sites of higher ecological value' 'are now recognised as essential'. These should all have always been recognised as essential the council has a legal NERC duty to protect and the council should also enhance those that aren't coherent physically connected in line with the legal Nature recovery strategy requirement on councils.</p> <p>The key should also refer to 2022 LWS data in the key, not outdated WT data.</p>	

Representation Reference	Organisation	Document Name	Section	Legally Compliant?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
13.1	Environment Agency	Borough Plan Review	General	Unanswered	Unanswered	Unanswered	Despite being included within Appendix 2 (Schedule 1) of the Statement of Consultation (September 2023), based on our records we do not appear to have received the Issues and Options or Preferred Options stages consultations. However, we have commented on the Strategic Flood Risk Assessment (SFRA) scoping request in our letter dated 10 February 2022 (reference UT/2007/101886/SF-02/PO1-L01). In light of the above, we offer the following comments on the Publication draft version of the DPD at this Regulation 19 stage. We note from the consultation email that this consultation differs from previous stages as it no longer seeks views on alternative options, and instead requires specific focus on certain key issues. Whilst this is acknowledged, based on our previous involvement, we have included suggested policy wording amendments and brief commentary on the evidence base documents. We would be happy to engage further on such matters, perhaps through a statement of common ground.		Unanswered
13.2			DS4	Unanswered	Unanswered	Unanswered	We note there are fifteen non-strategic allocations included within the DPD Review. Notwithstanding those sites where planning permission has already been granted, or resolution to grant subject to legal agreement, we note 0.9% of the land included within allocation NSRA4 – Vicarage Street Development is in Flood Zone 2.		

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13.3			SA1	Unanswered	Unanswered	Unanswered	To ensure all material planning considerations are addressed within planning applications and to ensure comprehensive future application submissions on the strategic allocated sites, we recommend the following wording is added to the list of requirements which all proposals on strategic sites must meet - suggested modifications	<p>A site-specific flood risk assessment should be provided in accordance with Section 6.2 of the Level 2 Strategic Flood Risk Assessment (2023) and for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.</p> <ul style="list-style-type: none"> • The design fluvial flood level (1% fluvial flood level plus appropriate climate change allowance) should be used to inform the location of built development; consideration of flood risk impacts, mitigation/enhancement and ensure 'safe' development. • Where land contamination is known or suspected, a desk study, investigation, remediation and other works will be required to enable safe development. • Suitable sewage connection to the existing mains foul drainage network and contributions to increase capacity to the treatment works to support growth where necessary. • In accordance with the Water Framework Directive, development shall cause no overall deterioration in water quality or ecological status of any waterbody. • In line with the Level 2 SFRA (2023) recommendations, if there are any unmodelled watercourses on site, detailed flood modelling of such will be required to inform and mitigate the fluvial flood risk to development proposals. • To link together with Policy BE3, the water usage requirement of 110litres per person per day should be specified as a minimum. 	

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13.4			SHA1	Unanswered	Unanswered	Unanswered	<p>We note the southern end of this proposed allocation is within Flood Zones 2 and 3 of a Main River. Whilst we appreciate much of the site has already been granted planning permission, with some construction underway, the suggested inclusions above within Strategic Policy SA1 will ensure that flood risk is appropriately considered and the development of the site accords with the evidence base documents, including the SFRA and the Sequential and Exceptions Tests report (2023) – Appendix 1.</p> <p>However, you may wish to include specific reference within the policy wording which refers to flood risk, instead of relying upon the general requirements set out in SA1. Furthermore, reference should be made to the Level 2 SFRA and the site-specific guidance for design and making development safe.</p>		
13.5			SHA3	Unanswered	Unanswered	Unanswered	<p>Whilst we note two outline planning applications are pending on this proposed site allocation, our records show that some areas of the site are included within the Environmental Permitted (EP) area associated with an active landfill known as Judkins Landfill Phase 3 (EP reference EPR/JP3033YQ). As part of the EP, we regulate emissions to the environment from the site. As above, the suggested inclusions within Strategic Policy SA1 should ensure that land contamination matters are addressed during the planning application stage. However, you may wish to include specific reference within the policy wording which refers to land contamination, instead of relying upon the general requirements set out in SA1.</p> <p>Furthermore, proposals near to or on landfill sites can be affected by odour and/or landfill gas and you may wish to include specific reference to this also. You might consider the Ground Conditions and Pollution section of the Framework, including paragraphs 185 and 187.</p> <p>For clarity, we are not currently a 'statutory consultee' on development adjacent to a waste deposit site or similar regulated site</p>		

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13.6			SEA2	Unanswered	Unanswered	Unanswered	<p>We note the southwest corner of the proposed allocation is partly in Flood Zones 2 and 3 of the River Sowe which is designated as a Main River.</p> <p>We welcome Point 22 in the policy which refers to the protection of the watercourse and floodplain. This could be expanded on by including wording such as, 'The design fluvial flood level (1% fluvial flood level plus appropriate climate change allowance) should be used to inform the location of built development; consideration of flood risk impacts, mitigation/enhancement and ensure 'safe' development.'</p> <p>We also note Point 26 requires the site to provide a betterment for flood relief downstream by providing additional rainwater storage on site.</p> <p>The suggested inclusions above within Strategic Policy SA1 will ensure that flood risk is appropriately considered and the development of the site accords with the evidence base documents, including the Level 2 SFRA and the Sequential and Exceptions Tests report (2023) – Appendix 1. Furthermore, reference should be made to the Level 2 SFRA and the specific guidance for site design and making development safe.</p>		
13.7			SEA4	Unanswered	Unanswered	Unanswered	<p>Based on our records, parts of the site include a former quarry, historic landfill and floodplain along the southern site boundary.</p> <p>As above, the suggested inclusions within Strategic Policy SA1 should ensure that land contamination and fluvial flood risk matters are addressed during the planning application stage. However, you may wish to include specific reference within the policy wording which refers to such, instead of relying upon the general requirements set out in SA1.</p>		

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13.8			CEM1	Unanswered	Unanswered	Unanswered	<p>We note CEM1 seeks to safeguard land for use as a cemetery burial ground.</p> <p>We would usually recommend as a minimum that a tier 1 hydrogeological risk assessment is undertaken, including a water features survey. Where the tier 1 risk assessment shows that there is a need for more detailed assessment (i.e. the best practice controls cannot be met) a tier 2 risk assessment may be required.</p> <p>We recommend wording is included within the policy which refers to the information requirements for tier 1 and tier 2 assessments as set out within the Environment Agency's guidance 'Cemeteries and burials: prevent groundwater pollution'. https://www.gov.uk/guidance/cemeteries-and-burials-prevent-groundwater-pollution</p> <p>To ensure the site is an appropriate use of the land, all burials shall be:</p> <ul style="list-style-type: none"> • A minimum of 250m from a potable groundwater supply source • A minimum of 30m from a watercourse or spring • A minimum of 10m from any field drain • A minimum of 1m above the highest annual groundwater level. <p>This is to protect the quality of controlled waters in the local area, specifically the secondary aquifer and adjacent waterbodies. See position statement L3 in the linked document: The Environment Agency's approach to groundwater protection (publishing.service.gov.uk)</p> <p>Environmental Permit - Our approach to protecting groundwater from cemetery developments is published in "Protecting groundwater from human burials" on the .GOV.UK website. This explains the basics of why cemeteries have the potential to cause groundwater pollution and introduces the regulatory framework that cemeteries sit within.</p> <p>Burials of human remains (other than the burial of human ashes from crematoria) within cemeteries are "groundwater activities" as defined in paragraph 3 of Schedule 22 to the Environmental Permit Regulations (EPR).</p> <p>From 2 October 2023, EPR was amended to introduce new tools for the Environment Agency to use in its</p>		

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							<p>regulation of groundwater activities. The level of regulatory control that we apply to new cemetery developments is proportionate to the level of risk the cemetery poses to the environment. As a result of the EPR amendments, there are now 3 tiers of regulatory control:</p> <ul style="list-style-type: none"> • Exemptions (low risk) • Standard Rules Permit (medium risk) • Bespoke Permit (high risk) <p>A new cemetery development is defined as:</p> <ul style="list-style-type: none"> • A cemetery development requiring planning permission under section 57 of the Town and Country Planning Act 1990 which was granted on or after 2 October 2023. • An extension to a cemetery requiring planning permission under section 57 of the Town and Country Planning Act 1990 which was granted on or after 2 October 2023. <p>New cemetery developments that can meet 14 exemption conditions will be exempt from the requirement of an environmental permit. Further details on the exemption conditions can be found at: Low environmental risk cemeteries: exemption conditions - GOV.UK (www.gov.uk)</p>					
13.9			H3	Unanswered	Unanswered	Unanswered	<p>We note the policy wording refers to the separate Gypsy and Traveller Site Allocations DPD. We have submitted separate formal representations on this DPD, most recently during the concurrent main modifications consultation.</p>					
13.10			HS1	Unanswered	Unanswered	Unanswered	<p>We welcome the inclusion of this policy within the DPD, including reference to early consultation with Severn Trent Water to ensure appropriate infrastructure is available to meet the allocations within the DPD review, such as adequate capacity (both physical and environmental) at receiving sewage treatment works. Reference should be made to your Water Cycle Study (evidence base) and Infrastructure Delivery Plan (IDP).</p> <p>However, for windfall sites and perhaps some non-strategic allocations, the water quality impacts of installing non-mains foul drainage should be assessed during the planning process, along with other considerations as outlined on our non mains foul</p>	<p>"Development should follow the hierarchy (order of preference for foul drainage connection), as set out in the National Planning Practice Guidance. The Council requires non mains drainage proposals to assess the potential impacts upon water quality to ensure no detrimental impact on the water environment". (Wyre Forest adopted local plan).</p>				

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							drainage assessment form (copy attached) for your consideration. The order of preference for foul waste water, including non mains drainage, should be included		
13.11			NE1	Unanswered	Unanswered	Unanswered	We welcome the inclusion of blue infrastructure within this policy. We also note the requirement for an 8 metre easement from all watercourses, (we would normally require 8m for main rivers, under our Flood Risk Activity Permit consenting regime, the LLFA may have a different approach for ordinary watercourses).		

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13.12			NE3	Unanswered	Unanswered	Unanswered	<p>We welcome the requirement for biodiversity net gain (BNG) within the policy wording. BNG offers considerable scope to help create resilient places, through maximising opportunities to improve the water environment, manage flood risk and tackle the climate emergency. This is the agreed approach to managing the environment that leaves it in a measurably better state.</p> <p>We note the policy refers to Warwickshire County Council's biodiversity offsetting metric (until such a time this is superseded by the mandatory use of the national metrics). Our focus would be on blue infrastructure elements such as watercourses, riverside ecology, water-based habitat/relevant protected species.</p> <p>We encourage the use of a natural capital approach to prioritise the use of nature-based solutions within all planning applications. A natural capital approach underpins the delivery of both biodiversity and environmental net gain. By creating bigger, better and more connected natural assets, we improve the resilience and flow of ecosystem services and the benefits society receives from them. Ecosystem services are functions and products that flow from natural assets and provide benefits to people. For example, ponds, reed beds and woodlands absorb carbon and help mitigate the effects of climate change by slowing floodwater and cooling the air.</p> <p>We welcome the reference of integrating green and blue infrastructure, including SuDS, to address climate impacts. Benefits from this infrastructure include reducing the need for both cooling and heating of buildings, and in turn associated GHG emissions. Tree planting, green walls and roofs should be encouraged. These provide multi-functional benefits including carbon sequestration, reducing exposure to poor air quality, wellbeing and biodiversity gains, flood resilience, and shading and cooling of buildings.</p> <p>The policy or text could reference the Local Nature Recovery Strategy as a key part of the evidence base, which can be used to inform opportunities, multiple</p>		

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							benefits and to tackle climate change e.g., through reduced flood risk, or carbon sequestration.		

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13.13			NE4	Unanswered	Unanswered	Unanswered	<p>With regard to Climate Change and the consideration of flood risk over the lifetime of developments, we have produced a local area climate change guide (copy attached) which sets out how we would expect climate change to be considered in applications. As such, it would be helpful to include reference to this within the policy wording. Other LPAs have found it useful to include the following table which summarises the climate change allowances for certain types of development: <i>refer to representation</i>.</p> <p>We welcome the reference to safe access and setting of appropriate finished floor levels, as well as the sections regarding water quality and groundwater quality. Our Area advice note details safe access requirements. Furthermore, we recommend that reference is made to The Environment Agency's Approach to Groundwater Protection (2018) – Position Statement G13 - Sustainable drainage systems:</p> <p>The Government's expectation is that sustainable drainage systems (SuDS) will be provided in new developments wherever this is appropriate. The Environment Agency supports this expectation. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should:</p> <ul style="list-style-type: none"> • be suitably designed. • meet Governments non-statutory technical standards for sustainable drainage systems – these standards should be used in conjunction with the National Planning Policy Framework (the Framework) and National Planning Practice Guidance (NPPG). <p>• use a SuDS management treatment train – that is, use drainage components in series to achieve a robust surface water management system that does not pose an unacceptable risk of pollution to groundwater.</p> <p>Where infiltration SuDS are proposed for anything other than clean roof drainage in a Source Protection Zone 1, a hydrogeological risk assessment should be undertaken, to ensure that the system does not pose an unacceptable risk to the source of supply. The design of infiltration SuDS schemes and of their treatment stages needs to be appropriate to the sensitivity of the location and subject to a relevant risk assessment, considering the types of pollutants likely</p>	<p>"For 'more vulnerable' development, where overnight accommodation is proposed, the FRA should demonstrate that the development has safe, pedestrian access above the 1% river flood level plus climate change. Pedestrian access should preferably remain flood free in a 1% river flood event plus climate change. However, in cases where this may not be achievable, the FRA may demonstrate that pedestrian access is acceptable based on an appropriate assessment of 'hazard risk' including water depth, velocity and distance to higher ground (above the 1% river flood level plus climate change). Reference should be made to DEFRA Hazard risk (FD2320) – 'Danger to People for Combinations of Depth & Velocity' (see Table 13.1 – DEFRA/EA Flood Risk Assessment Guidance for New Development FD2320, page 118)".</p> <p>In the Managing Flood Risk section of the policy, we also recommend reference is made to 'opportunities for flood risk reduction should be considered wherever possible, including the provision of additional flood storage capacity'. The sixth paragraph down in this section would be appropriate.</p> <p>Furthermore, you might wish to add wording to the policy – 'Contact the Environment Agency where a Flood Risk Assessment (FRA) is required, alongside consideration of their West Midlands area Flood Risk Assessment guidance.'</p> <p>In line with the Level 2 SFRA, we also recommend some wording is included regarding ordinary/unmodelled watercourses, such as – 'there are a number of small ordinary watercourses or rivers within the Borough which are not currently modelled but have the potential to cause fluvial flood risk. Modelling of these watercourses will be essential to inform the risk to any development proposals within the vicinity of unmodelled watercourses.'</p> <p>In the 'Flood risk management schemes (flood defences)' section, we recommend additional policy wording is included: 'in addition contributions should be sought to bring forwards new flood defence infrastructure, in line with the IDP and the Environment Agency's Programme of pipeline works where appropriate'.</p>	

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							to be discharged, design volumes and the dilution and attenuation properties of the aquifer. Unless the supporting risk assessments show that SuDS schemes in SPZ1 will not pose an unacceptable risk to the drinking water abstraction, the Environment Agency will object to the use of infiltration SuDS.		
13.14		BE1		Unanswered	Unanswered	Unanswered	Furthermore, we recommend developers of land affected by contamination should: <ul style="list-style-type: none"> Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed Refer to the contaminated land pages on gov.uk for more information We would also refer to our Area Contaminated Land Guidance note for LPAs (attached evidence to the representation). 	You may wish to include the following wording within the policy: When promoting land affected or potentially affected by contamination developers and site promoters are actively encouraged to engage with the Environment Agency as early as possible in the planning process to follow the risk management framework provided in Land Contamination Risk Management (LCRM) 2020, available on gov.uk.	

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13.15			BE2	Unanswered	Unanswered	Unanswered	<p>We encourage that all policies in the DPD review align with national net zero targets and mitigation policies. The UK has set out in law the target of achieving net zero by 2050. The Climate Change Act (2008) states that 'it is the duty of the Secretary of State to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline.' To achieve this, the annual rate of GHG emissions will need to be cut by over 260 million tonnes (Mt) CO2e (carbon dioxide equivalent) from 2019 levels to less than 90 Mt CO2e in 2050 (CCC, 2019a).</p> <p>There is a statutory duty on LPAs to include policies in their Local Plans designed to tackle climate change and its impacts. Section 19 of the Planning and Compulsory Purchase Act 2004 states that 'Local development plans must include policies designed to secure that the development of and use of land contribute to mitigation of and adaptation to climate change'. Revisions to the Framework in 2021 include a requirement to promote a sustainable pattern of development, by mitigating climate change and adapting to its effects (para 11a). The NPPF also states (para 134) that enhanced local policies and government guidance on design should be given 'significant weight'.</p> <p>The Environmental Assessment of Plans and Programmes Regulations 2004 creates a legal duty and requirement that a plan's cumulative climate impacts are assessed and taken into account. This includes assessing the consistency of proposed policies with all relevant climate objectives and targets.</p> <p>Overall, we welcome the inclusion of Policy BE2.</p>		

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13.16			BE3	Unanswered	Unanswered	Unanswered	<p>We note the policy wording includes for new residential development to be designed to achieve a maximum usage of 110 litres per person per day. There is still scope to go beyond this recommended water efficiency standard. The tighter water efficiency standards can be justified with reference to the following guidance documents:</p> <p>(https://www.gov.uk/guidance/housing-optional-technical-standards) and the Environment Agency publication - Water Stressed Areas final classification 2021</p> <p>'https://www.gov.uk/government/publications/water-stressed-areas-2021-classification. This identifies areas of serious water stress where household demand for water is (or is likely to be) a high proportion of the current effective rainfall available to meet that demand.</p> <p>We encourage you to also include policy requirements for grey water recycling and rainwater harvesting for new developments (designed at an appropriate scale). This would help create places resilient to climate change, contribute toward achieving net zero emissions and reduce the demand for water. Further information is available from Waterwise - RWH and GWR Myth Busting – Waterwise</p>		
13.17		Level 2 Strategic Flood Risk Assessment		Unanswered	Unanswered	Unanswered	<p>The Level 2 SFRA prepared by JBA (Final Report A1-C01, August 2023) indicated that despite most sites not being at significant risk from fluvial flooding, updated fluvial modelling showed sites GAL-7, SHA-1, SEA-2, SEA-4 and SHA3-4 have some fluvial flood risk. Where there is a risk of flooding from rivers, development can avoid those areas, as the proportion of land at risk of flooding from rivers is small. Where flood risk is identified for any proposal, the requirements of Borough Plan Policy NE4 – Managing Flood Risk and Water Quality – would need to be met.</p> <p>We note the updated climate change allowances have been referenced in paragraph 10.20 of the SFRA.</p> <p>We note the Sequential and Exception Test Report (2023) also forms part of the evidence base, the outcome of which is that the LPA are satisfied that the Sequential and Exceptions Tests can be passed for all of</p>		

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							the allocated (strategic and non-strategic) sites in the Publication Draft of the Borough Plan Review.		
13.18		Infrastructure Delivery Plan		Unanswered	Unanswered	Unanswered	<p>We note Section 7.3 of the IDP states: 'From consultation with STW representatives there are some capacity issues within the Borough, although it is understood that with appropriate mitigation these can be overcome. In relation to wastewater treatment, at this stage no issues have been identified relating to capacity. This will be kept under review and further engagement with Severn Trent and the Environment Agency will take place as required.'</p> <p>We also note a Joint Warwickshire Partnership Water Cycle Study (WCS) was prepared in 2017 by AECOM and we recommend that this is included within the evidence base for the DPD Review.</p> <p>Table 3-10 in the 2017 report shows a Wastewater treatment works summary for all of the wastewater treatment works in the area. For the those relevant to the proposed growth in the DPD, whilst there maybe inadequate headroom current to meet future demand from all planning growth up to 2031, the table suggests there are permit tightening solutions which means a permit update is possible to ensure no deterioration in status. We recommend where the ability for future infrastructure to meet growth aspirations is included in Section 7.0 of the IDP, with reference to the 2017 WCS.</p> <p>With reference to the Environment Agency's pipeline of potential plans and projects, there are two projects to note –</p> <ul style="list-style-type: none"> • Weddington, Nuneaton Flood Alleviation Scheme – this project in summary seeks to increase surface water sewer capacities and increase capacity of watercourse by regrading; and 		

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							<ul style="list-style-type: none"> Queens Road, Nuneaton – this comprises of potential flood defence works. <p>Section 10 of the IDP could be updated to reflect these pipeline projects. As above, developments should provide financial contributions to the delivery of these schemes where appropriate.</p>		
13.19							<p>Please refer to the email sent through, from the representative, containing the representation for supporting evidence/documents.</p>		
14	Warwickshire County Council	Borough Plan Review	General	Unanswered	Unanswered	Unanswered	<p>My colleague has made me aware that there are no pressing comments or concerns.</p> <p>On a positive note, we would like to thank you for working with Transport Planning who I understand have been heavily involved in transport requirements relating to active travel, public transport and highways. We believe the Strategic Transport assessment considers the necessary infrastructure requirements to support the plan making process.</p> <p>I can assure you that WCC remains committed to working with the Borough to support the delivery of the Local Plan.</p>		Unanswered

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15.1	Historic England	Borough Plan Review	General	Unanswered	Unanswered	Unanswered	<p>Firstly, HE welcomes that the Plan is accompanied by heritage evidence, namely the "Nuneaton and Bedworth Local Plan Review Heritage Site Assessments", June 2022, undertaken by Oxford Archaeology. This assesses the impact of development on the significance of designated and non-designated heritage assets and their settings. HE welcomes this approach and is pleased to see that the methodology used is in line with that set out in Historic England's Advice Note 3 The Historic Environment and Site Allocations in Local Plans, 2015 (HEAN3) and that the advice of Good Practice Advice Note 3 (Second Edition): The Setting of Heritage Assets (2017) (GPAN3) has been followed.</p> <p>In relation to our specific comments on the relevant proposed allocated sites we have set these out in our accompanying Appendix A and Appendix B to this letter - <i>please refer to this evidence separately</i>.</p> <p>With specific reference to non-designated heritage assets, these can make a positive contribution to the character of our settlements and enrich our sense of place. Our tabulated comments in the attached Appendices A and B, and your own assessments, highlight a number of non-designated heritage assets that may be affected by the proposed allocations. We recommend that the views of the Warwickshire County Archaeological service, or another specialist archaeological adviser, are sought on these allocations to confirm that the evidence base is sufficiently robust to ensure that any proposed allocation is deliverable in accordance with local and national planning policies. Your adviser will inform you on whether further assessment work is required through field assessment prior to allocation to ensure the extent, character and significance has been adequately understood to inform the allocation of a site.</p> <p>In particular we highlight the proposed Strategic allocations SHA-1, SHA-2, SHA-4, SHA-5, SHA-6, SEA-2, SEA-3, SEA-4, SEA-6 and CEM-1 as sites that would benefit from further discussion with your archaeological adviser, as well as many of the proposed 'Non-strategic Allocations for Housing Land'.</p>		Unanswered

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							In addition, we note that whilst the Heritage Site Assessments document sets out specific recommendations for minimising harm and maximising enhancement, in some cases these have not been carried through into the relevant policies or guidance contained within the Plan. Specific examples of where this is the case are highlighted within our Appendices A and B. Therefore, although we consider the Plan to demonstrate a positive approach to the historic environment overall, we also consider that there is scope to further improve certain policies/guidance on proposed allocations to ensure that heritage assets will be conserved in a manner appropriate to their significance, in line with NPPF guidance.		
15.2			Key issues facing the Borough	Unanswered	Unanswered	Unanswered	Under the 'Issues associated with the local environment' section on p.9 HE welcomes that heritage at risk is included here, noting that two listed buildings are on Historic England's Building's at Risk Register.		
15.3			Vision	Unanswered	Unanswered	Unanswered	HE welcomes that the conservation and enhancement of the historic environment is included within the vision set out for Nuneaton and Bedworth in this Regulation 19 Local Plan.		
15.4			Strategic Objectives	Unanswered	Unanswered	Unanswered	HE welcomes the inclusion of Objective 7 "To ensure that new development sustains and enhances the historic environment".		
15.5			DS1	Unanswered	Unanswered	Unanswered	HE welcomes the inclusion in the policy of the requirement for development to sustain and enhance the historic environment, whilst providing mitigation and enhancement.		
15.6			DS4	Unanswered	Unanswered	Unanswered	In terms of the proposed Strategic and Non-strategic Allocations for Housing Land, HE notes the accompanying 'Heritage Site Assessments" document, which has been prepared in line with our advice contained in HEAN 3 "The Historic Environment and Site Allocations in Local Plans", 2015. With regard to specific proposed allocations which have the potential to affect the historic environment please see the accompanying Appendix A for our detailed comments on the Strategic Allocations for Housing Land, and Appendix B for our detailed		

Representation Reference	Organisation	Document Name	Section	Legally Compliant?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
							comments on the Non-strategic Allocations for Housing Land.		
15.7		DS5		Unanswered	Unanswered	Unanswered	In terms of proposed Employment allocations, HE again notes the accompanying 'Heritage Site Assessments' document, which has been prepared in line with our advice contained in HEAN 3 "The Historic Environment and Site Allocations in Local Plans", 2015. With regard to specific proposed allocations which have the potential to affect the historic environment please see our accompanying Appendix A for our detailed comments on the Strategic Employment Allocations.		
15.8		TC2		Unanswered	Unanswered	Unanswered	HE supports the 'Development principles' set out within this policy but would stress that any regeneration proposals within Nuneaton and Bedworth town centres should be fully evidenced and take account of the desirability of sustaining and enhancing the significance of heritage assets. Therefore, HE supports the policy aspiration to deliver appropriate enhancements in the town centres which will complement existing historic assets and help define the town centres' sense of place. For our detailed comments on specific town centre allocations which have the potential to affect the historic environment please see our accompanying Appendix B.		
15.9		NE1		Unanswered	Unanswered	Unanswered	HE welcomes that cultural heritage has been acknowledged in principle as a key part of the green-blue infrastructure of the Nuneaton and Bedworth area. We are also pleased to see that the policy now explicitly recognises the value of the historic environment in contributing to the multi-functionality of green-blue infrastructure via cultural heritage, recreation and tourism through assets such as historic parks, gardens and canals, in line with our comments		

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							on the policy contained within the Preferred Options consultation plan.		
15.10			NE4	Unanswered	Unanswered	Unanswered	HE notes that the policy now acknowledges the risks to traditional buildings from flooding, in line with our comments on the policy contained within the Preferred Options consultation plan. We also note the changes to the policy in respect of the design of sustainable drainage systems and their impact on archaeology, following our comments on the policy contained within the Preferred Options consultation plan.		
15.11			NE5	Unanswered	Unanswered	Unanswered	HE welcomes the addition of the reference to the historic environment under 'Key characteristics and distinctiveness', in line with HE's comments on the Preferred Options consultation plan.		
15.12			BE2	Unanswered	Unanswered	Unanswered	HE welcomes that the reference to protecting heritage, as part of the balancing exercise the Council will undertake in relation to small-scale wind energy, has now been included within the policy itself, as per our comments on the Preferred Options consultation plan.		
15.13			BE3	Unanswered	Unanswered	Unanswered	HE welcomes the inclusion of a section within the policy on the value of heritage assets as an aid to achieving sustainable development, following our comments on the policy contained within the Preferred Options consultation plan.		

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15.14			BE4	Unanswered	Unanswered	Unanswered	<p>HE is pleased to see the inclusion of a specific policy on the historic environment encompassed within this Regulation 19 document and considers that overall the policy sets out a positive strategy for the conservation and enjoyment of the historic environment.</p> <p>We also welcome that amendments to the policy have been made following our comments on the policy contained within the Preferred Options consultation document such that the policy now refers much more explicitly to the setting of a heritage asset; both within the policy sub-titles and in the first line of section 2. Therefore, we consider that the policy wording is now better aligned to NPPF requirements and terminology, than the version of Policy BE4 proposed by the Preferred Options consultation document.</p> <p>As with the previous version of Policy BE4, HE welcomes the references to local heritage assets within the supporting policy text and also reference to those assets currently on HE's Heritage at Risk Register and is pleased to see that the Council's list of non-designated heritage assets is currently being reviewed.</p>		
15.15		Sustainability Appraisal		Unanswered	Unanswered	Unanswered	<p>HE notes the findings of section 10.11 of the SA Report in relation to SA Topic 10: Cultural Heritage. Whilst we agree that with a few exceptions, the majority of site allocations are not constrained by historic environment considerations, we strongly suggest that Heritage Impact Assessments are undertaken for all proposals that may have potential impacts on designated and non-designated heritage assets. Please see our detailed comments on proposed allocations contained our attached Appendices A and B.</p>		
15.16		Borough Plan Review - Appendix A	SHA1	Unanswered	Unanswered	Unanswered	<p>HE notes that whilst the HSA document has scored this site as Medium for heritage sensitivity, it has been assessed as High for archaeological potential.</p> <p>We also note that although some of the HSA recommendations are reflected in Policy SHA-1 no reference is made specifically to the requirement for further archaeological evaluation, which is recommended by the HSA. We therefore suggest that the views of the Warwickshire</p>		

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							County archaeological service are sought on this matter		
15.17		SHA2		Unanswered	Unanswered	Unanswered	<p>We note that the HSA document has given the site a Heritage Sensitivity Score of Medium. Given the findings of the 'Impact Assessment' we consider that this should be High.</p> <p>We welcome that the Key development principles of Policy SHA-2 include a requirement at clause 15 for an asset management plan for the Arbury Estate, which includes measures to be taken and commitments to the repair and maintenance of the Park Farmhouse, Tea House, Bath House and Arbury Mill. We also note the requirement for a landscape buffer on southern & western edge of site (clause 16) and that no access is to be taken from North Drive (clause 33).</p> <p>We also note that para 7.46 refers to a heritage partnership agreement as an alternative mechanism for securing the repair and maintenance of the LBs at risk, and the reference at clause 37 of the policy to the recent Arbury Design Code SPD, on which HE commented in March 2022.</p> <p>HE considers that whilst there may be opportunities for harm to be mitigated through the design of the development, landscaping and enhancements, this would require further assessment through a Heritage Impact Assessment, which should accompany any planning application.</p> <p>Historic England would be willing to work in partnership with the Council as it progresses any further masterplan for the site in order to minimise harm to the heritage assets nearby.</p> <p>HE also notes that the study area contains a range of</p>		

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							non-designated heritage assets, dating from the Palaeolithic to modern periods and that the HSA recommends that a programme of archaeological recording should be required to investigate the nature of and significance of any archaeological remains present. However, HE notes that these recommendations have not been carried through into the Key development principles of Policy SHA-2 and we therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.		
15.18		SHA3		Unanswered	Unanswered	Unanswered	HE welcomes the reference in Policy SHA-3 to locally listed heritage assets and the provisions of Clause 17 requiring that development should use the canal as the key reference and focal point to the design and should take the opportunity to improve the setting of the canal, which should include better public access and interpretation.		

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15.19			SHA4	Unanswered	Unanswered	Unanswered	<p>HE notes that whilst the HSA document has scored this site as Medium for heritage sensitivity, it has been assessed as High for archaeological potential.</p> <p>We also note that although some of the HSA recommendations are reflected in Policy SHA-4 no reference is made specifically to the requirement for further archaeological evaluation, which is recommended by the HSA. We therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.</p>		
15.20			SHA5	Unanswered	Unanswered	Unanswered	<p>HE notes that Policy SHA-5 does not make any specific reference to the requirement for further archaeological evaluation, which is recommended by the HSA. We therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.</p>		
15.21			SHA6	Unanswered	Unanswered	Unanswered	<p>HE notes that Policy SHA-6 does not make any specific reference to the requirement for further archaeological evaluation, which is recommended by the HSA. We therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.</p> <p>We also note that despite the recommendations of the HSA Policy SHA-6 does not mention setting of the canal and preserving/enhancing views to Grade II listed engine house. HE therefore suggests that these requirements are integrated into Policy SHA-6 to help preserve the industrial character of the Coventry Canal and its historic relationship with the engine house.</p>		

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15.22			SEA2	Unanswered	Unanswered	Unanswered	HE notes that although Clause 16 of Policy SEA-2 includes a provision to retain areas of ridge and furrow within open spaces, there is no requirement for a programme of archaeological recording within the policy, as recommended by the HSA. We therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.		
15.23			SEA3	Unanswered	Unanswered	Unanswered	HE notes that although Policy SEA-3 includes a clause requiring the retention/enhancement of landscaping screening to the northern boundary, it does not include a requirement for a programme of archaeological recording, as recommended by the HAS. We therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.		
15.24			SEA4	Unanswered	Unanswered	Unanswered	HE supports clause 17 of Policy SEA-4 and the objectives of para 7.120 to pursue, where possible, opportunities to improve the heritage features of the area and their link to the work of George Elliot. However, we note that the policy does not include a requirement for a programme of archaeological recording for the northern half of the site and given the findings of the HSA in this respect we suggest that the views of the Warwickshire County archaeological service are sought on this matter.		
15.25			SEA6	Unanswered	Unanswered	Unanswered	HE welcomes inclusion of clause 11 of Policy SEA-6 to provide an enhanced buffer in south-eastern corner to protect setting of Exhall Scheduled Monument & Listed Buildings and the requirement that the scale of development does not detract from the prominence and importance of the Listed Buildings. However, we note that the policy does not include a requirement for a programme of evaluative archaeological recording, as recommended by the HSA. We therefore suggest that the views of the		

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							Warwickshire County archaeological service are sought on this matter.		
15.26			CEM1	Unanswered	Unanswered	Unanswered	HE notes that Policy CEM-1 does not include a requirement for a programme of evaluative archaeological recording and given the findings of the HSA in this respect we suggest that the views of the Warwickshire County archaeological service are sought on this matter.		
15.27		Borough Plan Review - Appendix B	NSRA1	Unanswered	Unanswered	Unanswered	HE notes that the guidance for site NSRA1 does not make any specific reference to the requirement for further archaeological evaluation, which is recommended by the HSA. We therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.		
15.28			NSRA2	Unanswered	Unanswered	Unanswered	HE welcomes that the guidance for this site includes ensuring that development is sensitive to its location adjacent to the conservation area, that development reflects the characteristics of the surrounding townscape. However, we note that no reference is made specifically to the requirement for a further programme of archaeological evaluation, which is recommended by the HSA. We therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.		

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15.29			NSRA3	Unanswered	Unanswered	Unanswered	HE notes that the guidance for site NSRA3 does not make any specific reference to the requirement for further archaeological evaluation, which is recommended by the HSA. We therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.		
15.30			NSRA4	Unanswered	Unanswered	Unanswered	HE notes that despite the recommendations of the HSA, and our previous comments on this proposed allocation, no reference is made in the guidance for NSRA4 that development should respond to and enhance the special interests of the conservation area and the setting of the nearby listed buildings. We suggest that this is addressed and that a Heritage Impact Assessment be required prior to the granting of any planning permission for residential development. Furthermore, there is also no requirement for further archaeological evaluation in the guidance for site NSRA4, which is recommended by the HSA and we therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.		
15.31			NSRA5	Unanswered	Unanswered	Unanswered	HE notes that whilst the HSA document has scored this site as Low for heritage sensitivity, it has been assessed as Medium for archaeological potential. HE notes that the guidance for site NSRA5 does not make any specific reference to the requirement for further archaeological evaluation, which is recommended by the HSA. We therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.		
15.32			NSRA6	Unanswered	Unanswered	Unanswered	HE notes that despite the recommendations of the HSA, no reference is made in the guidance for NSRA6 to any requirement for further archaeological evaluation. We therefore suggest that		

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							the views of the Warwickshire County archaeological service are sought on this matter.		
15.33			NSRA7	Unanswered	Unanswered	Unanswered	HE notes that despite the recommendations of the HSA, and our previous comments on this proposed allocation, no reference is made in the guidance for NSRA7 to the proposed locally listed buildings, the impact on the setting of the Nuneaton Town Centre Conservation Area & on the setting of the nearby Grade II listed Ritz Cinema building. HE therefore suggests that the recommendations of the HSA be reviewed and incorporated into the guidance for NSRA7. We also consider that there is an opportunity through development to give a better sense of the historic form of Abbey Street and restoration of a continuous street frontage, as per the historic mapping.		
15.34			NSRA8	Unanswered	Unanswered	Unanswered	HE notes that despite the recommendations of the HSA, no reference is made in the guidance for NSRA8 to any requirement for archaeological evaluation. We therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.		
15.35			NSRA9	Unanswered	Unanswered	Unanswered	No comments.		
15.36			NSRA10	Unanswered	Unanswered	Unanswered	HE notes that despite the recommendations of the HSA, no reference is made in the guidance for NSRA10 to any requirement for archaeological evaluation that may be required. We therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.		

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15.37			NSRA11	Unanswered	Unanswered	Unanswered	HE notes that despite the recommendations of the HSA, and our previous comments on this proposed allocation, no reference is made in the guidance for NSRA11 that development should consider opportunities to enhance the setting of the nearby Grade II listed Ritz Cinema, including low rise development so as not to compete with the scale of the cinema. HE therefore suggests that the guidance for NSRA11 be reviewed and amended to include these requirements.		
15.38			NSRA12	Unanswered	Unanswered	Unanswered	HE notes that despite the recommendations of the HSA, no reference is made in the guidance for NSRA12 to any requirement for archaeological evaluation, or to the opportunity to maintain or improve access and public understanding of a rare historic landscape (nearby remnant of ancient woodland – Kings Wood). We therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.		
15.39			NSRA13	Unanswered	Unanswered	Unanswered	HE notes that despite the recommendations of the HSA, no reference is made in the guidance for NSRA13 to any requirement for further archaeological recording. We therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.		
15.40			NSRA14	Unanswered	Unanswered	Unanswered	HE notes that despite the recommendations of the HSA, and our previous comments on this proposed allocation, although the Nuneaton Town Centre Conservation Area is referenced in the guidance for NSRA14, no suggestion is made as to how the development should respond to and enhance the special interests of the conservation Area, and the setting of the nearby		

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							listed buildings, whilst also enhancing the significance and setting of the conservation area. The guidance also omits to mention any requirement for archaeological evaluation that may be required, and we therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.		
15.41		NSRA15		Unanswered	Unanswered	Unanswered	HE notes that despite the recommendations of the HSA, no reference is made in the guidance for NSRA15 to any requirement for archaeological evaluation. We therefore suggest that the views of the Warwickshire County archaeological service are sought on this matter.		
16.1	Home Builders Federation	Borough Plan Review	General	Unanswered	Unanswered	Unanswered	Unsound - Need to change the format of the Policies HBF comments begin with a general observation and concern that as currently written nearly all the policies in the plan will create problems for plan users when seeking to refer to them. Most of the policies are just written as paragraphs of text one after another with no paragraph numbering or lettering. This will make it very difficult for a developer, a planning officer, an elected member, or a member of the public to make specific reference to a particular part of the policy when preparing a planning application, writing a report, making a decision or making a representation on a planning application. The policies should be reformatted to improve the usability of the whole Plan, or the Plan will not be effective and therefore fail the tests of soundness.		Yes

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16.2			Duty to Cooperate	Unanswered	Unanswered	Unanswered	<p>It is unclear if the Duty to Cooperate has been met. HBF notes there is a significant interaction between housing issues in Nuneaton and Bedworth and the wider Coventry and Warwickshire Housing Market Area. This includes the relationship Coventry Council area with its closely bounded nature, and debates around the level of housing need and unmet in the City. HBF is aware of the challenges that Coventry have faced when seeking to calculate their housing need using the standard method, as the concerns about the 2014 population projection are longstanding. However, HBF have objected to the proposed approach that Coventry is now taking in relation to its housing need, in particular its failure to apply the urban uplift that is required by national policy. As such HBF are concerned that there remains an unmet need generated from within Coventry and that the neighbouring authorities should be looking to meet some of this need through their Local Plans.</p> <p>HBF have been unable to locate a current Duty to Cooperate Statement.</p> <p>In order to comply with the Duty to Cooperate, the Council needs to</p>		

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							<p>demonstrate that it has, and remains, in proactive engagement with Coventry City Council and the other neighbouring authorities around the issue of the housing, particularly the housing requirement. Information on this engagement should be publicly available. HBF suggest that in order to avoid any Duty to Cooperate issues emerging later in the plan-making and Examination process, the Council should include within the Plan what it would do if there is an unmet need for housing generated from Coventry, which HBF argues there still is. As such we would expect the issue of unmet need to re-emerge in relation to the Coventry Plan, especially in light of the consultation responses from house builders on this issue.</p> <p>To avoid potential future conflicts or delays to plan-making, HBF suggest the Nuneaton and Bedworth plan should address this matter explicitly. There are a number of different ways this could be done, for example increasing the housing number by a specific amount and making this clear this would only come forward additionally if and when an unmet need was identified, and quantified. Alternatively, and/or in addition, further allocations could be made that are specifically identified to be made available to meet Coventry's unmet need, if and when, an unmet need is identified and quantified.</p> <p>HBF feel these proactive approaches are better than simply including a policy requiring an urgent review of the plan if Coventry has an unmet need. Such a policy would do nothing to address the unmet need, which HBF believes exists now and is not being addressed. A proactive approach is needed for the plan to be sound. At the moment, HBF does not have enough information about the Duty to Cooperate between Nuneaton and Bedworth and Coventry, and the other neighbouring authorities within the HMA, to be sure that the Duty to</p>		

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							<p>Cooperate has been met. We hope this evidence will be forthcoming, and in light of the known issue around housing numbers and unmet need if Coventry, it is essential that does.</p> <p>If Coventry were to use the standard method to calculate its housing requirement there is a resulting unmet need. If, Coventry use the standard method approach, including the urban uplift, but do not rely on the 2014 figures that are in controversy, there would still be an unmet housing need, though it is likely to be for a smaller amount. It would therefore seem prudent for Nuneaton and Bedworth Plan to include what would happen in these circumstances. The Plan should allow for some of Coventry's unmet need to be addressed within Nuneaton and Bedworth and include policies in the Plan that would enable this.</p> <p>The HBF has been unable to locate a signed Statement of Common Ground between the Council and the neighbouring authorities particularly Coventry City Council. Such a statement will be essential as the Plan progresses.</p> <p>HBF notes the Council's stated intention to be proactive and pro-growth.</p> <p>However, the issue of potential unmet need requires clearly evidenced and ongoing cooperation. Ongoing work will still be needed as the Plan progresses.</p>		

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16.3			DS1	Unanswered	Unanswered	Unanswered	<p>Policy DS1 is not considered to be sound as it is not effective, justified or consistent with national policy.</p> <p>The wording and layout of the policy does not aid its clarity. The policy includes five different sections with different elements jumbled together. The result is a seemingly catch all policy which seems to cover everything but in fact actually adds nothing to the other policies in the Plan.</p> <p>All the matters swept up in the first three paragraphs of this overarching policy are already addressed elsewhere in the plan and addressed better in those places. As such the first three paragraphs should be deleted.</p> <p>If the matters covered in the first three paragraphs are to remain in this policy, which HBF suggests they should not, then there needs to be some kind of numbering/lettering to improve the usability of the policy. This comment applies to the majority of other policies in this plan. Currently HBF are unclear how a DM officer could or should refer to any particular issue covered by this sweeping broad and seemingly fairly random policy. As a minimum the policy needs to be reformatted to show different criteria, and each item/topic made into a specific point.</p> <p>The first three parts of the policy reads as an overarching policy that just outlines issues already dealt with by more specific policies in the plan. They seem to have been shoehorned into what could have been a sensible overarching policy that sets out the importance on the Local Plan for decision making purposes when considering planning applications. It is not clear from the policy wording what a developer would need to do to show compliance with this policy. As such the wording needs significantly amending, or preferably the first three paragraphs of the policy should be deleted entirely.</p> <p>An overarching policy on sustainable development</p>		

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							<p>could usefully set out that applications should accord with the policies in the plan (as it currently says in paragraph 4) and that where applications do not comply with the plan applications could be refused unless other material considerations indicate otherwise (as it says in paragraph 5). Combining this process type policy with matters around climate change and net zero confuses the purpose of the policy and undermines its usefulness making it confusing, repetitive and unhelpful, and unsound. The revised policy could also more usefully be called the presumption in favour of sustainable development. HBF suggest this policy should be refocused to provide this role.</p> <p>HBF comments in relation to water efficiency standards and net zero can be found in our response to Policy BE3 – Sustainable design and construction.</p> <p>HBF view this policy is the appropriate place to consider these particular topics, and request that these matters are removed from Policy DS1.</p> <p>However, for completeness HBF do not support the introduction of a requirement for a water efficient standard of 110 litres/person/day or the requirement to go faster than the Building Regulation Standards of 2025, whichever policy in the Plan seeks to require it.</p>					

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16.4			DS3	Unanswered	Unanswered	Unanswered	<p>Policy DS3 is not considered to be sound as it is not justified or consistent with national policy.</p> <p>The Plan seeks to provide for 9,810 homes over the plan period to 2039, equating to 545 dwellings per year. HBF strongly support the need for more housing in the Nuneaton and Bedworth Plan for a variety of reasons including addressing the current housing crisis, meeting housing need, providing affordable housing, supporting employment growth and allowing for some of the unmet needs of Coventry to be accommodated within the District.</p> <p>The Council's approach to calculating their housing requirement is set out in the paper 'Towards a Housing Requirement' prepared by their consultant's Iceni. This report notes, in para 6.1, that the 'Oct 2022 Coventry and Warwickshire HEDNA' suggests a figure of 409 dwellings per annum in the Nuneaton and Bedworth area. The report notes that this considerably less than the consideration 646 dwellings per annum that were required in the Nuneaton and Bedworth HEDNA prepared in May 2022, the same year.</p> <p>The report explains that difference is because the Coventry and Warwickshire HEDNA makes use of the 2021 Census data, which was not available at the time the Nuneaton and Bedworth HEDNA was prepared. Although this may be true, what the report fails to</p>		

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							reflect is that the Nuneaton and Bedworth 2022 HEDNA uses the standard method for calculating housing need, as required by the NPPF, whereas the Coventry and Warwickshire HEDNA seeks to depart from the standard method in two significant ways. Firstly, the Oct 2022 HEDNA use of 2021 trend data rather than the 2014 figures as the starting point for the calculations, which was supported by Iceni who also prepared both the Coventry HEDNA and the 'Towards a Housing Requirement' report. However, secondly in a move not supported by the consultants, Coventry Council is seeking to disapply the urban uplift required in the standard method for the largest 20 urban areas. The urban uplift is part of securing the delivery of the government's ambition for 300,000 dwellings per annum across the country. This approach raises problems for Nuneaton and Bedworth in responding to the unmet need of Coventry, which we will return to later. However, first we need to consider how the proposed number in this Plan, of 545 dwellings per annum for Nuneaton and Bedworth, has been reached. Any departure from the standard method can only be justified in exceptional circumstances. The Government has made it clear that it still supports the		

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							<p>national target of 300,000 new homes per year. The standard method housing requirement has always been the minimum starting point for setting the housing requirement, and HBF support more housing than the standard method housing requirement in order to support economic growth, provide a range and type of sites and to support small and medium house builders.</p> <p>Para 6.4 of the Iceni report explains that "the Planned Economic Growth Scenario" would require the delivery of around 545 dpa over the period modelled (2021-39) to support the Borough's economy and align planning for homes, jobs and infrastructure. This aligns closely to a sensitivity analysis run based on more recent demographic trends which identified indicatively a need for 549 dpa". Therefore, the Council's own consultants recommend a higher level of housing need (than in the Oct 22 HEDNA) to accommodate the economic growth aspirations of Nuneaton and Bedworth. HBF support this aspiration.</p> <p>Para 6.7 of the report explains that "the need for affordable housing is high relative to the overall housing need in Nuneaton & Bedworth at 407 dpa. The affordable housing need is a consideration in setting</p>		

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							<p>the housing target within the Nuneaton & Bedworth Local Plan Review and the high level of need for affordable housing adds further justification for setting a housing requirement above the need identified in the sub-regional HEDNA.” Again, HBF agree that the high level of affordable housing need within the Borough justifies additional housing over and above the locally assessed housing need level.</p> <p>In conclusion Iceni recommend the provision of a housing target of around 545 dpa as necessary to positively support economic growth, the sustainable regeneration of the Borough’s Town Centres, and the delivery of affordable housing. This is between 108 and 136 more dwellings per annum over and above the housing requirement identified in Oct 2022 sub-regional HEDNA, but still significantly less than the 646 dwellings per annum that were required in the Nuneaton and Bedworth May 2022 HEDNA. The 545 dwellings per annum is the figure that the Council have now chosen to include within the proposed plan.</p> <p>The HBF would support ambitious growth aspirations in Nuneaton and Bedworth and would highlight the interaction between employment and housing, which the Council has acknowledged. HBF</p>		

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							would support further recognition that an increased number of jobs in the Borough can in itself generate a requirement for additional housing. The HBF would also encourage the Council to also consider the role that housebuilding plays in the local economy, both when the houses are under construction and when the houses are occupied as people's homes. Therefore, HBF agree that there is a clearly evidenced reason to go beyond the Oct 2023 HEDNA figure, to support economic growth aspiration and no reason to plan for less than this number. HBF would also suggest that there are additional reasons that would support the local housing figure being even higher than this, notwithstanding Coventry's unmet need (which is addressed later). The plan-led system requires Council to proactively plan to meet the needs of their community. This means that there is a need to provide a range and choice of sites, a need for flexibility and viability considerations to be taken into account, and a need for the Council to consider whether higher levels of open-market housing are required in order to secure		

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							<p>the delivery of affordable housing and/or support economic growth.</p> <p>HBF suggest that each of these reasons on its own could justify an increase in the housing requirement for Nuneaton and Bedworth, and the Council should consider planning for an additional amount of housing to address each reason in turn. The result is likely to be a higher number than the 545 currently included in the Plan. This would be in addition to addressing Coventry's unmet needs.</p> <p>Addressing Coventry's unmet need</p> <p>HBF sympathise with the Council's challenge in preparing a Local Plan for its area against a change in approach from Coventry City Council and a long established and unresolved issue with the 2014 figures for Coventry which have a knock-on implication for the regional HMA calculations of which the needs of Coventry City, and any resulting unmet should form a component. HBF note that Coventry's current approach to calculating their housing numbers has the effect of seemingly shrinking housing requirement across the sub-regional HMA, to the point where any unmet need from Coventry disappears and neighbouring authorities therefore do not have the firm basis of an acknowledgement or quantification of any unmet need from Coventry's to plan for, despite the likelihood that</p>		

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							<p>such a need exists.</p> <p>The issue is further complicated by the Nuneaton and Bedworth Local Plan being at a much more advanced stage than the Coventry City Council Local Plan. However, HBF supports the importance of planning and the need for all Local Authorities to have and maintain an up-to-date local plan.</p> <p>The continued progression of the Nuneaton and Bedworth Local Plan, even in these circumstances is very important. Indeed, such circumstances are shared by other Local Planning Authorities progressing their Local Plans. For example, Charnwood Borough Council held the Examination into their Plan earlier this year, and although Leicester City is known to have an unmet need, but it is yet to be quantified and the distributed, this did not prevent Charnwood from proactively planning how they would make a contribution to meeting any unmet need from the City within their Plan. HBF is supportive of a finding a sensible and pragmatic way forward, to ensure the Plan is sound and meets the Duty to Cooperate requirements. HBF believes there is an unmet need of housing</p>		

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							generated from within the Coventry City Area that should be accommodated within the Nuneaton and Bedworth, and as such the Plan should include provision for meeting some of Coventry's unmet need. HBF have questioned Coventry Council's current approach which seeks to depart significantly from the Government's standard method. Although HBF are cognisant of the challenges and concerns around the 2014 figures for Coventry and recognise this may constitute the kind of exceptional circumstances envisaged in the NPPF, HBF does not believe there is a justification for any further departure from the approach required by the standard method and the resulting calculation. In our response to the Coventry Local Plan consultation HBF have recognised that there may be sufficient justification to warrant substitution of the 2014 figures for an alternative baseline figure, possibly informed by the census. Although, HBF are also aware of the challenges of seeking to rely on census data as an alternative, as this was undertaken during the pandemic when		

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							<p>many students were studying remotely. However, HBF do not support the other changes that Coventry Council are seeking to use in particular the non-inclusion of the urban uplift. HBF believe the non-inclusion of the urban uplift for Coventry is unjustified, contrary to national policy and unsound, but we recognise this matter may not be resolved before the submission of the Nuneaton and Bedworth Local Plan to the Inspector. HBF consider that the urban uplift for Coventry is an integral part of the standard method, addressing the national housing crisis and the need to focus development in the most sustainable and accessible locations- the existing major built up areas which already have good access to services and facilities and good transport links.</p> <p>The Government has made it clear that it still supports the national target of 300,000 new homes per year. The urban uplift is part of securing this delivery across the country. The standard method housing requirement has always been the minimum starting point for setting the housing requirement, and HBF support more housing than the standard method housing requirement in order to support economic growth, provide a range and type of sites and to support small and medium house builders. There is a need to provide a range and choice of sites, a need for flexibility and viability considerations to be taken into account and a need for the Council to consider whether higher levels of open-market housing are required in order to secure the delivery of affordable housing and/or support economic growth.</p> <p>HBF suggest that, in order to be found sound, the Nuneaton and Bedworth Plan needs to plan proactively for what it would do if and when an unmet need from Coventry is quantified.</p> <p>The Need for Small Sites</p> <p>The NPPF requires Local Plans to identify land to accommodate at least 10%</p>		

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							<p>of the housing requirement on sites no larger than one hectare, unless there are strong reasons why this cannot be achieved. The HBF has undertaken extensive consultation with its small developer members. One of the chief obstacles for small developers is that funding is extremely difficult to secure without a full, detailed, and implementable planning permission. Securing an implementable planning permission is extremely difficult if small sites are not allocated. Without implementable consents lenders are uneasy about making finance available or the repayment fees and interest rates they set will be very high. Small developers, consequently, need to invest a lot of money and time up-front in the risky business of trying to secure an allocation and a planning permission, and this is money that many small developers do not have.</p> <p>The HBF would wish to see the Plan's policies and evidence base to set out how the plan will deliver 10% of homes on sites of less than one hectare, as required by paragraph 69 of the NPPF. Indeed, the HBF would advocate that a higher percentage of small sites are allocated if possible. Such sites are important for encouraging the growth in SME housebuilders who will tend to develop these sites but rarely see the benefits that arise from the allocation of sites in a local plan. Up until the 1980s, small developers once accounted for the construction of half of all homes built in this country resulting in greater variety of product, more competition, and faster build-out rates. Since then, the number of small companies has fallen by 80%. Although HBF does not comment on specific sites and our responses are submitted without prejudice to any comments made by other parties, HBF acknowledges and welcomes the Council's inclusion of non-strategic sites for allocations within Strategic Policy DS4 – Residential allocations. However, of the fifteen smaller sites allocated for housing only nine are on</p>		

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							<p>sites of less than one hectare and this results in only 195 dwellings, considerably less than the 10% of allocations required in the NPPF. To address this issues the Council should allocate additional small sites, or demonstrate robustly why this is not possible. Although small sites may come forward as windfall, the small sites requirements should be met through allocations.</p> <p>The Need for Affordable Housing</p> <p>As mentioned above, HBF would suggest that the high level of affordable housing need within the Borough justifies additional housing over and above the locally assessed housing need level. With the current housing requirement of 545dpa set against an affordable housing need of 407 dpa and a policy looking to deliver 25% affordable housing on sites of 15 units or more, and slightly less on sites of 11+ units, more open market housing will be needed if the plan is to deliver anything near the level of affordable housing evidenced as being needed.</p> <p>Housing Supply, Windfalls and the Need for a Buffer</p> <p>The plan explains that this means that “supply is in excess of the minimum housing requirement of 9,810 homes within Strategic Policy DS3 – Overall Development Needs. This buffer provides flexibility in the housing supply across the plan period in the unforeseen event that some of the identified sites do not come forward as predicted”. The HBF recommends that the plan allocates more sites than required to meet the housing requirement as a buffer. Any buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites and to provide flexibility and choice within the market. Such an approach is consistent with the NPPF requirements for the plan to be positively prepared and flexible. HBF is therefore supportive of the housing allocations ensuring there is a housing supply buffer</p>		

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							<p>but would question if the buffer needs to be bigger, especially as HBF are of the view that the housing requirement itself should be increased.</p> <p>HBF would also question the amount of windfall allowance included in the Plan. NPPF (para 70) only permits an allowance for windfall sites if there is compelling evidence that such sites have consistently become available and will continue to be a reliable source of supply. The Council seeks to rely on the Small Site Windfall Housing Study (2022) but this simply adopts historic windfall trends as an indicator of likely future rates of windfall, and approach which HBF finds is unlikely to be robust, especially because small sites suitable for development should be being allocated in the Local Plan.</p> <p>HBF are of the view that any allowance for windfall should not be included until the fourth year of a housing trajectory, given the likelihood that dwellings being completed within the next three years will already be known about (as they are likely to need to have already received planning permission to be completed within that timeframe). They should therefore not form part of the housing supply until 2027 at the earliest, assuming the 2024 adoption date is realistic, which HBF would question.</p> <p>HBF suggest that windfalls should be considered as additional to the housing requirements may provide some additional housing numbers, as windfalls do not provide the same choice and flexibility in the market as additional allocations.</p> <p>HBF reiterate that although small sites may come forward as windfall, the small sites requirements should be met through allocations.</p> <p>The Need for a More Detailed Housing Trajectory</p> <p>The NPPF sets out that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period and if appropriate to set out the anticipated rate of</p>		

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							<p>development for specific sites (para 74). The Housing Trajectory in Appendix B is not very detailed. The housing trajectory only provides information collated into five categories of development namely: windfalls and prior approvals, strategic sites, non-strategic sites, prior notifications and outline permissions. This is insufficient detail to fulfil any monitoring function. In order to be sound and justified, a detailed housing trajectory including for specific sites should be inserted into Appendix B.</p> <p>HBF do not comment on individual sites proposed for allocation, but it is noted that the Council will need to provide a site-by-site analysis to check of the deliverability of individual site allocations. HBF note that the new site allocations will be tested in due course at the Local Plan Examination. It is critical that the Council's assumptions on lapse rates, non-implementation allowances, lead in times and delivery rates contained within its overall Housing Land Supply, 5 Year Housing Land Supply and housing trajectory are correct and realistic. These assumptions should be supported by parties responsible for delivery of housing and sense checked by the Council.</p> <p>In order for the plan to be sound, more detail is needed in Appendix 2 which sets out the Housing Trajectory. This should be broken down on a site-by-site basis.</p> <p>The Plan Period</p> <p>HBF note that the Plan Period runs to 2039. Para 22 of the NPPF requires that 'strategic policies should look ahead over a minimum 15-year period from adoption'. HBF question whether the plan period need extending. HBF question how realistic is it to have the plan submitted, examined (including a Main Modifications consultation) and adopted within</p>				

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							<p>the next 15 months.</p> <p>Extending the plan period by one or two years and rolling forward the housing requirement to these future years would seem a reasonable approach to address this issue.</p> <p>A Housing Figure for Nuneaton and Bedworth</p> <p>In conclusion, HBF suggest that Nuneaton and Bedworth should calculate its housing need using the standard method as required by the NPPF. It should then consider whether there is justification for increasing the minimum number provided by the standard method for reasons of supporting economic growth, addressing affordability issues and/or accommodating any unmet need from Coventry. Each of these issues should be considered on its own</p> <p>and additional housing added to the baseline figure to reach a final figure for the total housing requirement, remembering of course this is a minimum.</p> <p>HBF suggest the evidence already shows a need for the housing requirement to be higher than the housing need figure due to the Council's economic growth aspirations, as set out in the Iceni report. Additional housing is also required to help deliver much needed affordable housing (see affordable housing policy comment) and to provide for a range and choice of sites, and a buffer, as required in the NPPF. The Council needs to fully consider each of these factors both on their own, and in combination, to see if additional housing is required. This is the approach needed for the plan to be sound. HBF would then argue that even more housing is then needed to address the unmet needs of Coventry. However, HBF acknowledge that this matter is currently in dispute. Coventry City Council's current position, as of September 2023, seems to be that they simply do not wish to include the urban uplift in their calculation, and this means in their view there is no unmet need. HBF strongly disputes these assertions. We do not believe the proposed approach of Coventry is sound.</p> <p>Therefore, notwithstanding the current Regulation 18 consultation on the emerging Coventry Local Plan, HBF suggest it would be prudent for</p>		

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							<p>Nuneaton and Bedworth to plan for some additional housing to meet Coventry's unmet need, or at the very least for the Plan to acknowledge this is an outstanding issue and set out what would happen if and when an unmet need for Coventry is quantified. This would seem a necessary step for the Plan to take, in order for it to be found sound.</p> <p>HBF would therefore support a housing figure that is higher than 545 dwellings per annum in the Nuneaton and Bedworth Local Plan. Indeed, even if the Council was still seeking to rely on the May 2023 Nuneaton and Bedworth HEDNA figures of 646 homes per annum as their local housing need, there may still be a need for the housing requirement figure to be higher to address the issue outlined above.</p> <p>HBF are of the view that the housing number should be increased to support economic growth, provide a range and type of sites, support small and medium house builders, provide a range and choice of sites, provide for flexibility and viability considerations, to deliver more affordable housing and to address the uncertainties of windfall delivery. All of these issues need to be fully considered within the final housing requirement for Nuneaton and Bedford changes are needed for the Plan to be sound.</p>		

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16.5			DS6	Unanswered	Unanswered	Unanswered	<p>Policy DS6 is not considered to be sound as it is not justified or consistent with national policy.</p> <p>HBF suggest that there is need for a higher housing requirement in Nuneaton and Bedworth, for the reasons detailed in full in our response to Chapter 6. This need could trigger the exceptional circumstances necessary to justify a Green Belt review.</p> <p>HBF note that the New Green Belt Technical Report by Ove Arup of March 2023 sets out the Council's intention to de-allocate two strategic sites (Bedworth Woodlands HSG4 and East of Bulkington HSG7) which are currently allocated in the adopted Borough Plan, due to lack of delivery and potential viability issues relating to these sites.</p> <p>Although HBF do not comment on individual sites, it is noted that these additional sites are proposed to be allocated in the urban area to substitute these sites. It is important that enough housing is planned for and enough sites are allocated for housing in the plan.</p> <p>HBF hope that the Council fully understand the reasons for the non-delivery of the current allocations and have done everything they can to help bring forward the schemes for development. Large strategic sites can take a long</p>		
							<p>time to bring forward and often encounter complex and sometimes unexpected issues. The current economic climate and increasing requirements could also create viability challenges. Whilst not commenting on the appropriateness or not of deallocating these sites, HBF would support the conclusion that any deallocated site should not be allocated as new Green Belt but should remain as countryside.</p> <p>HBF would question whether a full Green Belt review is needed in order to allocate enough sites to meet the housing requirement, which HBF suggests need to be higher. This is another factor that should be considered when coming to a view on how Nuneaton and Bedworth could best manage the</p>		

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							<p>issue of unmet need from Coventry, when Coventry is seeking to artificially minimise their own need, and thus avoid any issues of unmet need that neighbouring authorities. Another proactive action that this Plan could take would be to recognise that it may need to address the Green Belt issue if and when Coventry declare an unmet housing need. It may therefore be sensible for the Plan to include additional wording about what would need to happen on order for the Plan to address some of Coventry's unmet need and be explicit that this may need to include a Green Belt review.</p> <p>As para 6.69 of the draft Plan says, Green Belt release was considered necessary to meet the overall housing and employment needs determined at the time that the Borough Plan was adopted in 2019. At that time, the objectively assessed need for the Borough was informed by demographic based need, supporting economic growth, improving affordability and accommodating overspill from Coventry's unmet need, and this justified Green Belt release. HBF suggest that these circumstances may well exist again once the appropriate housing figure for Coventry is agreed.</p> <p>Additional wording should be added to the end of policy DS6 that says in the event of there being an unmet housing need from Coventry then a Green Belt review may be needed as part of the solution to addressing this unmet housing need.</p> <p>The sections of the policy also need numbering to ensure the policy is useable.</p>		

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16.6			DS7	Unanswered	Unanswered	Unanswered	<p>Policy DS7 is not considered to be sound as it is not justified or consistent with national policy.</p> <p>The policy states that the Council will monitor the delivery of housing and publish progress against the Housing Trajectory shown in Appendix B. The Housing Trajectory in Appendix B does not provide sufficient detail to enable robust monitoring to be undertaken. Housing monitoring should be undertaken on a site-by-site basis. Therefore, in order to be sound and justified, a detailed housing trajectory including for specific sites should be inserted into Appendix B.</p> <p>This formatting is confusing and suggests greater weight is being given to the re-phasing of sites to assist viability and seeking to secure external funding, rather than the other two options of using CPO powers or releasing more sites.</p> <p>In reality, the suggestion to use CPO and seek to securing additional funding would take some time to implement and ultimately may not be successful.</p> <p>Although working with the developers of existing sites to help resolve site specific issues is important, granting planning permission for additional new homes is likely to be the most effective way to address any delivery of housing. It would be helpful for the Plan to be more explicit about this.</p> <p>As previously suggested the Council may also want to consider allocating additional, and/or reserve sites, in the Plan that could be realised if monitoring showed under delivery and/or there was an unmet housing need from Coventry that needed addressing. This would enable the under delivery to be addressed promptly, without the need for a full or partial review of the Plan.</p> <p>HBF suggest the policy should be reformatted so that the policy clearly sets out that if monitoring shows that the plan is not delivering housing as required the Council will grant permissions for additional housing, release reserve sites and undertake other actions to help bring schemes forward, in that order. It is important for any</p>		

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							under-delivery of housing to be addressed as soon as possible.		

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16.7			DS8	Unanswered	Unanswered	Unanswered	<p>Policy DS8 is not considered to be sound as it is not justified or effective consistent with national policy.</p> <p>At the very least, this policy needs reformatting so that 'updated evidence or changes to national policy suggest that the overall development strategy should be significantly changed' is also shown as a bullet point. Assuming that the intention of this policy is that each of the factors is of equal weight, and each would trigger an early review of the Plan. HBF suggest additional detail is needed within this policy because, at the moment, the triggers for the review are too vague to be effective. What evidence of housing need or employment need would be reviewed and when? If this the authority monitoring report, it should say so, if it is failure to meet the Housing Delivery Test, this should be set out. If it is monitoring against the Housing Trajectory in Appendix B, this needs to say that, although HBF have commented elsewhere on the shortfalls currently suffered by Appendix B. Similarly, the Plan should set out how much change would be enough to trigger the review 5% fall, a 10% reduction, or is a fall of 50 % against the 545 dpa requirements (or whatever the housing requirement ends up being) needed for action to be taken. There is also a need to set out the time period for the monitoring, will this be looked at annually, as an average of over three years, only when a new HEDNA is commissioned? Further clarity is needed within the policy.</p> <p>In addition to the need for the policy to be more specific about the triggers that would lead to an early review of the Plan, it should also include a timeframe for the actions that would occur once each of the possible triggers has been reached. This is particularly important because the policy is setting out the factors that would lead to an urgent review, in advance of the</p>		

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							<p>timeframe(s) required in national guidance. Therefore, the policy should include the timescales for undertaking any, and all, of the actions required by this policy. For example, the wording could say something like... if annual monitoring shows annual completions of dwellings delivery less than 80% of the housing target (less than 436 if the annual requirement is 545) then the Council will immediately begin work on a new Plan with the consultation on Reg 18 within 12 months and consultation of Reg 19 within 20 months and submission for examination within 24 months. Without a clear timeframe for undertaking the action to requirement to review the policy would do little to address the under delivery of housing or economic development, that the requirement for an early review is seeking to urgently address. Similarly, clarity should be provided for the other two bullet points. HBF suggest specific reference should also be made within this policy to the potential for Coventry City to declare an unmet need that requires Nuneaton and Bedworth to contribute meeting that need. Although HBF does not believe a policy merely requiring review of this new Plan if Coventry has an unmet need in the future would represent the proactive and pro-growth aspirations of the Plan. HBF support the inclusion of additional and/or reserve sites as a way to be more proactive in addressing this issue. This would also mean that any unmet housing need could be addressed more quickly than if a full or partial review of the Plan is needed first.</p>		

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16.8			SA1	Unanswered	Unanswered	Unanswered	<p>Policy SA1 is not considered to be sound as it is not consistent with national policy. The wording of Strategic Allocations SHA1, SHA2 and SHA5 is not consistent with national policy.</p> <p>Policy SA1, is the first of many policies within the Plan that seeks to introduce a requirement for 95% of residential development to meet M4(2) and 5% to meet M4(3) of Building Regulations. HBF do not support this requirement, and in particular do not believe it needs referring to in five separate policies, this one, and policies H1, H2, H5 and BE3. If reference were needed this seems excessive and potentially confusing. However, HBF does not support the policy requirement in the first place.</p> <p>HFB detailed comments about this issue can be found in the Housing Policies Section and are so not repeated in detail here. HBF are of the view that this matter should be left to Building Regulations, however if a policy were to be needed, the wording needs to differentiate between Part a) and part b) of M4(3) technical standards. Any such requirements would also need to be fully considered from a viability perspective.</p> <p>The policy also states that "residential development must meet... the Nationally Described Space Standards... Building for a Healthy Life and the Future Homes and Building Standards". HBF comments on these issues can be found in our response to Policies H4, which specifically covers NDSS, BE3 – Sustainable design and construction which has requirements for meeting Building for a Healthy Life and going above and beyond building Regulations. A policy requirement also set out in Policy H1 – Range and mix of housing, Policy H2 – Affordable housing and Policy H5 – Accessible and adaptable homes.</p> <p>HBF question the need for these issues to be repeated here within Policy SA1, when they have already been addressed elsewhere within the plan, and the plan should be read as a whole. Criteria 1 of the policy is also seeking to give Local Plan policy status to SPD in the following policies which is not appropriate and contrary to national guidance.</p>		

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							HBF do not comment on specific sites, however again the Council is seeking to give Local Plan policy status to SPD in the following policies which is contrary to national guidance. For these reasons the following policies are unsound: SA1, SHA1, SHA2, SHA5. Planning policy must be made through the Local Plan process. This is subject to mandatory requirements for public consultation and independent scrutiny through the Examination process. Seeking to give Local Plan status to the existing SPDs is not appropriate. If the Council wish to provide additional advice on the interpretation of this policy, this should be done through a Supplementary Planning Document, which is prepared and consulted on after the Local Plan policy has been adopted. It cannot be done through trying to give Local Plan policies status to an existing SPD, especially as the existing SPD hangs from the adopted policies in the Local Plan, which will be replaced when this new Local Plan is adopted. Supplementary Planning Documents, should be just that, supplementary to the Local Plan.		

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16.9			H1	Unanswered	Unanswered	Unanswered	<p>Policy H1 is not considered to be sound as it is not justified or effective or in compliance with national policy.</p> <p>This suggests that all homes for older people and other specialised housing will be required to comply with M4(3) standards, but M4(3) is a standard has two parts. Any policy wording needs to differentiate between Part a) and part b) of M4(3) technical standards. M4(3)a sets out standards for wheelchair adaptable housing, where M4(3)b relates to wheelchair accessible housing which can only be required on affordable housing where the Council has nomination rights.</p> <p>Both M4(3)a and M4(3)b impact on viability, with M4(3)b being considerably more expensive. However, Paragraph 17 of the Viability Assessment to support the Borough Plan Review, Final Report, Aug 2023 prepared by DixonSearle says:</p> <p>The one area that the BPR exceeds national policy expectations on – as affects viability - is the provision of a targeted 5% new dwellings to meet Building Regulations Part M4(3). This exceeds the</p>		

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							<p>requirement for all new dwellings to meet M4(2) standards. A cost assumption has been made for both elements.</p> <p>Paragraph 24 of the same report says:</p> <p>Although there are now additional policy costs to reflect, and assumptions have been made accordingly, only the 5% dwellings to M4(3) enhanced accessibility standards exceeds the updated national requirements. In all other respects as regards assessing viability in plan making, the Council's BPR approach is consistent (i.e does not exceed) the wider expectations.</p> <p>Page 40 of the report continues:</p> <p>Accessible homes (Former draft Policy BE3 – 'Sustainable Design & Construction'; SA1 – 'Development principles on strategic sites'. Now H5 – Accessible and Adaptable Homes). Requirement for all dwellings on major developments to meet the requirement for the optional higher Building Regulations of M4(2) with 5% required to meet the more onerous M4(3) standard.</p>		

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							<p>The assumed cost of achieving the M4(3)(b) and M4(2) standards are set out in Appendix I (Table 1c) - based on details set out within the Government's consultation on raising the accessibility standards of new home.</p> <p>The Whole Plan Viability Appraisal therefore does not accurately reflect the policy wording of H1 which requires all housing for older people to meet Part M(4)3. This document should be an essential part of the evidence base, as the Council must be able to demonstrate that the policy requirements being sought are viable and deliverable, and the issue of viability has been properly considered.</p> <p>The Whole Plan Viability Assessment should be used to test different amount of affordable housing and other policy requirement to arrive at a level that is viable. Without this information and analysis being robust and credible, the plan is unsound as it has not been shown to be deliverable or effective. Therefore, HBF would question the soundness of a Plan that seeks to rely on a viability assessment that has not included a key part of the policy ask- namely that all older peoples housing and all specialist housing schemes should meet Part 4(3) of the buildings regulations, not the five per cent of schemes over 10 units that Appendix 1 of the Viability indicates has been applied.</p> <p>The PPG sets out some of the circumstances where it would be unreasonable to require M4(2) and M4(3) compliant dwellings. Such factors include flooding, typography and other circumstances. HBF suggest that flexibility is needed in the application of these standards to reflect site specific characteristics, and the policy wording should reflect this. HBF do not believe this policy is sound without this flexibility, as it fails to comply with national policy and is not effective or justified.</p>		

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							<p>It is also not appropriate for the Council to seek to give Local Plan policy status to the emerging Warwickshire County Council Technical guidance for Specialised Supported housing and Housing with Care developments firstly it still an emerging policy document. And secondly, planning policy should be made through the Local Plan process and be subject to mandatory requirements for public consultation and independent scrutiny through the Examination process.</p> <p>The reference to this emerging strategy should therefore be removed, or if retained moved from within the policy wording to become a reference in the supporting text. If the Council wish to provide additional advice on the interpretation of this policy, this should be done through a Supplementary Planning Document, which is prepared and consulted on after the Local Plan policy has been adopted. Again, the sections of this policy also need numbering to ensure the policy is useable.</p> <p>In relation to Homes for Older People and Specialist Housing, HBF is supportive of measures to increase the supply of specialist older people's housing and supports the view of the Retirement Housing Group (RHG) that the planning system can do more to reflect the aging population, including allocating sites for this use. A recent RHG report may provide a useful point of reference for the Council https://retirementhousinggroup.com/how-better-use-of-the-planning-system-can-increase-provision-of-specialist-housing-for-older-people/</p>		

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16.10			H2 / Viability Assessment	Unanswered	Unanswered	Unanswered	<p>Policy H2 is not considered to be sound as it is not justified or effective or in compliance with national policy.</p> <p>The differentiation between the affordable housing requirements in this way is confusing and illogical. The requirement for 2 units on schemes of 11-14 will have a very different impact on a scheme of 11 flats to a scheme and 14 houses, however under the proposed policy both schemes would be required to provide two units. Even assuming that the type of housing on a smaller scheme is the same, requiring two units on a scheme of 11 houses represents a requirement for 18% affordable housing whereas on requiring two units on a scheme of 14 units represents 14% affordable housing. Whilst HBF recognise and welcome that a lower affordable housing target is being sought on smaller sites, framing the policy in this way creates a range of affordable housing requirements of 14-18% on these sites, which is contrary to PPG (Reference ID: 10-001-20190509).</p> <p>Paragraph 8.24 of the Reg 19 Local Plan suggest the reason the Council is seeking two units on sites of 11-</p>		

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							14 is due to rounding. This is not appropriate as it means that these smaller developments are being asked to provide more affordable housing units due to rounding. It is more usual for any contributions for affordable housing that results in a fraction of a unit for that fraction to be provided as a developer contribution. HBF request the Council adopt this approach. HBF are also of the view that finding a Registered Provider partner to take on the management of just two units of affordable housing it likely to be incredibly difficult and present management challenges, especially during a period of time when many RPs are scaling back their development aspirations to focus on improving the quality of their existing stock. An in-lieu cash payment would seem more appropriate in these circumstances. HBF note that the proportion of affordable housing section of this policy also makes reference to 'a contribution of two affordable housing units will be required, irrespective of any demolitions. This is inappropriate, unjustified and contrary to national policy, as affordable housing calculations should be based on net new units. It should also be noted that any demolition would also have cost which can impact on viability of the scheme. The wording 'irrespective of'		

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							<p>demolitions' should be deleted from the policy.</p> <p>The Plan makes reference in paragraph 8.23 to work undertaken by DixonSearle Partnership that showed an affordable housing target of 35% was viable. However, HBF have some concerns about the Whole Plan Viability Assessment. We do not believe that it fully considers all the issues that can impact viability, and some of the assumptions and values used are incorrect.</p> <p>Changes on Whole Plan Viability Assessment</p> <p>HBF information suggests that complying with the current new part L is costing £3500 per plot. The Future Homes Standard Part L in 2025 is anticipated to cost up to £7500+ per plot. There will also be the addition of the Building Safety Levy that is coming in pay for cladding. This will be a per plot basis around the UK, and initial values are around £1500- £2500 per plot. Other factors that need to be taken into account include increasing costs of materials and labour due to inflation and the fact that the cost of living crisis has also impacted the housing market making borrowing more expensive for potential future purchasers. HBF suggest</p>		

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							<p>these changes may not be limited to only the “short term” as suggested by the whole plan viability assessment, as these factors are likely to also have mid to longer term impacts. The costs of mandatory BNG are still emerging as the off-site market is yet to be established. Although the initial price of statutory credits is now known this national fallback option has been deliberately highly priced to discourage their use. Whilst this intention is understandable, at present the lack of functioning local markets for off-site credits causes viability problems because HBF members experience to date suggests that any scheme that needed to rely on statutory credits would become unviable.</p> <p>HBF also suggest the allowance of £15.5 per metre squared for Housing Standards M4(2) Accessible and adaptable dwellings compliance, and Housing Standards - M4(3) Wheelchair user dwellings compliance is too low. Again, a distinction needs to be made between M4(3)a wheelchair adaptable housing and M4(3)b wheelchair accessible housing. The whole plan viability assessment should have been explicit in whether it was applying M4(3)a or M4(3)b but as the</p>		

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							<p>latter can only be sought on affordable housing where the Council has nominations, it is assumed the study means the former when referring to M4(3) standards. Whole Plan viability testing is an important part of the plan-making process. However, as noted in PPG (ID: 10-003-20180724) assessing the viability of plans does not require individual testing of every site or assurance that individual sites are viable, and therefore flexibility in the amount of affordable housing sought may be needed to deal with site specific issues.</p> <p>At a very basic level viability can be improved by reducing costs or increasing values. Sometimes, therefore changing the type of affordable housing provided can help to improve viability of a specific site, and the plan should recognise this. In this situation there may be a "deviation" from the detail of the policy- in this example a change of the percentages of different types of affordable housing provided, but the headline figure of how much affordable housing is provided would remain the same. This is another reason why flexibility within the Affordable Housing policy is needed.</p> <p>Changes need to the Affordable Housing Policy The affordable housing part of this policy therefore needs significant</p>		

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							<p>amendments for it to be sound:</p> <ul style="list-style-type: none"> • Firstly, HBF would question if 25% affordable housing is deliverable. • Secondly, the wording 'irrespective of demolitions' needs deleting. • Thirdly, the approach to sites of 11-14 dwellings need revisiting. At present HBF is unable to locate the viability evidence in support of this policy, and even if this were available the wording of the policy is confusing and therefore ineffective. HBF suggest if the evidence justifies an affordable housing contribution on site of 11-14 units this should be expressed as a %, not a specific number of units. • Fourthly, the policy needs to be amended to include reference to off-site contributions, and the supporting text expanded to include how these would be calculated, and • Fifthly, this part of the policy should be amended to include the opportunity for flexibility where there are site specific viability issues. • And finally, the policy needs reformatting with numbers adding to aid usability. 		
							<p>In addition to the problems of a lack of numbering/referencing within the policy HBF would question the logic and formatting of this policy as well.</p> <p>It does not follow a logical flow, if the next section was about on-site provision, this rearrangement of the different section could go some way to address the confusion of this policy wording.</p> <p>The next section of the policy is however called Tenure Mix and First Homes, HBF suggests there is merit in splitting and reordering this section of the policy, which is currently confusing and as such ineffective. In order to ensure the usability of the plan and aid understanding we would suggest the different elements of this part of the</p>		

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							<p>policy should be taken in the following order (refer to representation).</p> <p>As currently wording is not sufficiently clear to a developer how much affordable housing of what kind and type will be sought on a proposed development, and as such the section of the affordable housing policy is unsound.</p> <p>HBF have already set out the reasons we do not support the policy distinction between a 25% affordable housing target on sites of 15 or more and the requirement for 2 units to be provided on sites of 11 to 14 dwellings.</p> <p>Therefore, in HBF's view the requirement for one unit of social or affordable rented housing and one First Home to be provided on sites of 11-14 dwellings is not justified, effective or necessary. As such this element in this part of the policy should be deleted and replaced with wording that reflects the revisions HBF is suggesting to the affordable housing section earlier in this policy.</p> <p>The next section of the policy relates to Design standards introducing specific design standards for Affordable Housing. HBF question whether this is necessary at all, and if it is necessary whether this is the right place for this policy wording to be. In HBF's view, if there is a need for any policy on this issue within the Local Plan, which HBF questions, then it would make more sense for this to be an element of a design policy. However, given the general expectation that affordable housing should be indistinguishable from market housing, the need for a specific policy on design of affordable housing seems redundant.</p> <p>However, this part of the policy is not in fact about design, rather it is another place in the Plan that seeks to require housing to above Building Regulation Standards. The Design standards section of this policy is seeking to require all affordable housing to meet M4(2) of Building Regulations and 5 % to meet</p>		

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							<p>M(4)3.</p> <p>In any respect, the requirements to meet Part M4(2) will be superseded by changes to residential Building Regulations. The Government response to 'Raising accessibility standards for new homes' states that the Government proposes to mandate the current M4(2) requirement in Building Regulations as a minimum for all new homes, with M4(1) applying in exceptional circumstances. This will be subject to a further consultation on the technical details and will be implemented in due course through the Building Regulations. The requirement to address this issue is planning policy is therefore unnecessary, and this requirement should be revoked.</p> <p>As already mentioned above there is a differential within M4(3) of the Building Regulations which must be recognised and reflected in the policy.</p> <p>M43a sets out standards for wheelchair adaptable housing, where M43b relates to wheelchair accessible housing which can only be required on affordable housing where the Council has nomination rights. There are cost implications for providing housing that meets M4(3)a standards, and the costs for meeting M4(3)b can be very significant. The whole plan viability assessment will therefore need to consider the implications of this policy requirements on the viability of the policies in the plan. Without this being clearly shown the plan is unsound as it is not justified and ineffective.</p> <p>Although HBF acknowledge that this M4(3) policy is the one that has been captured in the Whole Plan Viability Assessment, as mentioned above we would question if the allowances made in the viability assessment for the costs of meeting these standards used are robust. In addition, seeking to go further and faster the Building Regulations creates added and unnecessary complexity for house builders who are focusing their</p>				

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							<p>efforts on achieving the national standards. A patchwork of different local standards undermines this work.</p> <p>The next section of this policy is called Exceptions but it covers two different types of exceptions First Homes exception sites, guided by national policy in the NPPF, and rural exception sites which require a Local Plan policy. HBF suggest this distinction should be reflected in the heading used within this policy, to ensure it is effective. The supporting text is split in this way, but the policy is not.</p> <p>The Affordable Housing SPD section of this policy yet again seeks to give Local Plan status to the existing Affordable housing SPD. This is not appropriate. Planning policy must be made through the Local Plan process.</p> <p>This is subject to mandatory requirements for public consultation and independent scrutiny through the Examination process. If the Council wish to provide additional advice on the interpretation of this policy, this should be done through a Supplementary Planning Document, which is prepared and consulted on after the Local Plan policy has been adopted. It cannot be done through trying to give Local Plan policies status to an existing SPD, especially as the existing SPD hangs from the adopted policies in the Local Plan, which will be replaced when this new Local Plan is adopted.</p>				

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16.11			H4	Unanswered	Unanswered	Unanswered	<p>Policy H4 is not considered to be sound as it is not justified or effective or consistent with national policy.</p> <p>HBF does not support the introduction of the optional Nationally Described Space Standard though policies in individual Local Plans.</p> <p>The Council will need robust justifiable evidence to introduce the NDSS, based on the criteria set out above. The HBF considers that if the Government had expected all properties to be built to NDSS that they would have made these standards mandatory not optional.</p> <p>HBF also remind the Council that there is a direct relationship between unit size, cost per square metre (sqm), selling price per sqm and affordability. The Council's policy approach should recognise that customers have different budgets and aspirations. An inflexible policy approach to NDSS for all new dwellings will impact on affordability and effect customer choice. Well-designed dwellings below NDSS can provide a good, functional home. Smaller dwellings play a valuable role in meeting specific needs for both open market and affordable home ownership housing.</p> <p>An inflexible policy approach imposing NDSS on all</p>		

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							<p>housing removes the most affordable homes and denies lower income households from being able to afford homeownership. The introduction of the NDSS for all dwellings may mean customers purchasing larger homes in floorspace but with bedrooms less suited to their housing needs with the unintended consequences of potentially increasing overcrowding and reducing the quality of their living environment. The Council should focus on good design and usable space to ensure that dwellings are fit for purpose rather than focusing on NDSS.</p> <p>If the proposed requirement for NDSS is carried forward, then the Council should put forward proposals for transitional arrangements. The land deals underpinning residential sites may have been secured prior to any proposed introduction of the NDSS. These sites should be allowed to move through the planning system before any proposed policy requirements are enforced. The NDSS should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.</p> <p>Yet again the Council is seeking to give Local Plan status to the existing SPD, this time the Sustainable Design and Construction SPD, which is not appropriate. Planning policy must be made through the Local Plan process. This is subject to mandatory requirements for public consultation and independent scrutiny through the Examination process.</p> <p>If the Council wish to provide additional advice on the interpretation of this policy, this should be done through a Supplementary Planning Document, which is prepared and consulted on after the Local Plan policy has been adopted. It cannot be done through trying to give Local Plan policies status to an existing SPD, especially as the existing SPD hangs from the adopted policies in the Local Plan, which will be replaced when this new Local Plan is adopted.</p> <p>The reference to the SPD must therefore be removed from the policy.</p>		

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							If the Council wish to prepare an SPD on this subject, this could be referenced in the supporting text. In conclusion HBF are of the view that this policy needs significant changes to each of its individual sections, and the section themselves need reordering and numbering to ensure the usability of the plan and aid understanding. Currently it is not easy for a developer to use this policy to establish what affordable housing is required in Nuneaton and Bedworth. As such the policy is unsound.		

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16.12			H5	Unanswered	Unanswered	Unanswered	<p>Policy H5 is not considered to be sound as it is not justified or effective or in compliance with national policy.</p> <p>HBF's substantial comments in relation to any requirement for planning policy to require development to address M4(2) and M4(3) of Building Regulations, can be found in our response to Policy H1 and H2 and are therefore not repeated here.</p> <p>The Design standards section of Policy H2- Affordable Housing Policy, also policy requires all affordable housing to meet M4(2) of Building Regulations and 5 % to meet M(4)3. This is a repetition of the requirements in policy H5 policy which applies to all new major residential development.</p> <p>These standards, if needed at all, does not need to be in both places.</p> <p>Policy H1 also requires that all older people's housing and all specialised housing schemes, whether major development or not, must meet M(4)3 Building Regulations. So the Building Regulations are reference differently in three different policies, with the result being confusing, contradictory and unhelpful policy. If any reference at all is needed to Building Regulations, which HBF believe it is not, this should be confined to a single mention in a single policy with a distinction made between H4(3)a and M4(3) requirement. H2 has been superseded by events and does not need referencing at all. There is no need for planning policy to seek to secure something that is already delivered through the Building Regulations process.</p> <p>It is interesting to note that policy H5 does make the distinction between adaptable dwellings, M4(3)a and wheelchair accessible housing M4(3)b but does not refer to the specific subsection of the Building Regulation which is needed for this policy to be accurate and correct. In</p>		

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							<p>contrast of course Policy H1- range and mix of housing, and H2- Affordable Housing, does not make the differentiation at all. HBF would question the justification for half of adaptable units to be provided as affordable housing and half the units to be market housing and half as market housing, such a policy seems unduly restrictive and may limit the opportunity of the Council to negotiate around any site specific factors, or even individuals circumstances of those individuals with specific needs that are at the top of the housing waiting lists and whose need are much more difficult to meet in the second hand housing market. HBF suggests flexibility is needed and therefore the explicit split between open market and affordable units should be removed.</p> <p>M4(3)a and M4(3) b dwellings in this policy are referred to as if they are interchangeable from a viability perspective. This is simply incorrect.</p> <p>There is a considerable differential in the costs of providing to M4(3)a and M4(3)b, the latter being significantly more expensive. The plan also seems to be making a correlation between M4(3)a and M4(3)b housing and meeting the needs of an ageing population, an assumption that HBF would challenge. Open market housing can be sold to any buyer and so there may be no correlation between the provision of an open market M4(3)a unit and the needs of the end purchaser.</p>		

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16.13			HS1	Unanswered	Unanswered	Unanswered	<p>Policy HS1 is not considered to be sound as it is not justified or effective or consistent with national policy.</p> <p>Once again this policy need numbering to improve its usability. In this policy the Council also makes reference to Supplementary Planning Documents within the Policy wording, which is not appropriate. Although in this case it is not clear form the wording whether these are existing SPDs, or new ones that will be prepared. Either way policy cannot give Local Plan status to SPDs. Planning policy must be made through the Local Plan process. This is subject to mandatory requirements for public consultation and independent scrutiny through the Examination process.</p> <p>If the Council wish to provide additional advice on the interpretation of this infrastructure policy, this can be done through a Supplementary Planning Document(s), that are prepared and consulted on after the Local Plan policy has been adopted. It cannot be done through trying to give Local Plan policies status to an existing SPD(s), especially as the existing SPD hangs from the adopted policies in the Local Plan, which will be replaced when this new Local Plan is adopted.</p> <p>The reference to the SPD must be removed from both the first and sixth section and the policy. If the Council wish to prepare an SPD for this subject, this could be referenced in the supporting text. Criteria 7 references the National Design Guide, National Model Design Code and Warwickshire Design Guide. Although HBF support the National Design Guide, National Model Design Code reference of them does not need to be repeated.</p>		

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16.14			HS5	Unanswered	Unanswered	Unanswered	<p>Policy HS5 is not considered to be sound as it is not justified or effective or consistent with national policy.</p> <p>Once again, the wording of the policy seeks to give Local Plan status to the existing SPD, this time the Health Impact Assessment SPD. Again, this is not appropriate.</p> <p>Planning policy must be made through the Local Plan process. This is subject to mandatory requirements for public consultation and independent scrutiny through the Examination process.</p> <p>The policy requires major development to undertake a Health Impact Screening Report or a Health Impact Assessment, where there will be likely significant impacts. However only the term Health Impact Assessment is defined in the glossary to the Local Plan. Both terms should be explained so the difference between them can be understood. HIA should also be added to the list of acronyms on the final page of the Plan.</p> <p>HBF would suggest the difference between HIA and an HIA screening should also be explained in the supporting text to the Plan, in order for the policy to be effective and justified and positively prepared.</p> <p>If the Council wish to provide additional advice on the interpretation of this policy, this should be done through a Supplementary Planning Document, which is prepared and consulted on after the Local Plan policy has been adopted. It cannot be done through trying to give Local Plan policies status to an existing SPD, especially as the existing SPD hangs from the adopted policies in the Local Plan, which will be replaced when this new Local Plan is adopted.</p> <p>The reference to the SPD must be removed from policy. If the Council wish to prepare an SPD for this subject, this could be referenced in the supporting text.</p>		

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16.15		HS6		Unanswered	Unanswered	Unanswered	<p>Policy HS6 is not considered to be sound as it is not justified or effective.</p> <p>Section 106 contributions can only be sought to ensure a development mitigates its own impact. They cannot be required to address existing shortfalls. It will therefore be essential for the Council to have robust and up-to-date evidence around play space provision, open space provision and playing pitches and calculate any developer contributions arising at the time a planning application is made.</p> <p>The policy wording should therefore be amended to include wording that explicitly states an assessment of provision will be undertaken at the time of an application to ensure any requests for s106 contributions remain evidenced and justified.</p>		

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16.16			NE1	Unanswered	Unanswered	Unanswered	<p>Policy NE1 is not considered to be sound as it is not justified or effective or consistent with national policy.</p> <p>Yet again, the wording of the policy seeks to give Local Plan status to the existing SPD. On this occasion the Open Space and Green Infrastructure. This is not appropriate.</p> <p>The policy wording is also seeking to give Local Plan policy status to the “emerging studies”. Again, this is also not appropriate. Planning policy must be made through the Local Plan process and be subject to the mandatory requirements for public consultation and independent scrutiny through the Examination process.</p> <p>The fifth and final section of wording in this policy seeks to require developments which have a watercourse classified as a main river within their boundary to be set back a minimum of 8m from the top of the bank or landward toe of any flood defence. An 8m easement is also required on smaller watercourses, and the policy notes greater widths are appropriate where forming green infrastructure, open space or ecological corridors such as 50m buffers for ancient woodland, 30m buffers around all semi-natural woodland and broad-leaved plantation woodland and 5m buffers either side of intact hedgerows. Whilst the wording of the policy is clear and unambiguous neither the policy or the supporting text sets out where the numbers used to reach these easements have come from. This element of the policy therefore requires justification to be sound.</p>		

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16.17			NE2	Unanswered	Unanswered	Unanswered	<p>Policy NE2 is not considered to be sound as it is not justified or effective.</p> <p>HBF note that by using a numbered list, the formatting and layout of this policy is much more useable and effective. We would request that in order for the plan to be effective and sound all policies should be set out in a similar way. However, the inclusion of what seems like a statement, rather a policy on climate change after the policy is confusing.</p> <p>It is unclear how a developer could show compliance with the climate change sentence section of the policy. It therefore either needed deleting, or if the intention of this sentence is to explain the potential role of open space in providing flood storage to address climate, the two sentences that are below the numbered list should be rolled together.</p> <p>This would make sense if that was the Council's intention of this part of the policy.</p>		

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16.18			NE3	Unanswered	Unanswered	Unanswered	<p>Policy NE3 is not considered to be sound as it is not justified or effective or consistent with national policy.</p> <p>The wording of the Biodiversity offsetting part of the policy is not consistent with national policy, not effective and not justified, and will need significant amendments to be sound.</p> <p>This proposed policy wording does not reflect the Environment Act which required 10% Biodiversity Net Gain, or the emerging policy, guidance and Best Practice on how Mandatory Biodiversity Net Gain will be implemented in practice.</p> <p>The proposed policy wording needs to reflect to the current position as set out above. As such there needs to be a variety of further amendments to the policy wording for it to be accurate and up to date. Significant changes are needed.</p> <p>Firstly, biodiversity offsetting is not the right heading for this section as offsetting is but one of the ways that biodiversity net gain can be delivered.</p> <p>This section of the policy should therefore be titled Biodiversity Net Gain.</p>		

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							<p>Secondly, the Environment Act is clear that BNG requirements can be met on-site, off-site or as a last resort through statutory credits (see https://www.gov.uk/guidance/understanding-biodiversity-net-gain). Whilst on-site provision should be explored first there may be many reasons, including for example design and practicality, why on-site BNG is not deliverable and/or not the preferred approach of the applicant and/or the Council and/or the community and/or statutory consultees</p> <p>Factors that may need to be considered in reaching a view that off-site BNG may be acceptable, could include for example, whether the site is suitable for the type of BNG to be provided, what the priorities of the Local Nature Recovery Strategy are and/or the opportunity to coordinate contributions from a range of sites to provide for large landscape scale BNG schemes. The metric already compensates for off-site BNG provided when this is provided further away from the site, including outside of the LPA area.</p> <p>The Local Plan policy therefore cannot seek to limit BNG provision to within the Borough. To seek to do so is in direct conflict with</p>		

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							<p>national policy.</p> <p>Thirdly, the policy requirement that developers must use Warwickshire County Council's biodiversity offsetting metrics and only that metric, is unreasonable, not justified and contrary to national policy and guidance at this point in time (Oct 2023).</p> <p>Currently, Natural England encourage developers to use their Biodiversity Metric version 4.0. to calculate biodiversity net gain. See https://naturalengland.blog.gov.uk/2023/03/28/measuring-biodiversity-net-gain-publication-of-biodiversity-metric-4-0/. Once mandatory Biodiversity Net Gain comes in in Jan 2024, the legislation requires that the statutory metric should be used. HBF understand from Natural England statutory metric will not be Metric 4.0 but a slightly updated version that will include a section on how to calculate statutory credits. The requirement for mandatory BNG for small sites has been put back to March 2024 and small sites will be able to use the small site metric.</p> <p>Once mandatory net gain come in, the policy requirements as drafted in this policy, will have been superseded by events as the statutory metric will have to be used. Either way the policy should remove the requirement for</p>		

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							<p>developers to use the Warwickshire County Council metric as this is unjustified, contrary to national policy, and therefore unsound.</p> <p>Fourthly, the policy begins with the sentence that says 'Biodiversity net gain offsetting will be required as a last resort once all available options in the mitigation hierarchy have been explored'. However, no mention is made of mitigation hierarchy is and how this relates to BNG. Indeed, the two issues appear to have been conflated together within the policy which is unhelpful and confusing.</p> <p>If the Council wish to refer to the mitigation hierarchy within this policy, then the policy should start with a section on the mitigation hierarchy which sets out the principles of the mitigation hierarchy and that as a point of principle the loss of any biodiversity should be avoided in the first instance wherever possible. Only then should you move down the mitigation hierarchy to the minimise, restore and then offset phases. Paragraph 12.34 of the Local Plan references the mitigation hierarchy, but again this is under a Biodiversity offsetting heading. It would be better to split the two issues of mitigation hierarchy (avoid, minimise, restore, offset) and BNG (on-site, off-site, then statutory credits) out in the text as well.</p>				
							<p>The requirement for mandatory 10% BNG as required in the Environment Act is a related but slightly different issue to the mitigation hierarchy. Even where a development created no loss at all of any biodiversity the aim mandatory BNG is that sites have more biodiversity after development than before. So, even a site that avoided all BNG loss would need to demonstrate how it provides 10% more BNG after it has been developed than was there before.</p>				

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							<p>Fifthly, the policy should include a separate section on mandatory biodiversity net gain. This should explain the national requirement for 10% mandatory BNG and the need to assess this against the baseline using the relevant Metric. The policy could usefully say on-site biodiversity should be fully explored before moving to consider off-site units or statutory credits.</p> <p>The bullet point list in the biodiversity offsetting section does not comply with the BNG national guidance and policy and as such must be removed for the policy to be sound.</p> <p>If the Council wants to explain how it would like to see BNG off-site delivery prioritised, this could be included within the supporting text, as strategic importance of a BNG asset is a factor considered in the metric.</p> <p>However, this list cannot be part of a policy. HBF agree that it would be useful for the Council to set out how it's approach to BNG links into the wider Local Nature Recovery Strategy, especially as Warwickshire has been a leader in this area of policy development and implementation.</p> <p>Sixthly, the current Natural England BNG 4.0 Metric considers not only the type of the biodiversity asset, but also its condition and rarity. The metric requires any lost biodiversity to be replaced with either a like-for-like asset(s) or one of a better quality. It is not possible to 'trade down'. The metric also incentivises the implementation of BNG closest to the site, through the multipliers applied to off-site provision and the deliberately high cost of statutory credits. The statutory credits system is deliberately set up to be more expensive than providing on-site BNG or</p>		

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							<p>delivering BNG units off-site.</p> <p>A policy that seeks to restrict BNG replacement habitat to be provided only within the Borough is ineffective unjustified and contrary to national policy.</p> <p>The BNG policy in the Nuneaton and Bedworth Local Plan should clearly set out the range of ways BNG can be delivered.</p> <p>Seventh, the BNG national policy and guidance require the BNG to be secured for 30 years. There is no mention of this in the policy and there should be. This is an important factor for developers to consider when making planning applications and has viability implications.</p> <p>Eighth, it should be noted that BNG within the policy and/or text that BNG can be delivered via either a Section 106 agreement or through a Conservation Covenant. Although best practice on conservation covenants is still emerging recent guidance on how to apply to be a Responsible Body, sets out who can become a Responsible Body, an option not limited to just Local Authorities (see https://www.gov.uk/government/publications/conservation-covenants-apply-to-become-a-responsible-body).</p> <p>It is therefore possible that a developer could deliver their BNG requirements through BNG off-site unit payments to a Responsible Body who is not the LPA. The policy should therefore seek to secure BNG for the period of 30 years without specifying how this will be achieved.</p> <p>The policy also refers to LBAP without expanding on what LBAP stands for. HBF suggest the policy should say Local Biodiversity Action Plans and should include LBAP as an acronym on the list of acronyms (starting on Page 269) and include a definition in the Glossary (page 261). In light of the intention for Local Nature Recovery Strategies to have a role in helping to prioritise off-site</p>				

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							BNG, these should be referred to in the Plan, and ideally the supporting text to the BNG policy should set out how the Council intends to manage the interaction between LNRS and the planning system, particularly through the implementation of BNG. The final paragraph of the policy should be updated to reflect the current national policy advice and guidance. There are significant additional costs associated with mandatory biodiversity net gain, which should be fully accounted for in the Council's viability assessment. It is important that BNG does not prevent, delay or reduce housing delivery.		
16.19			BE2	Unanswered	Unanswered	Unanswered	Policy BE2 is not considered to be sound as it is not justified or effective or consistent with national policy. The policy seeks to ensure that developments connect to any existing community/district heating schemes where appropriate. HBF does not support any policy that would require new development to connect to existing district heating or cooling networks or provide new networks. Heat networks are one aspect of the path towards decarbonising heat, however currently the predominant technology for district-sized communal heating networks is gas combined heat and power (CHP) plants. Over 90% of district networks are gas fired. As 2050 approaches, meeting the Government's climate target of reducing greenhouse gas emissions to net zero will require a transition from gas-fired networks to renewable or low carbon alternatives such as large heat pumps, hydrogen or waste-heat recovery, but at the moment one of the major reasons why heat network projects do not install such technologies is because of the up-front capital cost. The Councils should be aware that for the foreseeable future it will remain uneconomic for most heat networks to install low-carbon technologies. Furthermore, some heat network consumers do not have comparable		

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							<p>levels of satisfaction as consumers on gas and electricity networks, and they pay a higher price. Currently, there are no sector specific protections for heat network consumers, unlike for people on other utilities such as gas, electricity or water. A consumer living in a building serviced by a heat network does not have the same opportunities to switch supplier as they would for most gas and electricity supplies. All heat network domestic consumers should have ready access to information about their heat network, a good quality of service, fair and transparently priced heating and a redress option should things go wrong. Research by the Competition and Markets Authority (CMA) found that a significant proportion of suppliers and managing agents do not provide pre-transaction documents, or what is provided contains limited information, particularly on the on-going costs of heat networks and poor transparency regarding heating bills, including their calculation, limits consumers' ability to challenge their heat suppliers reinforcing a perception that prices are unjustified. The monopolistic nature of heat networks means that future price regulation is required to protect domestic consumers.</p> <p>The CMA have concluded that "a statutory framework should be set up that underpins the regulation of all heat networks." They recommended that "the regulatory framework should be designed to ensure that all heat network customers are adequately protected. At a minimum, they should be given a comparable level of protection to gas and electricity in the regulated energy sector." The Government's latest consultation on heating networks proposes a regulatory framework that would give Ofgem oversight and enforcement powers across quality of service, provision of information and pricing arrangements for all domestic heat network consumers. The Plan should therefore not include a policy requiring</p>		

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							connections to heating networks.		
16.20		BE3 - Criteria 1		Unanswered	Unanswered	Unanswered	<p>Policy BE2 is not considered to be sound as it is not justified or effective or consistent with national policy.</p> <p>HBF note again that by using a numbered list, the formatting and layout of this policy is much more useable and effective. We would request that in order for the plan to be effective and sound all policies should be set out in a similar way. However, the interspersion of section headings within the numbering undermines the clarity of the layout beyond the first list number 1-9. HBF suggest further thought should be given to the numbering of additional sections as the current form and layout is confusing.</p> <p>Once again, the Council is seeking to give Local Plan status to the existing Sustainable Design and construction SPD. This is not appropriate.</p> <p>Planning policy must be made through the Local Plan process. This is subject to mandatory requirements for public consultation and independent scrutiny through the Examination process.</p> <p>If the Council wish to provide additional advice on the interpretation of this policy, this should be done through a Supplementary Planning Document, which is prepared and consulted on after the Local Plan policy has been adopted. It cannot be done through trying to give Local Plan policies status to an existing SPD, especially</p>		

Representation Reference	Organisation	Document Name	Section	Legally Compliant?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
							<p>as the existing SPD hangs from the adopted policies in the Local Plan, which will be replaced when this new Local Plan is adopted.</p> <p>The reference to the SPD must be removed from policy. If the Council wish to prepare an SPD for this subject, this could be referenced in the supporting text.</p> <p>As paragraph 13.28 of the Plan says "NPPF 110 specifically refers to the requirement for development proposals to reflect Borough Plan Review - Publication Draft Plan 196 current national guidance which includes the ten characteristics of the National Design Guide and National Model Design Codes". HBF would question therefore why this national guidance need to be repeated in the Local Plan.</p>		
16.21			BE3 - Criteria 3	Unanswered	Unanswered	Unanswered	<p>Criteria 3 seeks to introduce water efficiency standards calculator, not exceeding 110 litres/person/day (or any future reduction stated within an updated version of the Building Regulations 2010). Building Regulations require all new dwellings to achieve a mandatory level of water efficiency of 125 litres per day per person, which is a higher standard than that achieved by much of the existing housing stock. This mandatory standard represents an effective demand management measure. The Optional Technical Housing Standard is 110 litres per day per person.</p>		

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16.22			BE3 - Criteria 4	Unanswered	Unanswered	Unanswered	<p>Criteria 3 seeks to require Development to adhere to the Future Homes and Buildings Standard, prior to its introduction in 2025. This is unreasonable and unjustified.</p> <p>It is the Government's intention to set standards for energy efficiency through the Building Regulations. The key to success is standardisation and avoidance of individual Council's specifying their own policy approach to energy efficiency, which undermines economies of scale for product manufacturers, suppliers and developers. The Council does not need to set local energy efficiency standards to achieve the shared net zero goal because of the higher levels of energy efficiency standards for new homes set out in the 2021 Part L Interim Uplift and proposals for the 2025 Future Homes Standard.</p> <p>HBF does not consider that the Council has provided the justification for why Nuneaton and Bedford require a policy above the requirements set out nationally in the building regulations requirements. Therefore, this part of the policy is not justified, unsound and should be deleted. Indeed there is a wider question of whether planning policy should be getting involved in matter that are properly being addressed through the Building Regulations system at all.</p> <p>HBF is concerned that the Council setting their own standards over and above those set nationally may lead to issues for home builders as this adds to the cost and complexity of development. The impact of this requirement along with others in this Plan may have considerable viability implication and may lead to the non-delivery homes. The HBF recommends that the policy requirement to go further and faster than the 2025 implementation date should be deleted.</p>		

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16.23			Residential section	Unanswered	Unanswered	Unanswered	<p>This section of the policy is yet again referring to 95% of development meeting M4(2) and 5% meeting M4(3). This issue has already been addressed several times in the Housing Policies. HBF's substantial comments in relation to any requirement for planning policy to require development to address M4(2) and M4(3) of Building Regulations, can be found in our response to Policy H1 and H2 and H5 and are therefore not repeated here.</p> <p>This part of the policy is yet another repetition of the requirements set out in the Housing Policies. HBF does not support these requirement whichever policy or policies they are included within. The requirements to meet Part M4(2) will be superseded by changes to residential Building Regulations. The Government response to 'Raising accessibility standards for new homes' states that the Government proposes to mandate the current M4(2) requirement in Building Regulations as a minimum for all new homes, with M4(1) applying in exceptional circumstances. This will be subject to a further consultation on the technical details and will be implemented in due course through the Building Regulations. The requirement to address this issue in planning policy is therefore unnecessary.</p>		

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16.24			BE3 - Criteria 17	Unanswered	Unanswered	Unanswered	<p>Although HBF is also supportive of the use of 'Building for a Healthy Life' as best practice guidance, its use should remain voluntary rather than becoming a mandatory policy requirement.</p> <p>The policy requires that all major development must meet all 12 considerations of the Building for a Healthy Life standard. HBF is supportive of use of Building for a Healthy Life toolkit but note that it is not really a 'standard' to be achieved, but rather a toolkit for considering design and thinking about the qualities of successful places. Is it unclear how a developer they could show that they had met the standard, or what mitigation measures would be needed to offset this if meeting the standard was not possible.</p> <p>The Local Plan needs to be clear about what 'meeting the standard' would entail, and what information would be needed to show that a development would achieve it. It would be helpful for the supporting text to include reference to the latest version of Building for a Healthy Life</p> <p>https://www.udg.org.uk/publications/othermanuals/building-healthy-life and its companion technical guide</p> <p>https://www.gov.uk/government/publications/streets-for-a-healthy-life</p> <p>The Council should signpost such guidance in its supporting text rather than in policy wording.</p> <p>HBF's views on NDSS are set out in our response to Policy Policies H4, which specifically covers NDSS. The Council would need robust justifiable evidence to introduce the NDSS. HBF considers that if the Government had expected all properties to be built to NDSS that they would have made these standards mandatory not optional.</p>		

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16.25			Omission - Lack of Monitoring Framework	Unanswered	Unanswered	Unanswered	The Plan is not considered sound as is not effective without a Monitoring Framework. The Plan should include a Monitoring Framework which sets out the targets for housing (and other matters) that will be monitored and the triggers for action being taken, and what that action will be.		
16.26			Appendix 2: Housing Trajectory	Unanswered	Unanswered	Unanswered	The Housing Trajectory is not considered to be sound as it is not justified or effective or in compliance with national policy. The HBF Housing Trajectory need to be expanded to provide a site by site breakdown .		
17	Coventry and Warwickshire Chamber of Commerce	Borough Plan Review	DS3 - paras 6.30-6.47	Unanswered	No	Unanswered	<p>It is the contention of the Coventry and Warwickshire Chamber of Commerce ("the Chamber") that the proposed level of provision of employment land in the plan is inadequate to meet the needs of the Borough. This will mean that the stated economic objectives and Vision and Strategic Objectives will fail. For this reason the Chamber argues that the draft Plan strategy relative to economic growth is unsound. It will frustrate the expansion of businesses currently located in the Borough and provide limited opportunity and choice to potential inward investors seeking to locate to the Borough.</p> <p>The low level of overall employment growth proposed with no new major employment allocations proposed, means that at current completion and take up rates of land and premises the majority of the current land supply will be taken up well before the end of the designated plan period to 2039.</p> <p>the ICENI Report places too much emphasis on a projection methodology and insufficient account is placed on examining the considerable body of evidence available from a range of market sources, market trends and likely future changes in the characteristics of a range of employment.</p> <p>Government Guidance on establishing appropriate levels of employment land requires a "balanced approach "using a combination of projection techniques but also looking at the wide range of</p>	<p>In the context of employment land supply the central modification required is for a range of new further employment land allocations to be made. These allocations will need to provide for a broad spectrum of land types and sizes in order to meet the range of requirements evidenced by current market demand and activity. They will need to address strategic and local needs.</p> <p>It is important that the additional sites are spread across the whole plan period .In this context, phasing of the release of employment land allocations may be appropriate. This general action will ensure that the plans stated, "key objectives "are met.</p> <p>The Chamber does not consider that at the moment it is able to put forward an appropriate figure for the quantum of new employment land required to meet the identified shortfall in the current provision. In part ,the figure will be impacted by sub –regional considerations and will depend on the outcome of the West Midlands Strategic Sites Study. From this work there should be an agreed level and distribution of the new employment sites required to meet this critical element of employment land supply.</p>	Yes

Representation Reference	Organisation	Document Name	Section	Legally Compliant?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?		
							<p>market signals and market intelligence'. The HEDNA and related work do not match the current market characteristics and demand evidence.</p> <p>The "Coventry and Warwickshire Sub-Regional Market Signals Study" 2018 represents up to date evidence relating to the operation, and characteristics. There is no evidence that this work has been used to inform any of the approach used to derive or inform the employment land supply or related proposals in this draft document.</p> <p>The Borough Council's approach to land supply results in reliance largely on existing commitments. It concludes, that the Borough has significant surplus of employment supply (19.2 ha) when set alongside Iceni's' assessment. The Chamber is concerned that this does not reflect the views, experiences and feedback of members.</p> <p>The recent performance associated with those sites that were released from the Green Belt and allocated in the current adopted Local Plan (2019) illustrates current market conditions and the relatively rapid take up such as Faultlands Farm. Planning applications are also being progressed on other large allocated key sites in the adopted plan. These trends evidence the strength of market demand across the Borough.</p> <p>The draft Local Plans proposals do not consider gaps or current supply deficiencies in employment provision in the Borough. Market Signals report there are both affordability issues and sectoral shortages for particular types of accommodation and commercial premises. These are not addressed in the draft plan, which is reliant on the HEDNA. Once again therefore the Chamber believes that market evidence has been set aside in favour of avoiding the allocation of new employment land to meet current and likely future deficiencies in land supply.</p> <p>There is a current West Midlands Strategic Sites Study ongoing likely to need "strategic" employment land provision. It is not clear when the results of this work will be available. It notes that the Council has attempted to identify an "interim figure". However, it is difficult to judge the results of the study. And which will have an impact across the C&W sub region and the interim figure could have a distorting impact. It seems</p>				

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							<p>appropriate to rely on the future liaison and joint working embodied in the Duty to Cooperate activities with the other local authorities in the region.</p> <p>In conclusion, the Chamber believes the proposals in the draft Local Plan will have a range of negative impacts on local business and frustrate opportunities to attract new investors into the Borough. These proposals will result in</p> <ul style="list-style-type: none"> - a more limited range of employment premises, reducing market choice and market activity in all business sectors, - fail to address existing gaps and deficiencies in provision, - limit the ability to attract new inward investment and divert pressure to other sub regional areas. 		

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18.1	Woodlands Trust	Borough Plan Review	General	Unanswered	Unanswered	Unanswered	<p>The Woodland Trust is the UK's leading woodland conservation charity. Trees and forests are crucial to life. They stabilise the soil, generate oxygen, store carbon, play host to a spectacular variety of wildlife, and provide us with raw materials and shelter. Offer, inspire imagination, creativity and culture, and refresh our souls. Wish to work with NBBC in developing policies beneficial to trees and woodland. Would like to work Local Authority to enable better protection to woodland, particularly irreplaceable habitats such as ancient woodland and ancient and veteran trees, and to plant trees. Only five per cent, of NBBC has tree cover compared to 13 per cent for the UK and an average of 38 per cent across the EU. Therefore, woodland creation should be a major priority for the LP.</p> <p>Key is right tree for the right place whilst there is a role for non-native trees they should be minimised both to prevent the introduction of pests and diseases. Trees can fight climate and nature crises. Therefore should go further than look at biodiversity Net Gain (BNG) and grasp opportunities Local Nature Recovery Strategies (LNRSes) . There should be a robust commitment to protection for individual ancient and veteran trees where identified. Specifically, LP should expand on these environmental principles in the following ways.</p> <p>1. Protection of valued habitats must be at the heart of the LP. In particular, irreplaceable habitats, including</p>		Unanswered

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							<p>ancient and veteran trees .The LP should:</p> <ul style="list-style-type: none"> • Give weight to the relevant LNRS, and ensure development is not allocated in close proximity to ancient woodland. • Encourage veteran trees to be recorded on the Ancient Tree Inventory, and consider Tree Preservation Orders and encourage buffer zones to exceed minimum distances stipulated in planning advice. • Adopt Bristol Tree Replacement Standard re felling and tree replacement. <p>2. The LP must go beyond minimum requirements for BNG and be an example of best practice.</p> <ul style="list-style-type: none"> • The LP should require development projects to deliver 20 per cent BNG. • Consideration should be given to the quantum of investment to meet these targets. • BNG units should be maintained for minimum of 50 years, not 30 set out in the Environment Act. ▪ Particularly important for woodland creation, as takes decades for new woods to reach maturity and full ecological potential. ▪ BNG should deliver rich mix of habitats including native woodland, ▪ Habitat creation funded through other mechanisms <p>3. The LP should give strong weight to LNRSes for development site allocation at a local level.</p> <ul style="list-style-type: none"> • Essential to embed avoidance of impacts to existing sensitive natural assets, vital that development is allocated to protect important sites for nature, maintains ecological integrity and maximises potential enhancements from land in recovery. • Allocated sites more likely to receive planning permission, so essential to embed ecologically coherent criteria the framework level. • LNRSes should be used to inform priority locations for the provision of green infrastructure, and habitat creation and enhancement through BNG. <p>4. The LP should set standards for high-quality green infrastructure for development.</p> <ul style="list-style-type: none"> • Everyone should be able to see three trees from their home and be no more than 300 metres from the 		

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							<p>nearest natural green space, with safe and accessible routes.</p> <ul style="list-style-type: none"> • Consideration to Woodland Trust's Access to Woodland Standard to aspire that everyone to have a small wood of at least two hectares in size within 500 metres of their home and a larger wood of at least 20 hectares in size within four kilometres of where they live. Presently, on average, only 23.9 per cent of Nuneaton and Bedworth residents live within 500 metres of these small woodlands and up. <p>In summary, we consider that the Environmental Principles must be treated as a foundational component of the LP. As part of incorporating the principles, the LP must support the protection of sensitive natural assets, such as ancient and veteran trees; be an exemplar of emerging BNG practice; and set high standards for the retention and provision of trees within developments.</p>		
18.2		SHA2		Unanswered	Unanswered	Unanswered	For SHA2 - Arbury (a mixed-use site with 1,500 residential units) located adjacent to Spring Kidden/North Woods (Grid Reference: SP3344590572).	<p>It is proposed to enhance the existing site allocation by increasing the specified buffer zone from 30 metres to a more desirable 50 metres.</p>	

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19.1	George Eliot Hospital	Borough Plan Review	General	Unanswered	Unanswered	Unanswered	<p>Thank you for the opportunity to comment on the Nuneaton and Bedworth Borough Plan review. At George Eliot Hospital NHS Trust we share the vision for people to live in healthy, safe and inclusive communities with the opportunity to be active and healthy. The Warwickshire North Place Plan and GEH estates strategy all have objectives which support this. One of our aims is, local services for local people so clinical care is delivered at Place as close to home as possible – recognising our unique geography, social deprivation and transport challenges. Many of the points discussed in your plan support this which is good to see.</p> <p>This common vision reinforces the need for collaboration and communication to ensure all estates across the system and all related plans are complimenting each other and supporting this. The new Warwickshire North Local Estates Forum (WNLEF) has already proved to be a good forum for these discussions and can, along with the Place meetings support the collaboration, discussions, plans and activities needed.</p> <p>The Health Inequality and deprivation in certain parts of the borough is concerning and something which at GEH we will be working very hard to address, we look forward to working with you on this and to being part of the solution for Nuneaton and Bedworth Borough as well as the other areas in Warwickshire we support.</p>		Unanswered

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							<p>Health in the high street has been discussed in the WNLEF and could potentially be included in the town regeneration plans. There is also a push to make sure some services that do not require an acute hospital setting eg diabetes management are made more easily accessible and into the community setting.</p> <p>Consideration as to how that may look would be valuable.</p> <p>New housing and the resultant increase in population and demand will need to be planned for so that high quality services are being maintained for all who need them. It is difficult to predict the services needed but as some of this housing is for families then an increase in Emergency services generally but also Childrens and Young People requirements will need to be managed.</p> <p>At GEH there is no in-patient paediatric facilities but we do have a Childrens Assessment Unit (CAU) for Children attending ED. There is a regional paediatric review and input into that to support planning for increased demand would be vital. Maternity services may also see an increase in demand as families expand. Again detail to support the planning for these increases would be beneficial.</p> <p>The additional housing for older people as the number of those over 60 continues to increase, is essential and will have implications on healthcare. Details about numbers and timelines will help us to make sure our older people's health needs are met. GEH is improving frailty services and this and the virtual ward initiative is trying to ensure the time spent in a hospital environment is minimised. The housing with support could support this work and it would be good to understand what could be possible in these facilities. Links with Dementia teams and in these and other care facilities could also be considered. Digital improvements can enable more remote monitoring, virtual access and assessment, better communication and care closer to home. The Infrastructure around broadband and telecommunications is supported and essential to delivering health improvements and utilising estates and resources better.</p> <p>In summary</p> <ul style="list-style-type: none"> • Vision and objectives are shared and supported. 		

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							<ul style="list-style-type: none"> Information for planning is key to success along with securing adequate funding, resource and service improvements due to the increased demand expected. Services for older person, frailty, Emergency Department including Children and Young People, maternity and long-term conditions will all be affected. Collaboration and communication is essential for a system approach and welcomed. Digital enablement and improvements in travel and infrastructure key to most of the shared objectives. 		

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101.1	Wilson Bowden	Borough Plan Review	DS2	Yes	No	Yes	<p>We wish to OBJECT to Policy DS2 – Settlement hierarchy and roles. Our concern is only with the final paragraph of DS2.</p> <p>For some years Wilson Bowden has been promoting a major employment site north of the A5 at Harrow and Wapping Farm on the west side of Hinckley. The majority of this site is located with Hinckley and Bosworth district council area, but a small part lies with Nuneaton Borough Council area. Critically, that small part located with Nuneaton Borough will accommodate the access to the main site off the A5(T). The site is shown below although the access land extends westwards beyond the red line shown.</p> <p><i>Includes red line boundary plan</i></p> <p>The above land has been promoted through the Hinckley & Bosworth local plan process for some time. That plan process has now been delayed pending a series of further technical work being undertaken by the District and County Councils. We believe that the merits of the above site have been recognized by Hinckley & Bosworth Borough Council and that, in due course, the site is likely to be allocated for employment development in a future Local Plan. The site has been supported by key Officers and we have been in recent discussions with the Head of Planning and the Chief Executive.</p> <p>The Harrow & Wapping Farm site was identified as a potential proposed allocation for inclusion in the submission version of the local plan, within a report to HBBC's Scrutiny Commission in November 2021 which is available to inspect on the Councils website. A list of the key proposed development sites was included in that report – extract below.</p> <p><i>Includes table extract</i></p> <p>A plan of the relevant land, taken from Hinckley documents is shown below. It is clear that the point of access lies in Nuneaton 'open countryside.'</p> <p><i>Includes map</i></p> <p>The key issue, which can be seen from the above plan, is that the access to this site from the A5 lies within Nuneaton Borough and therefore, in the fullness of time, a cross- boundary planning application to both authorities will be required. At present, notwithstanding the current position regarding the Hinckley Local Plan, we are considering an early planning application for this site, in advance of adoption of a new Hinckley Local Plan.</p> <p>The access element, within Nuneaton, lies in open countryside and will therefore fall to be considered against Draft Local Plan policy DS2. Our concern is that, within the policy, the phrase 'other uses that can be demonstrated as appropriate, to require a location outside of the settlement boundaries' is somewhat vague and insufficiently precise</p>	<p>'New unallocated development outside the settlement boundaries, as shown on the policies map, is limited to agriculture, forestry, leisure, essential infrastructure, cross boundary development and other uses that can be demonstrated as appropriate, to require a location outside of the settlement boundaries'.</p> <p>We would be pleased to discuss this suggestion further with the Council.</p>	Yes

Agents and Developers

							to adequately cover the situation described above. For this reason, we do not consider the draft Plan to be sound as it could be more effective if modified slightly. We therefore suggest a slightly more prescriptive policy wording below that would allow effective consideration of a planning application for this key access point. We do not believe that the wording suggested would create any kind of precedent affecting other development proposals.		
101.2							Please refer to the representation for supporting evidence.		
102	Barnt Green Developments	Borough Plan Review	Policy and Policy maps	No	No	No	Housing Numbers from other authorities need to be take into account - particularly where Nuneaton has non-green belt land and neighbouring authorities have green belt - Coventry, Birmingham, Solihull, Stratford and Warwick are all constrained by green belt more than Nuneaton Also the plan should show allocations from neighbouring authorities on its boundaries - Proposed site WED 2 from the 2021 SHLAA is surrounded by the MIRA South allocation in North Warwickshire yet that allocation is not shown. This gives the false impression that WED 2 is open land when in fact it is now an infill site due to MIRA South being built around it. Also MIRA south is providing transport and footpaths/cyclepaths from MIRA south past WED 2 and into Nuneaton which makes WED 2 very sustainable due to this improved infrastructure but this again is not highlighted. MIRA south is a large employment provider and new housing will be required for the workers there - from a traffic perspective it would be logical to put this adjacent to MIRA so that people have the option of working there without having to travel by car to work. No mention is made of MIRA south in the plan which should surely be referred to and the land uses adjacent to it considered for development to take advantage of this exciting opportunity .	Show MIRA south on policies map as an allocation in North Warks. Consider adjacent uses and how they can complement MIRA south	Yes
103.1	Land and Planning Consultants Ltd	Policies Map	Land at Park Lane, Nuneaton	Unanswered	No	Unanswered	The plan is unsound. Land at Park Lane is in private ownership and previously developed land currently without use (residential allocation proposed at draft plan stage). It is clearly to a local park and there has been no consultation with the owner in this regard. The plan has not therefore been positively prepared, justified and effective as it is non-deliverable. In addition, the key does not match the shading on the Proposals Map and is physically therefore unsound.	Remove land at Park Lane from the Green Belt and remove as a Local Park (adopted). Include the land within the development boundary.	Yes
103.2							Red Line Plan attached to representation email.		

104	Nurton Developments Ltd	Borough Plan Review	DS3	No	No	No	<p>The identified employment need, as set out in Policy DS3 and Table 4, has been significantly underestimated. It is inadequate, both quantitatively and qualitatively. Specifically, it fails to:</p> <p>Make any provision for the unmet needs of Coventry.</p> <p>Make sufficient provision in contributing to the wider identified need for the sub-region for strategic distribution.</p> <p>The Coventry & Warwickshire HEDNA identifies an employment land need of 147.6 hectares for general industrial land (i.e., excluding strategic warehousing) for Coventry.</p> <p>This is likely to be a minimum figure as it was based on a projection of land completions from 2011 – 2019. The more recent appraisals undertaken by Iceni of the employment land need for Nuneaton & Bedworth indicates that the 2011 – 2019 projections may be an underestimation. Iceni has reassessed projections based on completions from 2016 to 2021, which have led to an increased local need for general industrial land in Nuneaton & Bedworth.</p> <p>The Coventry Development Plan Issues and Options identifies a potential existing supply of just 53.02 hectares. This is likely to be a maximum figure as a number of consented and allocated sites are constrained and will not yield their notional hectrage.</p> <p>As such, there is a current minimum shortfall of 94.58 hectares (i.e. 147.6 hectares minus 53.02 hectares). Because of its very tight boundaries, and the absence of any obvious development or redevelopment opportunities within the City Council's jurisdiction, this unmet need will have to be met in Coventry's neighbouring planning authorities.</p> <p>Nuneaton & Bedworth has an obvious geographical and economical relationship with Coventry and is very well placed to absorb much of this unmet need. In addition, development to the north of Coventry would rebalance current planned growth of Coventry to the south (Segro Park and the Gigafactory at Coventry Airport) and the east (Ansty Park), focus development in areas of relative deprivation, and help to level up the local economy.</p> <p>The Coventry shortfall of 94.58 hectares relates to just general industrial and non-strategic</p>	<p>There is a clear shortfall of employment land in the sub-region of Coventry & Warwickshire. The draft Nuneaton & Bedworth Borough Plan does nothing to contribute to resolving this issue. This is a manifest failure of soundness and co-operation with neighbouring local planning authorities, particularly the latter.</p> <p>To resolve this issue, Nuneaton & Bedworth Borough Council needs to engage with neighbouring planning authorities, particularly Coventry City Council. In the first instance, the local planning authorities of Coventry & Warwickshire need to work together to assess and determine: -</p> <p>How unmet employment land need from Coventry is distributed between its neighbouring authorities.</p> <p>How the need for strategic warehousing is distributed between the authorities.</p> <p>Because of the scale of the employment land requirements, and the potential for significant overspill housing need from Coventry, consideration also needs to be given to what investment in transport and other infrastructure will be required.</p>	Yes

							warehousing. It does not include strategic warehousing, which is treated separately by the Coventry & Warwickshire HEDNA, and identifies a need for strategic warehousing land in Coventry & Warwickshire of 551 hectares for the period to 2041 and 735 hectares to 2050. This is over and above the need for general industrial land identified for each local planning authority. Policy DS3 and Table 4 identify a provision of only 19.4 hectares of strategic warehousing land for Nuneaton & Bedworth. This represents just 3.5% of the identified need of 551 hectares for the sub-region. Given its strong communications and available labour force, this is an insignificant contribution by Nuneaton & Bedworth to meet the wider needs for strategic warehousing. Paragraph 6.38 of the Review of the Nuneaton & Bedworth Employment Land Portfolio considers that the provision of 19.4 hectares of strategic warehousing is likely to be met through the development of the Faultlands site. This site has now been built out and is occupied by Rhenus Logistics. As such, there is no realistic provision for strategic warehousing for the remaining 16 years of the plan period (i.e. 2023 – 2039).		
105.1	RentPlus UK Ltd	Borough Plan Review	H2 (second paragraph)	Unanswered	Yes	Unanswered	Policy acknowledges the expectation at paragraph 65 of the NPPF that 10% of the total number of dwellings on qualifying sites should be delivered for affordable home ownership. However, the policy goes on to state that after accounting for the contribution of First Homes (which equates to 25% of the affordable element of any scheme, or 6.25% of the entire scheme assuming full policy compliance) the remainder of the affordable home ownership (or the 'top-up') should be delivered as Shared Ownership. Notwithstanding that Rentplus meets the NPPF definitions for 'affordable housing for rent' and 'other affordable routes to home ownership', the full range of NPPF-compliant tenures may be inhibited. Therefore, the second paragraph of the policy is inconsistent with national policy	"National policy requires 10% of the total number of homes on a development site to be allocated for affordable home ownership (unless the proposal meets one of the exemption tests in the NPPF). After accounting for any contribution from First Homes, the remainder of the 10% shall be delivered as other affordable routes to home ownership or as specified in the Council's latest published Affordable Housing SPD".	Yes

105.2			H2 (fourth paragraph)	Unanswered	Unanswered	Unanswered	<p>There appears to be an internal inconsistency in the drafting of the policy.</p> <p>The second paragraph discusses the achievement of the 10% affordable routes to home ownership, yet the fourth paragraph suggests that "the remainder of the affordable housing requirement is to be delivered as social and affordable rent".</p> <p>It is unclear if this refers to the remainder from just the First Homes or the entire First Homes + affordable home ownership 'top-up' as paragraph 8.28 of the supporting text would indicate.</p>	<p>"After accounting for the First Homes and affordable home ownership requirements set out above, the remainder of the affordable housing requirement is to be delivered as social or affordable rent. For schemes of 11 to 14 dwellings, one First Home and one social rent/affordable rent property is to be provided".</p>	
105.3		HEDNA (2022)	H2	Unanswered	Unanswered	Unanswered	<p>The Nuneaton and Bedworth HEDNA 2022 appears to correct a significant flaw in the preceding Coventry and Warwickshire HEDNA 2022, which sought to offset open market housing sold at or below the lower quartile price against the need for affordable home ownership. Such a notion is misguided, not least because open market properties sold at lower quartile prices emphatically do not meet the NPPF definition of affordable housing.</p> <p>As paragraph 7.61 at page 52 of the Nuneaton and Bedworth HEDNA 2022 explains, the approach of counting lower quartile priced properties would lead to a nominal surplus of affordable home ownership in the Borough. Such a finding would be perverse as it would fail to account for those households unable to raise a deposit even at the lower quartile end of the market (exactly the problem which Rentplus seeks to address). Nor does it account for the fact that open market offers no safeguards to ensure such homes are available to aspiring first time buyers. It also ignores the fact that lower quartile priced properties may be compromised in terms of their size, location, condition and quality (in stark contrast to a new Rentplus home, built to present-day energy efficiency standards in sustainable locations).</p>	<p>The concluding sentence of paragraph 7.61 suggests that it may be difficult to conclude if there is a need for affordable home ownership, and the second sentence of paragraph 7.62 suggests this need is 'less clear-cut'. In the unambiguous view of Rentplus, this need very clearly exists, and that the Rentplus model is an important way in which this need can be met. In this context, we recommend that the final sentences of paragraph 7.61 and 7.62 of the Nuneaton and Bedworth HEDNA 2022 are omitted.</p>	
105.4			H2 (fifth paragraph)				<p>The fifth paragraph of the policy confirms that tenure split will ultimately be agreed on a site by site basis by the Housing Team – we welcome the flexibility that this provides as it will enable the Local plan to respond to specific circumstances and opportunities, and enable innovative tenures to come forward.</p>		
106.1	Arbury Estate	Infrastructure Delivery Plan	General	Yes	No	Yes	<p>The IDP contains references (Figure 5) to sites that are not proposed to be allocated within the emerging Borough Plan, such as HSG4. This is confusing, as presumably the Borough Plan Review does not rely on infrastructure being delivered by such sites.</p> <p>We also object to SHA2 (known as HSG2 in the adopted Borough Plan) being referred to as both SHA2 and HSG2 in the IDP. To ensure clarity, this should be amended to make reference to SHA2 only.</p> <p>We object to the IDP stating a number of requirements which relate to loosely defined areas such as 'Nuneaton' or 'Bedworth'. IDP</p>	<p>To ensure it is suitably justified, the IDP should be updated to make precise references to the type and amount of contributions required of infrastructure proposed to deliver the Borough Plan review. These contributions should be attributable to specific allocations, with references to</p>	Yes

						requirements should be set out specific to proposed allocations, so it is clear what level of funding is required proportionately to each.	loosely defined areas removed.	
106.2	Viability Assessment	General	Yes	No	Yes	<p>There should be consideration in the assessment that its findings are based on assumptions. For example, it takes into account sites which are currently allocated, or at outline application stage only. This needs to be made clear, and viability considered in more detail at the application stage.</p> <p>We consider that the conclusions of the viability assessment are unjustified unless it can be demonstrated that all requirements of the IDP have been suitably costed, apportioned and taken into account when viability assumptions are made.</p> <p>This has an impact on plan wide viability, particularly in relation to additional policy requirements such as M4(2) and M4(3) standards, Future Homes Standard and Nationally Described Space Standards for example.</p>	<p>As stated.</p> <p>We consider that the viability assessment should be updated to include a section where a clear and thorough assessment of the IDP requirements is made.</p>	
106.3	Strategic Transport Assessment	General	Yes	No	Yes	<p>We object to the current wording of the STA Appendix B of the document entitled 'NBBC Preferred Options Site Assessment' makes a high level reference to allocation SHA-2, which states under the column entitled 'deliverable' that: 'Yes. Inspector at Tuttle Hill noted no evidence or pre-app. Arbury submitted reps to PO supportive of the allocation'.</p> <p>We are unsure what this is in reference to, and request clarification so the Strategic Transport Assessment can be fully understood and properly utilised as an evidence base document.</p> <p>A number of improvement schemes are proposed within the document, however there is not a specific section which sets out which schemes are attributed to each allocation and the likely costings and timescales for these. This is important for this information to be available in order to appropriately justify improvements proposed in relation to emerging allocations.</p> <p>We note that reference is made in the Borough Plan Review policy SHA2 supporting text to land to be utilised for a link through Hazel Way being under a long leasehold agreement, and that the allocation boundary has been updated. An indicative location for an access route is shown within the updated boundary. This should be tested within the STA to ensure it is suitably justified to amend the allocation boundary from that already established in the adopted Borough Plan.</p>	<p>In relation to Appendix B more detail is required on the comments provided, and how they relate to the deliverability of SHA2 as this is not clear at present.</p> <p>The IDP should be updated to include costings specific to each allocation. Contributions required should be tested against CIL Regulations 122(2). This is particularly the case in respect of contributions required across a wide geography that are then requested of specific allocations, requires specific justification.</p> <p>An indicative location for an access route from Hazel Way is shown within the updated allocation boundary. This should be tested within the STA to ensure it is suitably justified to amend the allocation boundary from that</p>	

Agents and Developers

							already established in the adopted Borough Plan.	
106.4	Borough Plan Review	DS4	Yes	No	Yes	<p>We object to the current wording of this policy and consider that land at Woodlands, Bedworth which is currently allocated as HSG4 should be included as a residential allocation.</p> <p>HSG4 is a policy within the currently adopted Borough Plan. The emerging Borough Plan does not contain this policy, in effect de-allocating Woodlands for residential development.</p> <p>In June 2023, Arbury Estate submitted a hybrid planning application (Ref: 039720) for up to 150 dwellings on the western part of the HSG4 strategic housing allocation in the adopted Borough Plan (see plan in representation).</p> <p>A national housebuilder is in advanced discussions to acquire the site, demonstrating the site's suitability and deliverability, which therefore demonstrates that the removal of HSG4 from the proposed settlement boundary and as a strategic housing allocation is unjustified.</p> <p>Accordingly, Arbury Estate believe that Woodlands should be included in the settlement boundary and allocated for residential development in the emerging Borough Plan, as extensive technical work has been undertaken during preparation of the hybrid planning application which concluded that the site was suitable for residential development.</p> <p>Additionally, the response from Planning Policy during the statutory consultation period of the planning application (Ref: 039720) stated that "the site is considered sustainable, providing all the policies are met" and the overall pre-application response stated that "The principle of developing this site is considered acceptable", which therefore demonstrates that the site is suitable in principle for sustainable development and</p>	<p>Woodlands should be included in the settlement boundary and allocated for residential development in the emerging Borough Plan, as extensive technical work has been undertaken during preparation of the hybrid planning application which concluded that the site was suitable for residential development.</p>	

						should therefore be included as a site allocation and remain within the settlement boundary.		
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106.5			DS3	Yes	No	Yes	<p>We object to the policy wording as proposed. Below we set out reasons why we consider this section of the plan as currently worded is unjustified.</p> <p>Housing</p> <p>The policy states that the housing requirement for NBBC is: 9,810 homes based on 545 dwellings per annum. This is based on the conclusions drawn from "Towards a Housing Requirement for Nuneaton & Bedworth, November 2022". At paragraph 4.36 of this document it states that the 545 per annum number takes into account economic uplift.</p> <p>Affordable Housing</p> <p>It is then discussed at section 5 of the report how the 545 per annum number also takes affordable housing need into consideration. Although it is stated that affordable housing is considered, it is not explicitly justified how, and what number of affordable housing units are accounted for.</p> <p>Paragraph 5.15 makes reference to the affordable housing need being 407 dpa. Paragraph 5.16 makes the point that If 25% of new homes were delivered as affordable homes in accordance with the Council's emerging affordable housing policy, 1,628 dpa overall would be required to meet the Borough's affordable need in full.</p> <p>Paragraph 5.17 states that viability evidence shows that this is not realistic and would not support higher delivery as a percentage of overall housing provision. However adequate consideration has not been given to providing an uplift for affordable housing.</p>	<p>The housing requirement number should be updated to take into account affordable housing need.</p> <p>The final 3 years of the plan period (2035/36 – 2038/39) rely entirely (or almost entirely) on windfall housing only. NBBC should be allocating a range of sites for development in later stages of the Plan.</p> <p>No delivery of employment land is planned from 2029 – 2039, aside from estimated windfall provision. This demonstrates that more land should be allocated for employment development. We appreciate that regional evidence base, such as West Midlands Strategic Employment Sites Study Part 2 is not available. However NBBC should be planning positively for a maximum potential employment land requirement.</p>	
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						<p>Although an increase in the percentage of affordable housing relative to market housing required on sites in rightly seen as unviable, there is potential to increase the overall housing requirement to allow for the provision of affordable housing as part of a mix, and increased level of market housing in order to address supply side issues.</p> <p>Coventry Uplift and Shortfall</p> <p>Arbury Estate has recently submitted representations to the Coventry Local Plan Review Regulation</p> <p>18 – Issues and Options consultation. Within these representations we have made the point that Coventry should be planning for the 35% uplift, as required by the Standard methodology for calculating housing need.</p> <p>This shortfall will likely need to at least in part be dealt with by neighbouring LPAs. NBBC should be planning for this eventuality now, rather than looking to progress a plan based on its own needs only, failing to engage suitably with neighbouring LPAs, and therefore failing to comply with the legal Duty to Cooperate.</p> <p>In relation to Appendix B - Housing Trajectory, we question why NBBC consider it appropriate for the second half of the plan period (i.e. the 9 years from 2030 – 2039) to feature delivery of housing that is reducing each year, below the 545 dwelling per annum housing requirement level. The final 3 years of the plan period (2035/36 – 2038/39) rely almost entirely on windfall housing only.</p> <p>It is not justified to plan for such low delivery, and for the extremely small amount of delivery to be based on windfall. NBBC should be allocating a range of sites for development in later stages of the Plan. There is therefore a need to review potential locations for strategic development of housing which would be the sort of development that is likely to be delivering housing in this time period.</p> <p>Employment</p> <p>Employment land requirements for the Borough is based on previous delivery. This is flawed, as past delivery does not take into account policy constraints that may have prevented development coming forward, such as the presence of Green Belt at strategic locations suitable for employment development, such as in close proximity to road network, such as A444, with links to M6 J3.</p> <p>Appendix C – Employment Trajectory sets out expected employment land delivery in the Borough up to 2039. No delivery is planned from 2029 – 2039, aside from estimated windfall provision. Windfall by its very nature cannot be relied upon to deliver the required level of employment development.</p> <p>As most of delivery has already come forward, or is due to within the next 7 years, this shows that there is demand for employment development, and more land should be allocated for this purpose.</p>		
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Agents and Developers

						<p>Reference is made in the policy to: "19.4ha of employment land for strategic B8 warehousing and distribution development (indicative)." There needs to be further review and consideration of this number before the plan is adopted, the plan cannot be adopted based on an: "indicative" number.</p> <p>We appreciate that regional evidence base, such as West Midlands Strategic Employment Sites</p> <p>Study Part 2 is not available. However NBBC should be planning positively for a maximum potential employment land requirement. Sites could be safeguarded for this purpose, and reviewed when results of the study are known. If the results are available prior to conclusion of the Borough Plan examination, then the addition of employment sites to the emerging Borough Plan review should be explored.</p>		
106.6		DS1	Yes	No	Yes	<p>We object to the policy wording as proposed. Below we set out reasons why we consider this section of the plan as currently worded is unjustified.</p> <p>The first paragraph of this policy makes reference to "The Council will secure sustainable development by requiring all new development to contribute towards the national need to achieve net zero carbon emissions." We question what the specific net zero carbon requirements for development are? There is perhaps a need for a specific policy in relation to net zero carbon requirements to ensure there is a suitable level of clarity.</p> <p>The first paragraph also makes reference to "...achievement of national standards for highway design and sustainable transport infrastructure will be supported". Consideration should also be given for any standards set out by Warwickshire County Council Highways, including the Warwickshire Design Guide.</p>	<p>The first paragraph of this policy should be updated to make reference to specific net zero carbon requirements. It should also include reference to the Warwickshire Design Guide where highways design is referenced.</p>	

106.7			DS5	Yes	No	Yes	<p>We object to the policy wording as proposed. Below we set out reasons why we consider this section of the plan as currently worded is unjustified. The last sentence of policy DS5 states that: "The wider Bermuda Park area, south of Nuneaton, including Faultlands and SEA4, is an employment location of regional significance for inward and local investment."</p> <p>We agree with this point, but request that the Council define the area they consider to be "the wider Bermuda Park". We consider that this area includes the sites submitted on behalf of Arbury Estate for allocation for employment use. These sites are shown on the plan, contained within the representation, and were submitted for consideration as part of Nuneaton & Bedworth's Call for Sites in 2021. All of the employment allocations set out in policy DS5 were allocated in the adopted Borough Plan and have been carried forward, which means that there is no new employment land proposed to meet the period from 2031 – 2039.</p> <p>Within the regional evidence base, a minimum size of 25 ha is accepted as being required to meet the definition of strategic and there is therefore only one site (Faultlands) that could be considered to be of 'strategic' scale. Para 9.32 of the HEDNA refers to Faultlands as a potentially suitable site to meet strategic B8 needs. However delivery of this site has commenced and it is now under offer to an occupier in its entirety, pending Practical Completion of a two unit scheme.</p> <p>The proposed portfolio of employment land within Nuneaton & Bedworth is deficient for a number of reasons:</p> <ol style="list-style-type: none"> 1. There is insufficient provision of strategic scale land (25Ha+), of which there is an acknowledged urgent need regionally within the West Midlands, and as forthcoming evidence will likely demonstrate, also within the sub-region. 2. The majority of sites are smaller scale. The only site of strategic scale is Faultlands; this is being delivered and is likely to be taken up in very short timescales. 3. Good progress is being made on nearly all the sites in terms of bringing them forward through the planning process and it is therefore a very real possibility that the Borough could have little or no available employment land for the majority of the Plan 	<p>The Borough Plan Review should be reviewed and updated to align with the comments made in Part 5. The employment sites submitted by Arbury Estate in 2021 should be considered for inclusion in the Borough Plan Review. There is evidenced need for sites such as those submitted, and this should be acknowledged through the allocation of sites suitable to meet that need. As currently presented, the draft plan does not provide sufficient large scale or strategic employment sites to meet the identified and location need.</p> <p>Furthermore, as presented the opportunities available do not provide sufficient strategic opportunities to offer an attractive market choice. The provision of more strategic employment sites would provide a significant contribution towards reversing some of the out commuting currently experienced in the Borough.</p>	
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Agents and Developers

							Period without significant further allocations.		
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106.8			SEA4	Yes	No	Yes	<p>We object to the current wording of policy SEA4 and propose a minor amendment.</p> <p>Arbury Estate is the majority landowner of Strategic Employment Site SEA-4 – Coventry Road.</p> <p>Warwickshire County Council (WCC) owns the northern part of the site, being the former Red Deep Special School. The Site is allocated within the adopted Borough Plan (2019) as a Strategic Employment Area to provide approximately 9ha of employment land.</p> <p>The proposed policy wording is consistent with that of the adopted Borough Plan Policy EMP4.</p> <p>Arbury Estate is wholly supportive of the continued allocation of SEA-4 (Coventry Road) in the emerging Borough Plan.</p> <p>The Estate is working proactively with WCC in developing a planning application for flexible employment floorspace within Classes E(g)(iii), B2 and B8. Work on the application has significantly progressed, and The Estate has engaged in pre-application discussions with Officers at the Council. The outline application is due to be submitted in Autumn 2023 and demonstrates their commitment to bringing forward a development consistent with the site's existing and proposed allocation. The forthcoming application continues to demonstrate that the site is suitable, achievable and deliverable, and the site's ongoing allocation is therefore appropriate.</p> <p>Specifically in relation to the wording of the proposed policy SEA-4, please see below a minor amendment.</p> <p>"Strategic employment site SEA-4 will be developed for employment uses comprising use classes E(g) (prior to 1 Sept 2020 use class B1), B2 and B8. Delete key development principles point 5.</p> <p>The inclusion of Item 5 is not considered to be effective as it has not been demonstrated by the Council that it would be feasible to de-culvert Griff Brook. Careful consideration would need to be given to the alignment of the open channel to enable both the foul sewer and important public right of way to remain in place, along with the associated costs of this. Given these issues remain unresolved and have not been costed by NBBC (as demonstrated by the absence of the proposed works in the IDP), it is unjustified to seek an unsubstantiated financial contribution towards such works.</p>	
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Agents and Developers

							Notwithstanding the above, Arbury Estate supports the continued allocation of the site and is committed to bringing forward an outline planning application in Autumn 2023.		
106.9			SHA2	Yes	No	Yes	Object to the policy wording as proposed – refer to the table provided in the representations.	We consider that the following modifications should be made to the policy to ensure it is sound, and suitably justified. We have provided these modifications in a table setting out the criteria number in the policy against the modification proposed - refer to the table provided in the representations.	
106.10			NE3	Yes	No	Yes	Object to the policy wording as proposed – refer to the table provided in the representations.	To allow sufficient flexibility, reference to requirements being required in this policy should have reference to: “where possible and feasible” added. Reference should be made in the policy for the potential for Need to also consider the opportunity for major	

Agents and Developers

							landowners in the Borough to have a specific 'Estate-wide' plan that could holistically provide BNG uplift for a number of development sites within the Borough.	
106.11			NE1	Yes	No	Yes	Object to the policy wording as proposed – refer to the table provided in the representations.	To allow sufficient flexibility, inserting reference to: "where possible and feasible" should be made to paragraph 1 of the policy, as stated in part 5. The final paragraph of the policy should be updated to reflect Government Guidance: "Ancient woodland, ancient trees and veteran trees: advice for making planning decisions".
106.12			H5	Yes	No	Yes	We object to the policy wording as proposed. Below we set out reasons why we consider this section of the plan as currently worded is unjustified. The consultation document makes a correlation between M4(3)a and M4(3)b housing and meeting the needs of an ageing population. This is something which we would challenge as unjustified. Open market housing can be sold to any buyer and so there may be no correlation between the provision of an open market M4(3)a and M(3)b units and the needs of the end user. Although we consider it unnecessary, if reference to Building Regulations is required, this should be confined to a single mention in a single policy with a distinction made between H4(3)a and H4(3)b requirement. M4(3)a and M4(3)b dwellings in this policy are referred to as if they are interchangeable from a viability perspective. We consider that for the viability assessment to be considered justified, it should be re-run to consider these types of housing separately.	M4(3)a and M4(3)b dwellings in this policy are referred to as if they are interchangeable from a viability perspective. We consider that for the viability assessment to be considered justified, it should be re-run to consider these types of housing separately. If reference to Building Regulations is required, this should be confined to a single mention in a single policy with a distinction made between H4(3)a and H4(3)b requirement.
106.13			H1	Yes	No	Yes	Object to the policy wording as proposed – refer to the table provided in the representations.	In relation to references to the HEDNA housing mix in policy H1, these should be updated to make a clear distinction between outline applications, and those with full details

							submitted and provide flexibility according to the location of the proposed development.		
106.14			H4	Yes	No	Yes	<p>The council has set out its justification for the requirement of NDSS within supporting text to Policy H4. However, we consider that the Council's justification should recognise the impact of such requirements on customers differing budgets and aspirations. We also object to paragraph 8.55 of the supporting text which seeks to require details regarding numbers of bedrooms and space details. For outline applications and applications where the housebuilder is not the application, this information is unlikely to be confirmed which would potentially make this information abortive in terms of fixing it at the outline stage.</p> <p>Well-designed smaller homes can provide an affordable option in meeting the needs of both open market and affordable housing. The imposition of arbitrary space requirements does not take into account the quality of that space and prevailing requirements of the market. An inflexible policy approach imposing NDSS on all housing removes the most affordable homes and denies lower income households from being able to afford homeownership. The Council should focus on upholding high quality design and ensuring that dwellings are fit for purpose homes, rather than being an arbitrary size.</p>	<p>The Borough Plan Review should be amended. The imposition of arbitrary space requirements does not take into account the quality of that space and requirements of the market. The policy should therefore be reworded to include reference to standards being a guide only, and the council will focus on upholding high quality design and ensuring that dwellings are fit for purpose, rather than being an arbitrary size.</p> <p>Paragraph 8.55 should be amended to only require such detailed information for full planning applications.</p>	
106.15			BE3	Yes	No	Yes	Object to the policy wording as proposed – refer to the table provided in the representations.	<p>To ensure consistency with national policy, any requirement should be set out in the Development Plan policy, rather than through SPD. The policy should be updated to remove reference to SPD requirements in relation to Future Homes Standards and Nationally Described Space Standards. We request that NBBC clarify the evidence they are relying upon to require these standards, as no evidence base document has been provided. The Future Homes Standard and the Future Buildings Standard is due to be implemented through Building Regulations from 2025, so there is no need for the policy</p>	

							to make reference to it. To allow sufficient flexibility, inserting reference to: ““where possible and feasible” should be made where specific requirements are set out.	
106.16			BE2	Yes	No	Yes	Object to the policy wording as proposed – refer to the table provided in the representations.	There is a need for a specific policy in relation to low and zero carbon requirements to ensure there is a suitable level of clarity. The policy as written does not clearly set out the definition of low and zero carbon, and what NBBC required for development to meet these requirements. Paragraph 3 of policy BE2 should be reworded to make reference to specific definitions and criteria of elements discussed in the policy wording and be based on clear evidence. At present key criteria of the policy are not defined, and can therefore not be suitably interpreted and applied to development. The policy should be amended to remove reference to the Future Homes Standard and the Future Buildings Standard, as these are due to be implemented through Building Regulations from 2025 and may change in the future.

106.17			Para 9.6	Yes	No	Yes	<p>We object to the wording as proposed at paragraph 9.6 which states that: "...The Borough has high levels of out-commuting, an over dependency on manufacturing and distribution, as well as a low skills base".</p> <p>We agree with this statement. In particular reference to Coventry, the net outflow of commuters stands at -6,517, which is 43% of the overall net out commuting experienced in the Borough. This shows the strong link between Coventry and the Borough, both in relation to employment, and by extension the basis for any unmet need being considered to be facilitated in Nuneaton and Bedworth. We consider that the Borough is well placed to provide good quality accessible employment sites to reduce the level of out commuting. A high level of out commuting also means that business rates are not retained locally. For example, we understand that the Faultlands development has a potential liability of £3.6 million of business rates.</p> <p>Currently local government retains half of the income from business rates, and the other half is paid by Councils to central government (which is used to fund grants back to Councils). Therefore around £1.8 million can be retained by the Council for use locally, rather than being lost to neighbouring authorities. This is considered to be a significant benefit and similar opportunities like this could yield the Council further funding opportunities.</p> <p>In addition, provision of employment growth locally in the Borough provides a number of other benefits such as providing jobs in the local area and helping to facilitate keeping business / employee spending within the Borough. New business also generate greater interest in housing which also generates spin-off economic benefits associated with home ownership and home improvements.</p>	<p>Paragraph 9.6 should include additional wording which states: "provision of employment growth can bring a range of benefits such as: retention of business rates, retaining jobs locally for residents to access and keeping business & employee spending within the Borough."</p>	
106.18			Para 7.29	Yes	No	Yes	<p>We request clarity on the rationale for a density of 35 dwellings per hectare, referenced in paragraph 7.29. It should acknowledge site specific circumstances for density outside of this range, and not apply a blanket approach across the borough.</p>	<p>Paragraph 7.29 should be updated to acknowledge site specific circumstances for density, and not blindly apply a density of 35ha to all sites across the Borough.</p> <p>Wording should be updated to make reference to the set density being required "where appropriate for local circumstances".</p>	

Agents and Developers

106.19			Para 6.70	Yes	No	Yes	<p>We object to the wording as proposed (paragraph 6.70). We consider that exceptional circumstances exist regarding the need for employment development in Bermuda Park; an area that the Council itself has recognised as being a location of regional significance for inward and local investment in policy DS5. As set out in our representations to paragraph 6.46, the draft plan does not take account future strategic employment needs, nor reflect the constraints experienced by neighbouring LA's in delivering their strategic need.</p>	<p>Further consideration should be given for potential exceptional circumstances for removal of land from the Green Belt to facilitate employment growth. This should include the benefits that provision of employment growth can bring, such as providing jobs in the local area and helping to facilitate keeping business / employee spending within the Borough. In particular, reference should be made to the net outflow of commuters from Nuneaton & Bedworth to Coventry standing at -6,517, which is 43% of the overall net out commuting experienced in the Borough. Therefore at present, the Borough loses a large proportion of the benefits associated with employment growth to its neighbours such as Coventry.</p>	
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106.20			Para 6.46	Yes	No	Yes	<p>We object to the statement made at paragraph 6.46 which states: "The strategic B8 need is being met through the Faultlands development, which is an allocated site". It is important to note that this site was originally allocated within the adopted Borough Plan, which has a plan period of 2011 – 2031, but not allocated in the emerging Borough Plan review. The Borough Plan review is proposed to cover the period 2021 – 2039. There is therefore an element of double counting. Strategic B8 need for the overall period from 2011 – 2039 (i.e. 28 years) will not be met from a single site, and therefore we consider that further strategic employment sites should be identified as part of the local plan review for the next plan period and to provide market choice.</p> <p>There is clear demand for employment land in the Borough, with industrial & logistics rents having increased by 49% 2011 - 2021, indicating new supply has struggled historically to keep pace with the strong demand. This is more than double the rate of inflation over the same period. Given how attractive Nuneaton and Bedworth is to occupiers, there should be consideration for how NBBC should take a proactive role in delivering employment land within the sub-region in order to support economic growth and hence sustainable development.</p> <p>As defined by the West Midlands Strategic Employment Sites Study, a strategic employment site is one of 25ha or more. Therefore the minimum requirement should be 25ha, not 19.4 ha. Coventry's Issues and Options consultation states that need for strategic B8 across the whole of the Coventry and Warwickshire sub-region it is projected to be 551 hectares to 2041.</p> <p>It is therefore clear that such a provision, even at 25ha would be the absolute minimum required.</p> <p>This should therefore be revisited when results of part 2 of the West Midlands Strategic Employment Sites Study is known, which is expected imminently. A further Regulation 19 consultation should then take place.</p>	<p>Account should be taken of the strategic and large scale employment opportunities required for the new plan period.</p> <p>The Council's approach does not appear to reflect current or likely future strategic employment land requirements, or the constraints in neighbouring authorities being able to deliver their strategic employment needs.</p> <p>The results of part 2 of the West Midlands Strategic Employment Sites Study are expected imminently. A further Regulation 19 consultation should be undertaken to consider additional preferred option sites to deal with any confirmed additional employment need.</p>	
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106.21			Para 3.4	Yes	No	Yes	<p>It is stated that 'Access to some leisure facilities is restricted for people without a car. Public transport the Bermuda Park, for instance, is limited and there are no public footpaths along the A444'. We disagree with this statement in part. Access to Bermuda Park has been improved with the opening of Bermuda Park train station which provides an hourly service to Nuneaton, Coventry and Kenilworth with plans to increase frequency. The lack of public footpaths on the A444 does not prevent access to the wider Bermuda/Griff area. There is access available to the area via Coventry Road (B4113) than using Way. Pedestrian crossings and footpaths are available to access Bermuda Park. Furthermore, the majority of the A444 does not represent an environment that walking along should be promoted. We assume that when reference is made to A444, that it refers to Bedworth Bypass and Griff Way. Most of the Bedworth Bypass is subject to a 70mph speed limit, and on Griff Way the speed limit is 50mph. It is questionable whether a public footpath would be appropriate here. This statement also does not take into account the benefits being brought about by the Bermuda Bridge connectivity project. Bringing forward development in this location would allow for further improvements to take place and connections around and through sites to be provided.</p>	<p>Paragraph 3.4 should be modified to include the following wording: "The lack of public footpaths on the A444 does not prevent access to the wider Bermuda / Griff area. There is access available to the area via Coventry Road (B4113) rather than using Griff Way. Pedestrian crossings and footpaths are available to access Bermuda Park."</p>	
106.22			Para 3.3	Yes	No	Yes	<p>We object to the wording of this paragraph, and below we set out reasons why we consider this section of the plan as currently worded is unjustified. This section of the plan highlights a number of issues associated with the local economy. These include "There are fewer knowledge-based employment opportunities. If this does not change, there will be fewer jobs in the future and more people will have to look for work outside the borough". We agree with this statement in part. However, manufacturing and distribution jobs are important for the borough too. The HEDNA states at table 2.6 that manufacturing accounts for 11.2% of jobs in the Borough – demonstrates the strength of the manufacturing sector for the economy of the borough, and that there should not be an undue emphasis on knowledge based employment over other strong industries. A further issue stated is that "A large number of residents commute out of the Borough each day to work in Coventry, Leicestershire and elsewhere in Warwickshire". This is a key issue for the Borough, which has a high level of out commuting at net -14,907. In particular reference to Coventry, the net outflow of commuters stands at -6,517, which is 43% of the overall net out commuting experienced in the Borough. This shows the strong link between Coventry and the Borough, both in relation to employment, and by extension the basis for any unmet housing need being considered to be facilitated in Nuneaton and Bedworth.</p>	<p>The paragraph should be updated to include reference to the importance of , manufacturing and distribution jobs for the Borough.</p> <p>The paragraph should also be updated to reference the importance of facilitating employment development in reversing out commuting trends.</p>	

						<p>"Access to some employment sites such as Attleborough Fields, Prologis, and other employment sites outside the borough is difficult without a car".</p> <p>There is not a problem associated with employment sites being promoted on behalf of the Arbury Estates. As shown on the figure the sites are located in and around Bermuda Park area, and close to the train station there, allowing excellent accessibility for Borough residents - <i>Refer to representation for more detail on the Arbury sites.</i></p>		
106.23			Para 1.11	No	No	<p>We do not consider that NBBC have met the legal tests to ensure compliance with the Duty to Cooperate.</p> <p>There's only a single paragraph in reference to the Duty to Cooperate. No evidence is provided of meetings with DtC stakeholders, and how this engagement has influenced the production of the plan.</p> <p>Savills, on behalf of Arbury Estate attended a "Duty to Cooperate Forum" meeting on Thursday 28th September 2023 (nearly 4 weeks into the current Regulation 19 consultation). The meeting consisted of officers providing a presentation regarding key policies proposed by the Borough Plan, with the final slides discussing Duty to Cooperate. Participants were informed that meetings had taken place with HMA partners. No details of the matters discussed, agreed actions and outcomes from these meetings such as minutes have been made available. No details of the matters discussed, agreed actions and outcomes from these meetings such as minutes have been made available.</p> <p>NBBC state that they will be producing Statements of Common Ground (SoCGs) with promoters of proposed strategic allocations. SoCGs are also being progressed with neighbouring LPAs, and it was discussed that a Memorandum of Understanding (MoU) is being progressed across the HMA. No evidence of these documents is being produced, (or at the very least a draft) showing direction of travel has been produced.</p> <p>No Duty to Cooperate topic paper or similar has been produced to evidence the Council's approach.</p> <p>Information on the Council's approach has been obtained by virtue of having attended a developers meeting. This does not allow for a transparent approach to consultation to wider stakeholders such as members of the public. The only evidence of Duty to Cooperate for</p>	<p>There is no evidence in support of the draft Plan on whether engagement to date has been constructive and active in an attempt to resolve the strategic matter of unmet housing need and maximise the effectiveness of plan preparation.</p> <p>Therefore, the plan should not have been submitted until further evidence is produced in this regard, and a further Regulation 18 consultation is undertaken to ensure that any shortfalls in the availability of duty to cooperate information can be suitably dealt with before a further Regulation 19 consultation then takes place.</p> <p>This will ensure that the Council has been able to suitably take into account the comments and queries of stakeholders before the plan is submitted.</p>	

							<p>most will be a single paragraph in the consultation document. It is disappointing that NBBC have not acted on representations Arbury Estate submitted to the Regulation 18 consultations encouraging active engagement with relevant stakeholders to evidence Duty to Cooperate having been undertaken and outcomes from these discussions. We would therefore suggest that NBBC engage with Coventry City Council (and other Warwickshire authorities) and agree a Statement of Common Ground regarding Coventry's expected unmet housing and employment need. This statement can then be updated and refined throughout the plan making process, as required by the PPG. The Duty to Cooperate should be a key thread running through plan preparation, and is not something that can be retrospectively corrected. If Duty to Cooperate is not dealt with upfront during the plan preparation process in a clear and transparent manner, there is a danger of this legal requirement not being met, which is potentially fatal for the plan.</p>		
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106.24		Sustainability Appraisal	Section 10	Yes	No	Yes	<p>We object to conclusions drawn within the Sustainability Appraisal, in particular regarding the scoring of reasonable alternatives.</p> <p>In June 2023, Arbury Estate submitted a hybrid planning application (Ref: 039720) for up to 150 dwellings on the western part of the HSG4 strategic housing allocation in the adopted Borough Plan (see plan in representation).</p> <p>We object to the Sustainability Appraisal's scoring of reasonable alternatives such as HSG4. Please note that the following comments do not consider the wider HSG4 allocation (edged blue on the plan, contained within the representation) or the HSG7 site.</p> <p>Topic 3: Biodiversity</p> <p>In this scenario the proposed approach (dispersal) is ranked first and the proposed approach which includes strategic sites HSG4 and HSG7 is ranked second.</p> <p>Arbury Estate object to the ranking of this reasonable alternative as the proposed planning application for part of the strategic HSG4 housing allocation (REF: 039720) will result in a biodiversity net gain, contradicting Paragraph 10.4.21 in the Sustainability Appraisal.</p> <p>As a result, Arbury Estate object to the inclusion of the HSG4 site in the proposed approach could lead to more positive long term benefits to biodiversity and the appraisal is therefore considered to be unjustified.</p> <p>Topic 5: Soil</p> <p>In this scenario, the proposed approach (dispersal) is ranked first and the proposed approach which includes strategic sites HSG4/HSG7 is ranked second.</p> <p>Arbury Estate object to the ranking of this reasonable alternative because the responses from</p>	<p>The evidence set out above demonstrates that allocation HSG4 has the capability to be included within the Borough Plan Review as an allocation for residential development. There is therefore no justification for it's de-allocation.</p> <p>The sustainability appraisal should be updated to make reference to site specific work undertaken on planning applications coming forward in the Borough. Specially references to HSG4 Woodlands should be updated to take account of technical work submitted in respect of planning application ref: 039720.</p> <p>Arbury Estate object to the ranking set out, and conclude that Woodlands should be included in the settlement boundary and allocated for residential development in the emerging Local Plan, as</p>	
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					<p>statutory consultees in relation to the submitted planning application (Ref: 039720) contrast with the appraisal's summary. For example, the NBBC Environmental Health Officer has reviewed the Ground Investigation Report which was submitted as part of the planning application and has confirmed that there are no major contamination issues at the site. In addition, paragraph 10.6.9 of the Sustainability Appraisal states "there is an element of uncertainty given that development in these locations has not been forthcoming", however as mentioned above, a planning application for residential development (Ref: 039720) on part of the HSG4 strategic housing allocation was submitted in June 2023 for up to 150 dwellings and a national housebuilder is now involved. As a result, the appraisal is considered to be unjustified.</p> <p>Topic 6: Water</p> <p>Arbury Estate object to the ranking of this reasonable alternative because the technical work undertaken in support of the planning application contrasts with the Sustainability Appraisal's explanation. The Sustainability Appraisal concludes that the inclusion of HSG4 and HSG7 may result in some increased pressures on the wastewater treatment system, as well as potential for increased pollution of watercourses. However, a Flood Risk Assessment and SuDS Strategy was undertaken as part of the planning application, which concluded that the proposed development is not at significant flood risk and will not increase flood risk off-site, due to its existing topography. The Report also suggested that an</p>	<p>extensive technical work has been undertaken during preparation of the hybrid planning application which concluded that the site was suitable for residential development. Additionally, the response from Planning Policy during the statutory consultation period of the planning application (Ref: 039720) stated that "the site is considered sustainable, providing all the policies are met" and the overall pre-application response stated that "The principle of developing this site is considered acceptable", which therefore demonstrates that the site is suitable in principle for sustainable development and should therefore be included as a site allocation and remain within the settlement boundary.</p>	
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					<p>alternative discharge location to the southeast of the site in Newtown Road is advised and that a gravity connection is likely to be feasible, to resolve any public sewer capacity concerns. As a result, the appraisal is considered to be unjustified.</p> <p>Topic 7: Air</p> <p>Arbury Estate object to the ranking of this reasonable alternative because the responses from statutory consultees contrast with Paragraph 10.8.17 of the Sustainability Appraisal. For example, the NBBC Environmental Health Officer has reviewed the Air Quality Assessment which was submitted as part of the planning application and has confirmed that the report is satisfactory, and that the predicted NO₂, PM10 and PM2.5 concentrations at receptors on the development site show that future residents will not be exposed to air quality exceeding the UK AQS objectives. In addition, elsewhere (off-site) the impacts are predicted to be 'negligible' at all receptor locations and therefore with the implementation of suggested mitigation measures included in the report, the residual impacts of the proposed development on local air quality are 'not significant'. In addition, the appraisal summary states that the anticipated large growth as a result of the development of HSG4 and HSG7 would be likely to increase overall traffic volumes on the road network and as a result, potentially contribute towards air quality issues. However, as the sites are existing allocations, the effects from their continued inclusion would be neutral. This raises questions regarding the ranking of the other topics: why is the acknowledgement of existing allocations and their continued inclusion not reflected in other topic areas?</p> <p>Topic 9: Material Assets</p> <p>In this scenario, the proposed approach (dispersal) is ranked first and the proposed approach which includes strategic sites HSG4 / HSG7 is ranked second.</p> <p>Arbury Estate object to the ranking of this SA Topic. The appraisal explanation states that the inclusion of HSG4 and HSG7 could lead to the loss of some large areas of greenfield land. However, it could be argued that there are other large allocated greenfield sites in Bedworth (i.e. SHA4, SHA6 and SEA6) which could also lead to the loss of large areas of greenfield land. Why is HSG4 assessed differently and what is the evidence for this conclusion? Arbury Estate consider that this conclusion and ranking is therefore unjustified.</p> <p>Topic 11: Landscape</p> <p>In this scenario, the proposed approach (dispersal) is ranked first and the proposed approach which includes strategic sites HSG4 / HSG7 is ranked second.</p>		
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						<p>Arbury Estate object to the ranking of this reasonable alternative because the technical work undertaken in support of the planning application contrasts with the appraisal's conclusion (paragraph 10.12.13). Neutral effects are predicted overall if HSG4 and HSG7 were included in the proposed approach. However, a Landscape Visual Impact Assessment was undertaken as part of the planning application (Ref: 039720), which concluded that the proposals, including mitigation measures, would not result in significant long term harm to the site, its surrounding landscape character and its visual environment and represents an appropriate development located on the edge of Bedworth Heath. As a result, Arbury Estate consider that the ranking and reasoning is unjustified for this topic. It is also noted that the following topics have not been ranked: Air, Climatic Factors and Cultural Heritage. What is the reasoning for this? A Heritage Assessment, Level 2 Historic Building Record, Geophysical Survey, Sustainability Assessment and Air Quality Assessment have been submitted as part of the planning application (Ref: 039720), which conclude that the site is suitable for residential development. As a result, Arbury Estate consider that the ranking of the reasonable alternatives is unjustified and the inclusion of HSG4 in the proposed approach should be viewed favourably.</p>		
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106.25			Section 5	Yes	No	Yes	<p>5.2 – This supports the expansion of existing employment estates such as Bermuda Park.</p> <p>5.4 – HSG4 (Woodlands) is not located in the Green Belt and is within the settlement boundary in the adopted Borough Plan, therefore although the site is not built out, it is non-green belt land and is within the settlement boundary and is therefore in a location most favoured by the Sustainability Appraisal. Development should therefore be encouraged in this location.</p> <p>5.5 – Arbury Estate supports this scoring as the Council should be released Green Belt land to support the delivery of employment land in sustainable locations.</p> <p>5.6 – In the adopted Borough Plan, HSG4 (Woodlands) is within the settlement boundary, however in the emerging Local Plan Policies Map, the site is proposed to be removed from the settlement boundary. There are no technical reasons and / or no explanation in the evidence base document 'Settlement Boundaries' (2023) to explain why HSG4 is to be removed. Therefore, in accordance with Paragraph 35 of the National Planning Policy Framework (September 2023), the removal of the HSG4 site from the proposed settlement boundary is not 'justified'.</p> <p>Footnote 2 – This statement is incorrect as a planning application for residential development (Ref: 039720) on part of the HSG4 strategic housing allocation was submitted in June 2023 for up to 150 dwellings. A national housebuilder is also in advanced discussions to acquire the site, demonstrating the site's suitability and deliverability, which therefore demonstrates that the removal of HSG4 from the proposed settlement boundary and as a strategic housing allocation is unjustified.</p>	<p>The sustainability appraisal should be updated to make reference to site specific work undertaken on planning applications coming forward in the Borough. Specially references to HSG4 Woodlands should be updated to take account of technical work submitted in respect of planning application ref: 039720.</p> <p>Arbury Estate consider that Woodlands should be included in the settlement boundary and allocated for residential development in the emerging Local Plan, as extensive technical work has been undertaken during preparation of the hybrid planning application which concluded that the site was suitable for residential development. Additionally, the response from Planning Policy during the statutory consultation period of the planning application (Ref: 039720) stated that "the site is considered sustainable, providing all the policies are met" and the overall pre-application response stated that "The principle of developing this site is considered acceptable", which therefore demonstrates that the site is suitable in principle for sustainable development and should therefore be included as a site allocation and remain within the settlement boundary.</p>	
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106.26		Review of Nuneaton and Bedworth Employment Land Portfolio (2023)		Yes	No	Yes	<p>The document, at table 6.8 states that 15.1ha of employment can come forward on windfall sites. It is not clear how NBBC consider this is deliverable when it must be the case that the majority of this windfall will be in the Green Belt given the lack of available alternative sites. Land should be allocated for development, especially where the Borough is constrained by Green Belt, rather than relying upon windfall for the delivery of development where development is less likely to come forward because the most suitable and accessible locations have not been allocated. This approach is considered to be unhelpful to resolving the issue of out-commuting identified by the Council.</p> <p>Table 6.5 sets out employment land needed by NBBC. This omits to make reference to 26ha of employment land committed to meet Coventry's need as shown in 2016 employment MoU. This requirement, in addition to any other sub-regional need should be appropriately accounted for to ensure that development needs are suitably planned for and justified. There is therefore merit in delaying submission of the emerging Borough Plan until results of the West Midlands Strategic Employment Sites Study Part 2 are known. Paragraph 6.29 of the report states that: "For industrial space, the vacancy rate at the current time is very low, at just 0.7%. There is no inherent potential therefore for surplus vacant space to contribute to future needs." This further reinforces the requirement to positively plan for employment growth in the Borough to ensure that the obvious need for employment space is met, and the related economic and social benefits of employment growth in the Borough are realised.</p>	<p>Further evidence is required in relation to the deliverability of windfall sites.</p> <p>Submission of the emerging Borough Plan should be delayed until results of the West Midlands Strategic Employment Sites Study Part 2 are known. It may then be the case that a further Regulation 19 consultation is required to consider the implications of this.</p> <p>The report should also be updated to include reference to 26ha of employment land committed to meet Coventry need as shown in 2016 employment MoU. These amendments are required to ensure that the evidence base of the Borough Plan Review is justified.</p>	
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106.27		Landscape Character Assessment	Section 9	Yes	No	Yes	<p>The Landscape Character Assessment Report (Feb 2023) advises that any change in the Woodlands Bedworth landscape would need to enhance the small-scale field pattern and retain the frequency and density of hedgerow trees and hedgerows. In addition, the landscape is considered sensitive to any changes which may result in the loss of boundary structure and field pattern.</p> <p>Accordingly, the Landscape Visual Impact Assessment submitted as part of the planning application (Ref: 039720) concludes that the effect of the proposed development is limited, as the layout responds positively to the character of the site and its local landscape setting. The application proposals retain the site's important landscape features, such as existing hedgerows and mature hedgerow trees, ponds, ridge and furrow and the Flash Meadows LWS and therefore accords with these requirements.</p> <p>These conclusions should be incorporated into the Landscape Character Assessment to bolster the evidence base and ensure it is suitably justified.</p>	<p>The Landscape Character Assessment should be updated to make reference to site specific work undertaken in planning applications submitted for determination. Section 9 of the assessment should be updated to include the findings of the Landscape Visual Impact Assessment submitted as part of the planning application (Ref: 039720).</p> <p>This concludes at paragraph 9.0.12 that: "The proposals, including mitigation measures, as set out in Chapter 5, would not result in significant long term harm to the Site, its surrounding landscape character and its visual environment and represents an appropriate development located on the edge of Bedworth Heath." The Landscape Character Assessment should be updated to make reference to this in its assessment of the Bedworth Woodlands area.</p>	
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Agents and Developers

106.28			Section 10	Yes	No	Yes	<p>We object to the blanket generalised references contained in The Landscape Character Assessment Report (Feb 2023 - pg 48) that require "any changes which did not retain and reinforce wooded horizons or that made urban edges more prominent would weaken the pattern and character of the landscape".</p> <p>It is considered that the introduction of 1500 dwellings into what is currently a rural edge to the settlement and Arbury Estate will weaken the pattern and character of the landscape and it will therefore be difficult to maintain rural horizon.</p>	<p>The Landscape Character Assessment should be amended to recognise that further landscape and visual impact assessment work will be required to determine what level of appropriate mitigation could be provided to minimise the impact of 1500 dwellings will have on the landscape character.</p> <p>However, the assessment is incorrect to assume that the introduction of 1500 dwellings will not change the landscape character of the area. Arbury Estate will support proposals which seek to strengthen the eastern edge of the Registered Parkland but as drafted the SPD only seeks to enhance the green buffer on the eastern edge of the HSG2 allocation. It is considered that the western edge of the allocation should have a stronger buffer and not the eastern side as set out in the SPD.</p>	
106.29		HELAA (2023)	Appendix 2: Housing Assessment	Yes	No	Yes	<p>We object to wording of the 'suitability and availability' section of the HELAA site matrix in relation to HSG4.</p> <p>This statement does not take into account that in June 2023, Arbury Estate submitted a hybrid planning application for up to 150 dwellings on the western part of the HSG4 strategic housing allocation in the adopted Borough Plan.</p> <p>A national housebuilder is also in advanced discussions to acquire the site, demonstrating the site's suitability and deliverability, which therefore demonstrates that the removal of HSG4 from the proposed settlement boundary and as a strategic housing allocation is unjustified.</p> <p>Additionally, a response from Planning Policy during the statutory consultation period of the planning application (Ref: 039720) stated that "the site is considered sustainable, providing all the policies are met" and the overall pre-application response stated that "The principle of developing this site is considered acceptable", which therefore demonstrates that the site is suitable in principle for</p>		

						sustainable development and should therefore be included as a site allocation and remain within the settlement boundary.			
106.30			Appendix 3: Employment Assessment	Yes	No	Yes	<p>We object to wording of the 'suitability and availability' section of the HELAA site matrix in relation to HSG2.</p> <p>In relation to the site's credentials for both employment and residential development, we consider that this is a flawed conclusion to reach. This is based on a Green Belt Assessment that is over 8 years old and does not take into account that site SHA2 (HSG2) has been removed from the Green Belt and is allocated for development in the adopted and emerging Borough Plan.</p> <p>This severely weakens the Green Belt value of the site, and a Green Belt assessment is required in order to establish where sites such as south of HSG2 may have credentials to come forward for development, as they now perform weakly against the purposes of the Green Belt.</p> <p>Other sites submitted by Arbury Estate - We note that the sites shown on the plan below are not included in either the housing or employment site assessment matrix.</p> <p>Appendix 4 shows a map of sites assessed which includes sites in figure 1 (in the representation) but does not assess them. We request sight of this assessment in order to understand why the Council has not progressed with allocation of these sites within the Regulation 19 consultation document.</p>	<p>The HELAA should be re-considered in respect of HSG4 and the sites shown at figure 1 of the representations to take into account of a planning application having been submitted for 150 dwellings at HSG4.</p> <p>Accordingly, Arbury Estate believe that Woodlands should be included in the settlement boundary and allocated for residential development in the emerging Borough Plan, as extensive technical work has been undertaken during preparation of hybrid planning application ref: 039720, which concluded that the site is suitable for residential development.</p> <p>In addition the full assessment of sites submitted by Arbury Estate to the 2021 Call for Sites should be published for review.</p>	
106.31						Refer to the representations for supporting evidence.			

Agents and Developers

107.1	Bellway Homes Ltd	Borough Plan Review	DS2	Unanswered	No	No	<p>The representations relate to Bellway Homes land interests east of Plough Hill Road, site ref, GAL-4.</p> <p>Bellway Homes objects to Policy DS2 – Settlement Hierarchy and Roles because the settlement boundary upon which it is based, as shown on the proposals map, is out of date, not justified and not effective: conflicting with the tests of soundness in NPPF35 ((b) and (c) respectively).</p> <p>A new logical and defensible boundary needs to be established along Plough Hill Road which delineates clear separation between the built-up area of Nuneaton and the countryside to the west, where there is a clear distinction in landscape and visual character.</p> <p>The settlement boundary proposed in the Publication Draft is illogical in planning terms, having been rendered out of date by the grant of planning permission and subsequent development of two major schemes east of Plough Hill Road. GAL-4 is essentially land left over between the Countryside and Taylor Wimpey schemes, bounded and enclosed by Plough Hill Road, adjoining the main urban area of Nuneaton.</p> <p>The 2023 HELAA Appendix 2 and the HELAA report recognises that the site is integrated with the settlement of Nuneaton, with a landscape of 'low sensitivity' and residential development to the south, east and northern boundaries.</p> <p>The boundary conflicts with the Council's settlement boundary review methodology (Settlement Boundaries 2023) because it does not use an identifiable feature (Plough Hill Road) in this case and has not been defined utilising existing built form.</p> <p>Redrawing the settlement boundary along Plough Hill Road would not compromise the purpose of settlement boundaries identified on page 3 of the Settlement Boundary Review 2023.</p> <p>The land contained within and to the east of Plough Hill Road (including GAL-4) is clearly suitable for development (with previous decision making establishing the principle of development in this location), the land does not need to be protected, it plays no role hindering urban sprawl and would in fact facilitate the overarching strategy to deliver development in sustainable locations (i.e. Nuneaton, at the top of the settlement hierarchy in Policy DS2).</p>	<p>A new logical and defensible boundary should be drawn along Plough Hill Road, which provides a clear delineation and distinction between the built up area and the countryside beyond (refer to Figure 1 in the representation), consistent with establishing sustainable patterns of development and a boundary which is capable of enduring through to 2039.</p>	Yes
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107.2			DS3	Unanswered	No	No	<p>The principle of going beyond the Standard Method is supported and aligns with the National Planning Practice Guidance on Housing Needs Assessments.</p> <p>The proposed requirement of 545dpa does not go far enough – it does not reflect the critical housing and affordability crisis facing the Borough and does not address unmet needs from Coventry (relating to the Duty to Cooperate and Section 33A of the 2004 Act).</p> <p>The higher levels of growth tested in the Sustainability Appraisal – notably Option 4 (712dpa) is clearly the best performing option in sustainability terms, particularly against economic and social factors.</p> <p>The level of housing growth being planned for links with a wider fundamental issue regarding the soundness of the plan and its ability to positively plan for the communities' housing needs, given concerns over the strategy's deliverability and viability.</p> <p>The Publication draft proposes a considerable reduction in what was proposed in the Preferred Options consultation which identified a need of 646dpa. This sits within the context of a significant affordable housing crisis facing the Borough, with 3005 households in need on the Council's housing register.</p> <p>The 2022 report identifies a need of 407 affordable homes per annum which to meet in full would require an overall housing requirement of 1,600 dpa.</p> <p>There can be no doubt that the scale of the housing crisis facing the Borough is significant, with the new Borough Local plan presenting a significant opportunity to respond.</p> <p>One reason for the worsening housing crisis in Nuneaton and Bedworth is persistent under delivery against the Borough's housing requirements over the last twelve years and corresponding shortfall in the provision of new affordable homes. The 2019 Borough Local Plan has not been successful in helping to address these critical local needs.</p> <p>Prior to and following adoption of the 2019 Borough Plan there has been persistent under delivery of homes (in April 2019 the examining</p>	<p>Policy DS3 Overall Development Needs should be reviewed to ensure that the new Borough Local Plan can more positively address the extent of Nuneaton and Bedworth's significant housing crisis (akin to the 712dpa identified in the sustainability appraisal, which is the best performing option in terms of economic and social SA objectives). This will help the Council to plan for the provision of more homes on deliverable, viable and sustainable sites which are able to realise policy compliant levels of affordable housing provision early in the plan period,</p> <p>particularly the first 5 years post adoption.</p> <p>In addition, the policy needs to reflect the outcome of Duty to Cooperate discussions with Coventry City Council in particular, which needs to be addressed prior to the plan's submission in accordance with legal requirements under Section 33A of the Act.</p>	
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					<p>Inspector identified a shortfall of 1,132 dwellings amounting to persistent under delivery, but that under delivery now sits at 1,541 dwellings. Only in 2022/23 did the Council exceed its annual requirement, with the preceding eleven years falling behind - a persistent track record of failing to deliver (refer to Table 1 in the representation).</p> <p>Affordable housing completions have also failed to keep pace with needs. In 2019 the BLP Inspector considered that, based on the evidence at that time, the affordable housing need ranged between 195dpa and 320dpa as identified in the 2015 SHMA (see IR99 of the Inspector's Report). However, affordable needs now stand at 407dpa according to the Council's latest evidence at 2023.</p> <p>Table 2 (refer to the representation) demonstrates that affordable needs have not been met since 2011, resulting in a shortfall in affordable homes of 736-2,111 dwellings (applying the 195-320dpa range considered by the 2019 BLP Inspector).</p> <p>Table 2 (refer to the representation) demonstrates that the extant strategy in the 2019 BLP has not been effective (NPPF test of soundness 35(c)). This is a fundamental consideration for the soundness of the new BLP – which seeks to role forward key elements of the 2019 BLP - and demonstrates that more radical intervention is required.</p> <p>In response, the housing requirement in Policy DS3 needs to be increased, and alternative and additional deliverable sites which are able to sustain policy compliant levels of affordable housing in the first five years of the plan period need to be identified. This priority to do so in the first five years of the plan period is in response to the extent of the Borough's housing crisis, consistent with boosting the supply of homes and the requirements of national planning policy. Increasing the housing requirement would align with the findings of the sustainability appraisal which shows that Option 4, for example, which includes provision for 712dpa, is the best performing option, particularly in terms of social and economic sustainability appraisal objectives.</p> <p>There remains considerable uncertainty regarding the extent of unmet needs to be accommodated from adjoining Coventry City, an authority who is required to deliver a 35% uplift as part of their Standard Method / Local Housing Need calculation (equivalent to 3,188dpa, which the Council is unlikely to be able to meet within its City boundaries).</p> <p>This matter will need to be resolved prior to submission of the plan for examination, a legal requirement under Section 33A of the 2004 Act, NPPF11(b) and NPPF24-27.</p>		
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107.3			DS4	Unanswered	No	No	<p>This representation is submitted by Marrons on behalf of Bellway Homes Ltd in response to Nuneaton and Bedworth Borough Council (NBBC)'s consultation on the Borough Plan Review Publication Draft Plan 2021-2039 (the Publication Draft). The representations relate to Bellway Homes land interests east of Plough Hill Road, site ref, GAL-4.</p> <p>Bellway Homes objects to Policy DS4 – Residential Allocations with respect to the following.</p> <ul style="list-style-type: none"> - The policy does not address the full extent of local needs nor address the significant housing crisis facing the Borough (explained further in Bellway Homes' representations to Policy DS3 Overall Development Needs). There is an urgent need to deliver new affordable homes for the Borough's residents. The Policy will therefore not be effective, in conflict with NPPF test of soundness 35(c). - The site selection process in the HELAA and SA is not justified, rejecting otherwise deliverable and sustainable locations based on out-of-date evidence, in conflict with NPPF test of soundness 35(b). GAL-4, for example, is rejected 	<p>Policy DS4 should be subject to a Main Modification to include the allocation of up to 160 homes east of Plough Hill Road (GAL-4).</p> <p>Corresponding updates are required to the HELAA (explaining that transport issues have now been addressed) and SA (recognising that GAL-4 no longer sits within a 'strong' landscape area given the updated baseline and context).</p> <p>A supporting Housing Trajectory should be prepared which sets out the deliverability (for years 0-5) and developability (for years 6-15) of specific sites for proposed for allocation, in accordance with NPPF68 and supporting NPPG.</p>	
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						<p>based on out-of-date transport and landscape evidence. This deliverable and sustainable site is included as part of Spatial Option 4 – Increased Urban Dispersal – the strongest performing option in the SA's assessment of reasonable alternatives, particularly against social and economic SA objectives.</p> <ul style="list-style-type: none">- There is no evidence provided on the provision of a “sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability” within the context of a specific deliverable sites for years one to five of the plan period and specific developable sites for years 6-15, contrary to NPPF68. The lack of a detailed housing trajectory to support the policy means that the policy is not evidenced and unjustified (NPPF test of soundness (b)).- The lack of a housing trajectory which sets out how and at what point specific site allocations are deliverable and whether there is a reasonable prospect that sites are developable (in terms of funding, start dates, delivery rates and current status) also conflicts with the requirements of NPPF68, NPPF74, NPPF Annex 2, NPPG007 and NPPG020 (Housing Supply and Delivery) also calls into question		
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						<p>the deliverability of the strategy.</p> <p>- To help address these fundamental matters of soundness, additional deliverable, viable and sustainable sites need to be allocated, to help boost the supply of market and affordable homes. This will be particularly important in the first 5 years of the plan period given the critical housing crisis facing the Borough.</p> <p>These representations and supporting appendices include the unique circumstances and benefits of doing so on site GAL-4, east of Plough Hill Road.</p> <p>Bellway Homes is a 5* housebuilder with a track record of delivery in Nuneaton and Bedworth, having delivered 476 homes on part of BLP site HSG1 and are also involved in the delivery of 575 homes on Gipsy Lane (HSG3). These matters of soundness are now explained in further detail.</p> <p>Extent of the Borough's housing crisis and ability of Policy DS4 to respond</p> <p>The extent of the Borough's significant and worsening housing crisis is identified in the Council's evidence base. Towards a Housing Requirement for Nuneaton and Bedworth 2022 (pages 34-36 in particular) identifies 3,005 households on the housing register, and explains that there has been a "dramatic increase in levels of</p>		
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						<p>homelessness presentations to the Council...the Borough's private rental sector is experiencing unprecedented pressure [with 70 applicants per property], "the Council is currently regularly having to accommodate 120-125 households per week in emergency temporary accommodation at considerable cost to the Council".</p> <p>The 2019 BLP has not been successful in addressing the Borough's needs, the shortfall in housing provision has increased and the affordability position has got worse.</p> <p>There is no evidence provided on the deliverability of the Strategic Housing Allocations (SHA) on which delivery of the plan depends, particularly SHA2 Arbury (1,525 dwellings, formerly HSG2), SHA3 Tuttle Hill (350 dwellings, formerly HS11), SHA6 Hawkesbury Golf Course (176 dwellings, formerly HSG12). Evidence on lead-in times, start dates and build out rates – all required by NPPF74, NPPF Annex 2, NPPG007 and NPPG020 (Housing Supply and Delivery) – is missing from the draft plan and evidence base.</p> <p>The extent to which several of the Non-strategic Allocations for Housing Land (NSRA)</p>		
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						<p>are deliverable or developable is also not evidenced, contrary to NPPF and NPPG requirements. It is clear that some of these NSRAs are heavily constrained and unlikely to deliverable or developable at the present time. Indeed, the constraints are identified in the policy with respect to site specific considerations which:</p> <p>“...include the loss of playing fields which might require compensation, or biodiversity and heritage considerations, including the setting of the Coventry Canal.”</p> <p>Sites which involve the loss of playing fields will require the Council to consult Sport England (a legal requirement), who will object in accordance with the Playing Fields Policy and Guidance, updated December 2021. This in-principle objection to the loss of playing fields means that, at present, the suitability and availability of proposed NSRAs cannot be demonstrated.</p> <p>Other brownfield NSRA's have viability and other constraints identified in the SHLAA.</p> <p>The lack of evidence and constrained nature of the SHAs and NSRAs identified above will severely constrain the ability to deliver market and, crucially, policy compliant levels of affordable homes in the face of the significant</p>		
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						<p>crisis facing the Borough, particularly in the early years of the plan. This will likely exacerbate the extent of the shortfall in market and affordable housing provision which has arisen prior to and following adoption of the 2019 BLP.</p> <p>Lack of justification and out-of-date evidence</p> <p>Site selection process and transparency</p> <p>The correlation between the sites and allocations identified in the 2019 BLP, the Local Plan Review Preferred Options, the HELAA and SA is confusing, with reference numbers and site names inconsistent and having changed throughout this process.</p> <p>This makes it difficult to understand how sites have been appraised, how alternatives have been assessed and how decisions have been made as part of a transparent process, particularly within the context of a need for accessibility in plan-making and evidence (NPPG035 - Plan-making).</p> <p>HELAA</p> <p>Bellway Homes raises a significant issue regarding the HELAA and its conclusions regarding the suitability of site GAL-4. The HELAA concludes that: "There are concerns over traffic impacts on Plough Hill Road given the new developments in the area and mitigation measures would be required</p>		
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						<p>to make this site acceptable in highway terms". Traffic impacts on Plough Hill Road have principally arisen from the lack of a mitigation scheme to address queuing on the Plough Hill Road arm of the Plough Hill Road / Coleshill Road T-junction. However, delivery of a new roundabout at this junction to provide additional capacity has been identified by Warwickshire County Council and is central to the Infrastructure Delivery Plan (IDP) which underpins the Publication Draft, for delivery before 2031. The proposed improvements to this junction are set out in the 2023 Strategic Transport Assessment. The presence of a mitigation scheme for the junction has already been central to the Council's decision-taking on other residential scheme's in this part of Nuneaton, including the resolution to grant for NRSA8 (Land rear of Lilleburne Drive and Willow Close) at committee back in February 2023. In the committee report, Warwickshire County Council, as Highway Authority, and Nuneaton and Bedworth Borough Council identified that:</p> <p>"...the Highway Authority has been working hard in the background to identify a wider improvement scheme to improve the overall capacity of the junction to accommodate the various allocated sites within the area with spare capacity for additional windfall sites. The Highway Authority would therefore prefer a S106 contribution to the wider highway improvement scheme rather than minor changes to the highway."</p> <p>(Emphasis added).</p> <p>This point was raised with the Council in May 2023 to further explain why GAL-4 was suitable for allocation in the new Borough Plan. This followed a meeting with officers in February 2023 to introduce a package of sustainable transport measures which can achieve a 15% modal shift to walking, cycling and use of public transport (centred on improved surfacing, wayfinding and infrastructure for walking and cycling) alongside traffic calming, speed reductions and safety improvements in the</p>		

					<p>vicinity of Galley Common Infant School (enclosed at Appendix A, Sustainable Transport Summary).</p> <p>Bellway Homes then went further, to work with Warwick County Council Highways and their consultants, Vectos, to model the impact of GAL-4's impacts on the network in addition to Local Plan Growth scenario. The findings from this analysis are presented at Appendix B (Transport Modelling Update) where it is clear that Bellway's proposed allocation can be accommodated without a detrimental impact on the highway network. Moreover, Bellway's scheme will actually help to deliver the Plough Hill Road / Coleshill Road mitigation scheme through proportionate S106 funding contributions (as explained to senior officers in County Highways) and the wider package of sustainable transport benefits that Bellway has identified (Appendix A).</p> <p>The HELAA therefore needs to be updated to acknowledge the material change in circumstances with respect to traffic-related issues on the Plough Hill Road/Coleshill Road junction, and the extent of wider improvements that an allocation at GAL-4 could deliver in sustainable transport terms, with a credible strategy to achieve the 15% modal shift sought by the adopted 2019 BLP.</p> <p>Even if traffic-related issues had not been resolved, the principle of needing to 'mitigate' future traffic impacts related to the allocation of a site for development in Policy DS4 would not necessarily be an overriding factor or reason for rejection.</p> <p>SHA1 Top Farm, for example, requires significant highway works and mitigations, as does SHA3.</p> <p>The issue of the GAL-4's location outside of the settlement boundary is also raised in the HELAA, but for the reasons explained in representations to Policy DS2 and the Policies Map the settlement boundary in this location is out-of-date and in need of review, to align it with Plough Hill Road.</p>		
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						<p>SA</p> <p>The SA is unclear as to what the preferred strategy is, and how this relates to the alternatives that have been tested. For example, Option 4 – Increased Urban Dispersal, appears to be the best performing option, yet how this relates to or has influenced the Publication Draft is uncertain.</p> <p>The SA's approach to 'landscape sensitivity' is also based on out-of-date evidence.</p> <p>For example, it concludes that GAL-4 is in a strongly performing landscape,</p> <p>consistent with conclusions when the site was assessed previously, however matters</p> <p>have materially changed in this location as the HELAA recognises.</p> <p>The HELAA scores the GAL-4 'green' in terms of integration with the settlement of Nuneaton ("Site / development integrates well") with a landscape of "low sensitivity"</p> <p>(also green in the HELAA Appendix 2).</p> <p>As explained in representations to Policy DS2 and to the Policies Map, GAL-4 no longer sits within open countryside. As recognised in the HELAA, it is now enclosed by development to the north, south and east, and bounded by Plough Hill Road to the west. It is a well-contained and logical site, experienced in the context of strong urbanising influences, separate and distinct from the tract of open countryside to the west of Plough Hill Road.</p> <p>It is clear that the latest Landscape Assessment undertaken by FPCR (2023) does not recognise the significance of new development in this location, with the OS plans included within the report failing to identify or include the various schemes which are now nearing completion. The Landscape Assessment does not address the distinctly different character of land east and west of Plough Hill Road. Bellway Homes therefore encloses a Landscape Sensitivity Review for GAL-4, based on the up-to-date context, enclosed at Appendix C (Landscape Sensitivity Review). Unique circumstances and benefits for the allocation of GAL-4 A Main Modification should be made to Policy DS4, to allocate GAL-4 for a residential development of up to 160 homes. The unique circumstances and</p>		
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						<p>benefits of a new community at Plough Hill Road are summarised as follows, with further detail on how a high quality, well-designed and environmentally-led masterplan can be realised enclosed at Appendix D (Vision & Masterplan).</p> <p>- It reduces pressure on, and provides a clear alternative to, development on protected Green Belt land should the Council need to do so in the face of housing pressures and unresolved Duty to Cooperate discussions with Coventry. Lying outside of the Green Belt, this site is already bounded by development to the north, east and south, with Plough Hill Road a logical and defensible new settlement boundary to the west.</p> <p>-S106 contributions can be made towards the delivery of key infrastructure including the new Plough Hill Road/Coleshill Road roundabout, as well as securing wider investment, for example towards public transport.</p> <p>-The site is in a sustainable and accessible location for development where a 'modal shift' of at least 15% towards walking, cycling and public transport can be truly realised in support of adopted BLP policy objectives. This would be complemented by a package of highway safety improvements and speed reductions in the vicinity of Galley Common Infant School, including traffic calming, and upgraded crossing points, which includes onward routes to Hartshill Academy and via the Black Track.</p> <p>As well as upgraded routes for walking and cycling, investment in public transport and personalised travel planning, achieving the 15% modal shift will be further supported by non-residential uses within the scheme, including provision of land for potential community uses.</p> <p>-New play areas for children and multi-use games area (MUGA) will help address specific needs within Galley Common, provided within a generous green space network, which also provides community growing space/allotments.</p> <p>- It can provide up to 160 new homes - making an important</p>		
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						<p>contribution towards the 1,541 dwelling shortfall in the delivery of new homes that has accrued since the start of the Borough Local Plan period in 2011.</p> <p>-Under the control of a 5* housebuilder it can be delivered quickly, contributing towards Nuneaton and Bedworth Borough Council's 5-year supply of deliverable housing land, a requirement of national planning policy (NPPF para. 74). This reflects the current shortfall (4.94 years according to the Planning Inspector assessing the Tunnel Road appeal, 11th November 2022). Bellway Homes has already delivered 476 homes on their part of HSG1, and is delivering 575 homes on HSG3 Gipsy Lane, demonstrating a track record of delivery in the Borough.</p> <p>-The provision of a deliverable site will mitigate the risks associated with the delivery of the SHAs which have not yet delivered, as well as several NRSAs in the Publication Draft which are, at present, highly constrained and unlikely to contribute to the 5-year supply.</p> <p>-25% affordable housing provision in the context of critical, and worsening, affordability issues facing the Borough. This includes an accrued shortfall of 736 to 2,111 affordable homes since 2011, a housing waiting list of 3,005 households, and increasing levels of homelessness being reported to the Council.</p>		
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107.4			Policies Map	Unanswered	No	No	<p>Bellway Homes objects to the Policies Map which underpins the Publication Draft because is out-of-date, not justified and not effective in therefore in conflict with the tests of soundness in NPPF35 ((b) and (c) respectively). This is a fundamental matter of soundness relating to the settlement boundary east of Plough Hill Road, concerning site ref. GAL-4. A new boundary needs to be establishing along Plough Hill Road, which delineates clear separation between the built-up area of Nuneaton and the countryside to the west beyond. GAL-4 is essentially land left over between the Countryside and Taylor Wimpey schemes, bounded and enclosed by Plough Hill Road, adjoining the main urban area of Nuneaton. The 2023 HELAA Appendix 2/the HELAA scores GAL-4 'green' in terms of integration with the settlement of Nuneaton with a landscape of 'low sensitivity'. In addition to the above, the boundary conflicts with the Council's settlement boundary review methodology (Settlement Boundaries 2023) - it does not use an identifiable feature (i.e. Plough Hill Road in this case) and it as not been defined utilising existing built form (land to the north, east and south being developed). Redrawing the boundary would not compromise the purpose of settlement boundaries identified on page 3 of the Settlement Boundary Review 2023: GAL-4 is land suitable for development, does not need to be protected, plays no role hindering urban sprawl and would in fact facilitate the overarching strategy to deliver the development in sustainable locations.</p>	<p>A new logical and defensible boundary should be drawn along Plough Hill Road, which provides a clear delineation and distinction between the built up area and the countryside beyond (refer to Figure 1 in the representation).</p>	
107.5			Appendix B - Housing Trajectory	Unanswered	No	No	<p>The Housing Trajectory conflicts with the requirements of NPPF68, NPPF74, NPPF Annex 2, NPPG007 and NPPG020 (Housing Supply and Delivery) because it does not provide detail of the constituent sites, their lead-in times and build rates. As part of this evidence and justification is required to demonstrate whether or not sites are deliverable (where clear evidence is required) and whether other sites are developable (where there needs to be a reasonable prospect that they will come forward). This will be critical to demonstrate a 5-year supply of housing land on adoption of the plan and developable supply for years 6-15, all as required by NPPF68.</p>	<p>A more detailed housing trajectory is required, alongside the requisite evidence on the deliverability and developability of specific sites for the first 5 years of the plan, years 6-10 and years 11-15, as required by NPPF68.</p>	
107.6							<p>Refer to representation for supporting evidence (especially DS4 for attached appendices).</p>		

108.1	FCC Environment UK Ltd	Borough Plan Review	DS3	No	No	Yes	<p>The consultation draft plan explains that the local housing need is 442 dwellings per annum. However, the Council recognises that there are circumstances which mean that the housing requirement should be higher than the local housing need. This is essentially set out in the latest report 'Towards our Housing Requirement' as referred to in paragraph 6.21 of the consultation draft.</p> <p>Paragraph 6.22 then explains that a planned economic growth scenario has led to the proposed requirement of 545 dwellings per annum. This approach accords with para 61 of the Framework and para 2a-010 of the PPG.</p> <p>However, the Council should also consider the final section of para 2a-010 of the PPG which explains that where previous assessments such as a recently produced SHMA have led to a higher figure. In Nuneaton, the current adopted housing requirement (and the allocations to meet that requirement) is set out in the current plan. Policy DS4 of the current Borough Plan sets out that 14,060 dwellings will be delivered between 2021-2031. The housing requirement is stepped as follows: 2011-2018: 502 dpa and 2018-2031: 812 dpa.</p> <p>The housing requirement of 812 dwellings per annum is significantly greater than the local housing need and the proposed housing requirement set out in the Borough Plan Review. On this basis, with reference to para 2a-010 of the PPG the housing requirement of 812 dwellings per annum should be retained.</p> <p>In terms of 5YHLS, the Council should be clear whether it is seeking to have its 5YHLS confirmed through the Local Plan as per para 75 of the NPPF/ para 68-010 of the PPG.</p> <p>But in any event, we would expect to see 'clear evidence' for the inclusion of category b) sites in the deliverable supply as required by the definition of 'deliverable' on page 67 of the NPPF.</p>		Yes
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108.2			DS4	No	No	Yes	<p>We support the allocation of 'Land at Tuttle Hill' as one of the strategic housing allocations within Nuneaton and Bedworth – reference SHA3.</p> <p>It is considered that the site's allocation would contribute towards the soundness of the Local Plan given its clear compliance with the Plan's overarching strategy and objectives and its consistency with national policy, specifically:</p> <p>It would materially contribute to the achievement of objectively assessed housing needs.</p> <p>It would comply with the proposed settlement hierarchy and spatial strategy set out in Policy DS2 which prioritises development in Nuneaton – noting that the site features in every housing Strategy Option Considered by the Council and assessed within the Sustainability Appraisal.</p> <p>It is on a brownfield site, the development of which is explicitly supported by Policy DS1 and DS2 and Section 11 of the NPPF – Effective Use of Land. Particularly Paragraph 119 which states:</p> <p>“....Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land”.</p> <p>The site is the only strategic scale brownfield site that has been put forward for allocation within the emerging Local Plan, with all other proposals on greenfield sites. Noting that Nuneaton and Bedworth Council have adopted a 'brownfield first' approach to make maximum use of underused or vacant sites within the urban areas. There is also currently significant government support for the delivery of brownfield development with the government committing funds to enable the delivery of brownfield development across the UK.</p> <p>The site is in a sustainable location within easy reach of existing services and amenities.</p> <p>Whilst supporting the allocation, we do have specific concerns regarding the current drafting of Policy SHA3, and the Sustainability Appraisal that has been carried out in support of the allocation. The latter contains inaccuracies, a lack of overall clarity in terms of how it has been prepared and scored in addition to a lack of any formal conclusions on the assessment of individual sites.</p>		
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108.3			SHA1	No	No	Yes	<p>Criterion 1 It is noted in the Viability Assessment that the requirement for 5% of homes to M4(3) compliance exceeds national policy expectations and that it has an impact on viability. We therefore, do not consider that this should be included within the policy. The requirement in relation to both Part M4(2) and M4(3) is also inconsistent with Policy H5 which explicitly states that it is not necessary where robust justification is presented as to why these types of dwellings would be unviable or physically impossible. This should also be more explicit within Policy SA1.</p> <p>Criterion 7 The wording of Criterion 7 has been amended from the previous version, removing the requirement for 'designated' local wildlife sites (LWS) to be surveyed for their ecological importance and stating that such sites "will be protected". The wording means that only 'potential' LWS are required to be surveyed. However, we strongly consider that the policy should continue to require designated LWS to be surveyed for their importance. A blanket protection of LWSs is clearly inconsistent with the proposed allocation of SHA3 which includes a section of an LWS. Not all LWS are of equal value, and some do not include biodiversity features that would justify their continued designated. The protection of LWS should be based upon up-to-date ecological information and seek to ensure that features are conserved, enhanced and created. There should, however, not be unconditional protection of LWS where it can clearly be evidenced that they no longer qualify for designation. This approach would accord with the NPPF which sets out that a Development Plan should</p>	<p>It is recommended that criterion 7 reverts back to its previous revision and is modified to read as follows (or similar) 7. Designated and potential local wildlife sites within or affecting the site will be surveyed for their ecological importance while designated local wildlife sites will be protected. The results of the survey will inform an assessment of the impact on or loss of the local wildlife site and any associated mitigation measures.</p>	
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					<p>distinguish between the hierarchy of designated sites and protect / enhance sites of biodiversity value in a manner commensurate with their statutory status. A LWS is a local designation which is afforded limited weight and protection.</p> <p>We also consider that the wording should require the addressing of the outcome of any survey associated with the ecological importance of a LWS or part thereof. This is particularly if the survey reveals that the value of the site / part of the site included within, or potentially affected by, a strategic allocation, is below the thresholds for acceptance as a LWS and does not contain the features / species that led to its designation.</p> <p>Criterion 16</p> <p>Asks for strategic developments to comply with the relevant Concept Plan SPD and Design Code.</p> <p>However, as pointed out in our previous representations on the Preferred Options consultation, these plans do not form part of the consultation in the context of the emerging Local Plan, and they should be if they are to be relied upon.</p> <p>Many of the adopted SPDs/Design Codes no longer reflect the proposed allocations – the HSG11 SPD no longer properly reflects the allocated area.</p> <p>If reliance is to be placed upon the SPD's and Design Codes, it will be necessary for them to be updated (where required) and for them to be the subject of wider public consultation as part of the Local Plan evidence base.</p> <p>Final paragraph – Viability</p> <p>We welcome acknowledgement in the final paragraph of the policy wording that independent financial viability assessment can be submitted where any element of the policy or those in the site-specific policies are deemed unviable. However, it should also refer to any other policy relevant to the strategic allocations, including the Affordable Housing Policy H2.</p> <p>It would be very difficult for development proposals to meet all the criterion in Policy SA1, and the individual policy requirements set out in the site-specific policies, whilst maintaining their viability and deliverability. Such flexibility will be particularly important when considering the brownfield sites that are being put forward for allocation in plan, particularly strategic sites like SHA3.</p> <p>Paragraph 7.13</p> <p>In relation to SHA3 and the wider Judkins Quarry site, the sensitivity test concludes that the traffic generated by 450 homes and 3.7ha of employment land could be accommodated on the local network without the need for any additional mitigation measures (beyond those already proposed the allocation). Whilst the results of the assessment are positive and welcomed, we will continue to carry out more detailed appraisals and reviews with WCC Highways in relation to the proposed development at SHA3.</p>		
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108.4			SHA3	No	No	Yes	<p>The proposed allocation of this site is unreservedly supported. It would clearly comply with the overarching approach to the distribution of strategic development sites within the Development Plan, particularly the objective of bringing forward sites in sustainable locations in the main settlements and the promotion of brownfield land over greenfield and land within the Green Belt.</p> <p>Viability to pay several different financial contributions in connection with the site's redevelopment. In addition to this, it also requires a series of infrastructure requirements including:</p> <ul style="list-style-type: none"> a new bridge across the Coventry Canal, the creation of direct access between the site and the canal towpath, provision of a new access onto Tuttle Hill, improvements to the existing access off Tuttle Hill enhanced accessibility and the structural condition of heritage assets along Coventry Canal, Enhancements to canal towpath. <p>This is alongside the need to meet other policy requirements within the emerging Local Plan including, but not limited to, 25% affordable housing, open space (in accordance with the Open Space SPD) and climate change interventions.</p> <p>FCC Environment have been contemplating development of this site</p>	<p>The 6th principle refers to segregation between proposed and existing uses. However, there will be no provision for a dedicated access for the landfill / Household Waste Recycling Centre, therefore we suggest amending the wording to:</p> <p>6. Provision of one or more new access points onto Tuttle Hill, as well as improvements to the existing access in order to provide segregation between encourage the segregation of proposed and existing uses.</p> <p>Within development principle 20, the word "possible" should be changed to "practicable".</p> <p>Reference to commercial matters is not relevant to the site's allocation and we would suggest the following changes to the wording of Paragraph 7.55.</p>	
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						<p>there is already an imperative of the policy to make the Coventry Canal the focal point of future development. In addition, a significant proportion of the site will not have direct views of Mt. Judd in any case.</p> <p>On a related note, FCC are concerned that by making Mt Judd a focal point of the development it may encourage unauthorised access. Mt Judd is currently not open to the public but is the subject of frequent trespass, which is dangerous given the steep slopes.</p> <p>This paragraph refers to the part of the site designated as a LWS, stating that it supports a number of valuable habitats and species and great crested newts.</p> <p>Firstly, it should be noted that only less than 7% of the LWS would be permanently lost as a result of the development. Secondly, following detailed ecological assessment work, it has been established that this part of the LWS does not include the biodiversity features that would justify its continued designation. There are habitats bordering the LWS but these are proposed to be protected.</p> <p>Finally, the status of the LWS no longer reflects the actual status of the designated site. There has been a notable deterioration in the part of the LWS that is included within SHA3 which has been verified through ecological assessments carried out over the last 5 years. The deterioration in that part of the LWS means that it no longer contains the specific features and characteristics that led to its designation in 2015.</p> <p>As part of the development proposals, FCC will include significant ecological mitigation and enhancement, both within the site and its wider landholding, along with public open space provision.</p>			
108.5			Para 7.59	No	No	Yes	<p>Canal improvements</p> <p>Improvements can only be made to the Canal and the land under the control of the Canal and Rivers Trust (CRT) with their agreement. Whilst there have been positive discussions with the CRT regarding the redevelopment of the allocated site, we suggest the wording of Paragraph 7.59 should be amended to reflect the fact that FCC Environment do not have control over the canal corridor.</p>	<p>The suggested changes to the wording are set out below.</p> <p>"The Development of the site will take the should seek to improve the setting of the canal, and explore opportunities including for better public access and interpretation. The canal offers the opportunity to become part of green infrastructure for the strategic site and a sustainable transport route with an existing towpath, which should be upgraded to encourage access.</p>	

Agents and Developers

108.6			Para 7.60	No	No	Yes	<p>Flooding</p> <p>The flood risk assessment carried out in support of the existing planning application for redevelopment of the site concluded that the Canal can be discounted as a potential source of flood risk for the site. Consequently, there is no risk of canal flooding or the need for a specific investigation in this regard.</p>		
108.7			Para 7.61	No	No	Yes	<p>Flooding</p> <p>It is stated that the SFRA Level 2 concluded that both Sequential and Exception Tests are required for this site. These should however not be required given the location of the site within Flood Zone 1 and the very low risk of surface water flooding. The SFRA map for the 0.1% surface water flood extent (the most extreme event considered) only shows minor pockets of surface water flooding in isolated low points on site (as would be found on most large sites). These low points would be removed as part of the development and the associated risk removed. We are preparing a detailed surface water drainage assessment to support these conclusions and are happy to engage with further discussions on this.</p>		
108.8			Para 7.62	No	No	Yes	<p>Future development potential</p> <p>Reference to the potential for land at the wider Judkins Quarry to come forward for development within the plan period is supported. However, consideration should be given to formalising this within the BPR.</p> <p>The Strategic Transport Assessment (May 2023) includes sensitivity testing which demonstrates that additional employment and housing can be achieved at the wider site without the need for any additional mitigation measures (beyond those already proposed for the housing allocations). We are aware that funding may be available from the West Midlands Combined Authority to facilitate a larger strategic development on the wider Judkins site which is wholly within settlement boundary and well located in relation to Nuneaton town centre. We therefore consider that it should either be identified as a future area of growth or a longer-term strategic opportunity to bring</p>		

						additional development forward, in a more formal manner than the current wording allows.			
108.9			NE3	No	No	Yes	Biodiversity Offsetting This part of the policy states that "If the habitat loss cannot be replaced on site, the replacement should be provided, in the Borough". However, our understanding is that the Warwickshire metric (which is to be used until replaced by national metric) places no restriction or limitation on the use of land outside the Borough when coming to a conclusion on habitat replacement. In addition, the current Defra metric also allows biodiversity net gain through land that is outside of the host borough, albeit that would affect the overall multiplier score. In light of this, we don't believe that the wording of the policy should be so restrictive and it should be reworded to state that there is a preference for net gain to be provided within the Borough, but not an absolute restriction on the basis that it is incompliant with the provisions of the Warwickshire and Defra metrics. In addition, Nuneaton and Bedworth is a relatively small Borough in area, that has limited capacity for the provision of compensatory habitat and, as such, over time such a restrictive limitation on the provision of compensatory habitat could become untenable. In light of both of these points there should therefore be allowance for replacement provision outside the Borough boundary.		

108.10			Para 12.31	No	No	Yes	<p>The last Ecology Assessment for Nuneaton and Bedworth Borough Council was published in 2014 and the last assessment of local wildlife sites was carried out in 2015.</p> <p>By the time the emerging Local plan is adopted these assessments will be around 10 years old and the information underpinning them may be older still. A lot of change can occur within designated sites within a 10-year period, particularly if they are unmanaged.</p> <p>We are concerned that the status and boundaries of the designated sites may no longer reflect the actual status of the designated sites by the time the Plan is adopted. For example, there has been a notable deterioration in the part of the LWS that is included within SHA3 which has been verified through ecological assessments carried out over the last 5 years. The deterioration in that part of the LWS means that it no longer contains the specific features and characteristics that led to its designation in 2015.</p>		
108.11			Para 12.39 and Table 35	No	No	Yes	<p>Monitoring</p> <p>Within Table 35, in relation to local wildlife sites (Monitoring ref: NE3a), it is indicated that the target is for "no deterioration; maintain at favourable status". This is an unrealistic target in the context of allocating sites for housing on sites which are partly within local wildlife sites.</p> <p>If in allocating Site ref SHA3 the Council does not simultaneously secure a formal change to the Local Wildlife Site designation (which is partly affected by the allocation) then there will be a potential conflict with the stated aims of NE3a and the associated monitoring targets in Table 35. Otherwise, a policy conflict may exist.</p>		

108.12			Sustaina bility Appraisal	No	No	Yes	<p>Whilst the planned allocation and extent of the proposed allocation SHA3 is supported, we are not in agreement with aspects of the sustainability appraisal that was carried out in relation to the site which is referred to under reference ABB-2 (contained within Appendix C of the Nuneaton and Bedworth Borough Plan Review Sustainability Appraisal (SA) Second Interim Report: Regulation 18; July 2023). There are several inaccuracies which need reviewing and rectifying. These were pointed out in our previous representations to the Local Plan Preferred Options but have not been addressed within the updated SA. The inaccuracies are summarised below:</p> <p>The statement that 7.9ha of the site is within Grade 3 agricultural land is incorrect.</p> <p>The site does not contain any agricultural land, it has historically housed buildings in connection with Judkins Quarry operation and has never subsequently been within an agricultural use. There are also no known restoration requirements that necessitate its return an agricultural use.</p> <p>It is not clear how the assessment has arrived at a moderate impact in relation to landscape character and there is no evidence of the methodology that has been used</p> <p>to carry out the assessment. However, given the status of the site, the fact that it comprises previously developed land and lying next of a former quarry / landfill site, it is highly likely that its allocation and subsequent redevelopment would have beneficial effects on landscape character.</p> <p>It is not agreed that the site is 716m from a local centre – Abbey Local Centre is situated circa 350m from site.</p> <p>The SA states that there are no built-up centres within 800m of the site despite acknowledging that Nuneaton Town Centre is within 716m and ignoring the fact that Abbey Local Centre, which is much closer at circa 350m away. There are employment sites within 800m, and this should not be classified a major negative effect in the site appraisal, it should be neutral at worst.</p> <p>It is difficult to see why the presence of 7 bus stops within 800m of the site has been</p>		

							classified a moderate negative effect in the SA, it is surely a positive aspect of the development. The fact there are no railway stations within 800m is marked as a major negative effect. However, the station is only circa 1000m from the site and should only be a minor / moderate negative effect. There are 2 primary schools within 800m not 1 - both Abbey C of E School and Camp Hill Primary School are within 800m of the site. In addition, St Annes Catholic Primary is only just over that distance. There is more than 1 green / open space within 800m of the site, this includes but not limited to, Weddington Meadows (including Weddington Walk), the public open space (including MUGA and Skate Park) to the rear of Camp Hill School, Stanley Road recreation Ground, the Dumbles Nature Area, and Sandon Park. We respectfully request that the site appraisal for A+BB-2 (SHA3) is reviewed and updated to reflect the abovementioned matters. AXIS / FCC Environment have extensive knowledge of the site and its surroundings and would be willing to engage in this process. As touched upon in the bullet points above, the appraisal of individual sites within the Sustainability Appraisal contains no information on the methodology that has been adopted, no clear understanding of the scoring that has been used.		
109.1	Holt Property Ltd	Borough Plan Review	General	Unanswered	Unanswered	Unanswered	The Council's decision to review the Borough Plan is fully supported by Holt Property.	Yes	
109.2			Plan period	Unanswered	Unanswered	Unanswered	The plan period to at least 2039 reflects the minimum 15-year period from adoption that should be covered by strategic policies according to NPPF (para 22). Holt Property mains that the vision set out in the BPR Reg 19 should be amended to provide a strategy for a 30 year plan period in order to provide greater certainty to the public and development industry for how land will come forward and associated infrastructure planned for. The NPPF (para 140) is clear that Green Belt boundaries should endure beyond the Plan period. An extended period allows for more strategic considerations of Green Belt boundaries and whether they still serve their intended purposes, as well as whether Green Belt release is required to meet identified needs.		

109.3			Evidence	Unanswered	Unanswered	Unanswered	<p>Support the general approach in the NBBC HEDNA set out above, however if it is to address the specific issues associated with the low level of historic growth in the Borough, it will need to make a step change in the provision of employment development, rather than still, at least in part, be based on past employment completions.</p> <p>The Council has not updated the 2015 Green Belt Review to take account of allocations and development which have occurred in the intervening years or taken steps to consider whether exceptional circumstances exist that justify the release of Green Belt sites. This is of particular relevance in association with the Pickards Way site when it had already been shown to have little or no value in Green Belt terms and in addition the adjacent Wilsons Lane site now had planning permission for largescale employment development. These circumstances along with the potential for the Council to have to allocate additional employment land to meet its needs warranted a review of Green Belt in this location.</p>		
109.4			Duty to Cooperate	Unanswered	Unanswered	Unanswered	<p>Paragraph 1.11 of the Reg 19 LP refers to the Council positively engaging with other partner organisations under the Duty to Cooperate.</p> <p>In context of the policy framework of the NPPF, comment of other LPA's in the sub region and in particular the timing of the Borough Plan Review relative to others in the sub region particularly Coventry's, there is concern that the duty to cooperate has not been met.</p> <p>It is notable that the response of Coventry City Council to the BPR PO stated that the Local Plan had yet to comply with Duty to Cooperate and would not be considered sound. CCC also referred to the lack of a Memorandum of Understanding and that there was a need to robustly calculate housing need.</p> <p>North Warwickshire Borough Council also raised concerns that the Duty to Cooperate has not been adequately addressed. In particular NWBC state that they are very disappointed that NBBC is withdrawing from the Memorandum of Understanding, NWBC considered the Local Plan not sound due to a range of factors associated with cross boundary issues.</p> <p>In view of the above (Cov and North Warwickshire PO responses), lack of progress on the Memorandum of Understanding and the timing of the Local plan in advance of others in the sub-region, Holt Property are concerned that the Duty to Cooperate Test will not be met.</p>		

109.5			Vision and Objectives	Unanswered	Unanswered	Unanswered	<p>The amended vision and objectives are broadly supported by Holt Property, but the vision should be extended to cover a 30-year time period and also include an encouragement for renewable energy. The vision correctly places a focus upon sustainable economic growth with diverse job prospects, housing for all and integrated infrastructure. To achieve this it will be necessary to provide the right number of homes and employment land based on the most up to date evidence of local and sub-regional needs.</p> <p>Holt Property request Objective 8 should be amended. The vision rightly aims to ensure the Borough is a place of sustainable economic growth with diverse job prospects, housing for all and integrated infrastructure. This is particularly important as growth in the Borough was below that in other parts of the sub region and the West Midlands.</p> <p>To achieve this vision it will be necessary to provide the right number of new homes to attract and retain economically active residents within the Borough to support the economic growth ambitions. It is also essential that, if employment growth is to increase to compare with elsewhere in the sub-region, the targets for the delivery of housing and economic development land are sufficiently ambitious. Strategic Objection 2 could be made more specific to the Borough if it emphasised the advantages of the access to the strategic road network the area benefits from and that this should be maximised especially north of Coventry. This would include the Pickards Way site.</p>	Holt Property request that Objective 8 should be amended to read, "To address climate change by driving sustainability in all new development and supporting proposals for renewable energy development".	
109.6			DS1	Unanswered	Unanswered	Unanswered	<p>The policy now makes a number of references to development 'contributing' towards achieving net zero carbon emissions. Although reference is made to development needing to adapt to climate change and to delivering a net zero economy, this objective needs to be supported by wider renewable energy development to assist with this target. The policy should make explicit reference to the need to provide sites to deliver renewable energy such as solar and wind. In light of the national and local ambitions to become carbon neutral, the policy should also make reference to the need for EV charging stations in response to the increase in electric vehicle users.</p>		

109.7			DS2	Unanswered	Unanswered	Unanswered	<p>Holt Property agrees with the settlement hierarchy. The policy identifies the northern fringe of Coventry as having “a supporting role for housing, shopping and local services”. This does not fully reflect the important role parts of the northern fringe play in the delivery of employment land. Land close to Junction 3 of the M6, at the northern fringe of Coventry and south of Bedworth, has consistently been considered an appropriate location for significant employment development, as evidenced by existing allocations EMP2, EMP6 and EMP7.</p> <p>Employment uses are most appropriately located on the strategic road network, in order to facilitate the requirements of the businesses that occupy such uses but also to minimise conflict with residential dwellings and their impact on the local road network. The M6 transport corridor was identified as a priority area for strategic investment in the Coventry and Warwickshire Sub-Regional Employment Market Signals Study (July 2019) and programmed improvements to Junction 3 of the M6 will further increase its capacity and enable it to support additional development.</p> <p>It is recommended that the policy text is altered to reflect the role of this area in providing employment development.</p>		
109.8			DS3	Unanswered	Unanswered	Unanswered	<p>The evidence behind these development needs is contained in the report ‘Towards our Housing Requirement’. Concerns are raised about the approach towards calculating employment needs set out in the Local Plan. If it is to address the specific issues associated with the low level of historic growth in the Borough it will need to make a step change in the provision of employment development, rather than still, at least in part, be based on past employment development trends which are recognised as being unduly constrained due to a lack of sites.</p> <p>This policy fails to adequately provide for the quantum of employment land needed to provide a ‘step change’ to economic development as required by the Council’s Local Economic Strategy. Holt Property consider that the most appropriate option for location development is to prioritise the most sustainable locations no matter whether these are designed as countryside or Green Belt and that the Green Belt should not be utilised in a way which would exclude the consideration of the most sustainable options for the allocation of development.</p>		

109.9			DS6	Unanswered	Unanswered	Unanswered	<p>Holt Property considers that it is necessary for NBBC to identify additional employment allocations to ensure growth rate targets can be met and that further additional allocations will be required to address previous low levels of growth.</p> <p>Holt Property main that the most sustainable locations for employment development should be prioritised no matter whether they are designated as countryside or Green Belt. The area of land around M6 Junction 3 is appropriately located on the strategic road network within the M6 transport corridor, a priority area for strategic investment according to the sub-regional HEDNA. Additional allocations in this location would represent a continuation of a strategy begun through the adopted NBBP, which allocated sited EMP2, EMP6 and EMP7 in the vicinity of M6 Junction 3 based on the NBBP evidence base including the 2014 Employment Land Review.</p> <p>The land north of Pickards Way represents the last remaining parcel of Green Belt south of the M6 in this general location. It has no Green Belt function and does not perform a Green Belt purpose. Maintaining it as Green Belt serves no planning purpose.</p>		
109.10			DS8	Unanswered	Unanswered	Unanswered	<p>The commitment to early review of the Plan if required by changing circumstances is supported. Holt Property recommend that the list of circumstances in which a quicker review may be required should be expanded to provide clear evidence of a significant change in the Borough's employment needs.</p>		
109.11			E1	Unanswered	Unanswered	Unanswered	<p>The emphasis within the policy on favourable consideration for certain employment sectors includes advanced manufacturing, professional services and research and development but does not include logistics development which up to date evidence demonstrates is in strong demand within the West Midland sand which can offer opportunities for full time employment at a range of levels.</p> <p>It is recommended that the Plan should also recognise the current strong demand for, and opportunities offered by logistics development and that this form of development should be added to the list of sectors which will receive favourable consideration.</p> <p>The delivery of logistics and warehousing development at appropriately located sites would therefore meet a strong existing sub-regional demand, promote inward investment and generate a diverse range of high-quality employment opportunities, in line with Objectives 1 and 2 of the BPR Reg 19 and Policy E1.1 and E1.3. Land north of Pickard Way is clearly located immediately adjacent to Junction 3 of the M6.</p> <p>Although the land north of Pickard Way may not be entirely appropriate for strategic B8 use given the size of the site, it would provide a good contribution to the overall supply of alternative employment land and put less pressure on other larger sites which would be more appropriate for delivering Strategic B8 development.</p>		

							Alternatively, the site is considered to be a suitable location for a potential EV charging station in light of the local and national aspirations to become carbon neutral. This would provide essential infrastructure in meeting these targets, especially in meeting the Government's objective to accelerate the roll out of electric vehicles. (Further evidence provided in the representation).		
109.12			HS1	Unanswered	Unanswered	Unanswered	Supports the requirements for development to contribute toward supporting infrastructure appropriate to the impacts of the proposed development, subject to viability considerations. It is vital that any requests made for the delivery of infrastructure are proportionate and evidence-based and that any requests for planning obligations to support infrastructure delivery meet the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). The policy recognises a need for new infrastructure to be resilient to climate change and demonstrate how development considers carbon natural emissions by 2050. The Policy should specifically mention the need for EV charging station in light of the local and national aspirations to become carbon neutral.		
109.13			HS2	Unanswered	Unanswered	Unanswered	Holt Property broadly supports this policy on strategic accessibility and sustainable transport. The reference to accord with several SPDs is questioned, however, the reference is a less stringent requirement for proposals to 'consider how they accord with' SPDs. It should also be noted that there is a clear direction in this policy to encourage carbon neutral transport and be resilient to climate change. The necessary infrastructure needs to be provided to achieve these goals and this should be from renewable energy developments. addition to this, the policy should recognise the need for EV Charging Stations, especially in In light of the Government's objective to roll out electric vehicles. The site's strategic location		

						on Junction 3 of the M6 would make this an ideal location for such essential infrastructure. The appropriateness of requiring all development to include all of the elements listed under Policy HS2.5 is questioned and a review is recommended. For example, the policy as drafted requires all development to provide easier access to rental-bikes and e-bike hubs, which may not be appropriate for certain categories of development.		
109.14			BE2	Unanswered	Unanswered	Unanswered	Holt Property supports that the Council is committed to supporting low carbon developments, and that such schemes will be approved unless material considerations indicate otherwise. However, this policy should also include that such developments will be acceptable outside of settlement boundaries, as these are the only realistic locations for these types of developments to be located in. Without this assurance, it is unlikely that renewable energy developments will come forward, thus impacting upon the Council's target of encouraging carbon neutral transport and being resilient to climate change. Consideration should also be given to identifying specific sites which would be suitable for renewable energy development. These could be outside a development boundary and free from physical constraints, such as being close to heritage assets. Consideration should also be given to identifying suitable sites for the provision of EV Charging Stations. As mentioned above, EV Charging Stations will soon be considered essential infrastructure in meeting the Government's objective to roll out electric vehicles and become carbon neutral.	

109.15		HELAA (2023)	Employment Assessment	Unanswered	Unanswered	Unanswered	<p>Pickards Way has recently been assessed in the HELAA 2023 – raised a number of issues that require clarification.</p> <p>In particular, the site scores red as it is located in the Green Belt. However, as noted in the assessment the score for the parcel where the site is located is 6/20.</p> <p>This demonstrates that in terms of Green Belt importance the wider parcel is of very limited significance.</p> <p>The actual site off Pickards Way has even less importance being surrounded by road infrastructure or the adjacent large nursing home.</p> <p>In effect an island surrounded by existing development fulfils no significant role in Green Belt terms.</p> <p>Scored red in terms of neighbouring use.</p> <p>In view of the fact that the assessment should be considering the suitability of the site for employment development., it is unclear how employment development is likely to be affected due to the adverse impact of neighbouring uses.</p> <p>This concern, that the assessment has not actually considered the site for employment development, is reinforced by the concluding comment that 'Reds and Ambers would mean a very poor living environment for future residents due to noise and pollution issues.'</p> <p>Clearly as the site is being promoted for employment development these comments would not apply. In a similar vein the site is scored as red for pollution when ordinarily employment uses are not sensitive to issues such as noise etc.</p> <p>On this basis we would question whether the site has been properly assessed for employment development at all.</p> <p>In view of the issues highlighted above it is considered that the site needs re-assessing as an employment site, recognising its location immediately adjacent to the strategic highway network.</p>		
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		Coventry and Warwickshire HEDNA (2022)	Unanswered	Unanswered	Unanswered	<p>Taking into account all the approaches identified the Sub-Regional HEDNA identifies an overall need for 47.7ha of employment land to 2041 in Nuneaton and Bedworth.</p> <p>The Sub Regional HEDNA uses a range of methods which includes the take up of employment land, but it concludes that the preferred approach is the use of completions data as the best representation of market needs for the next phase of plan making for industrial / warehousing floorspace particularly for the short/medium-term (para 11.10).</p> <p>However, the HEDNA also recognises that there was a relatively constrained supply position for a number of years in Nuneaton and Bedworth prior to the adoption of the Local Plan in 2019, which released a number of sites from the Green Belt. This factor must influence the completion-based methodology which were based on previous take up of sites. This is confirmed by the low anticipated trend-based requirement for NBBC set out in tables 9.12 and 9.13. It can be seen that whilst the sub regional HEDNA recognised that the past delivery of employment land in NBBC was constrained due to a lack of supply, no allowance was made to reflect this issue.</p> <p>In addition whilst sites are now coming forward as a consequence of the 2019 Local Plan, these will not be factored into the need calculation, due to the data cut off in 2019.</p> <p>As a consequence, the NBBC figures for employment land set out in the sub-regional HEDNA of 2.2ha for offices and 45.5ha of general industrial employment land to 2041 have not been adequately justified nor has the approach taken been positive.</p> <p>In conclusion, the approach taken in calculating employment land requirements has been underpinned by past completion rates and the situation in NBBC has been constrained until very recently by a lack of employment sites coming forward. This must influence the calculation of employment land requirements.</p>		
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109.16		Towards a Housing Requirement for Nuneaton and Bedworth (TAHR) (2022)		Unanswered	Unanswered	Unanswered	<p>This report was published alongside the sub-regional HEDNA to provide a more specific consideration of both housing and employment needs in the Borough, taking account of local considerations, with a view to informing the level of provision of each within the Borough Plan Review.</p> <p>The TAHR recognised that the NBBC area already has the lowest volume of jobs of the local authorities within Coventry & Warwickshire and has a relatively low jobs density with 64 jobs per 100 people of working age compared to an average of 80 across the West Midlands and 84 per 100 nationally. It also recognised that weaker growth in the Borough relative to the other HMA authorities is also manifest in issues associated with the quality of jobs, and the skills profile of the Borough's population.</p>		
109.17		N/A	Land North of Pickards Way	N/A	N/A	N/A	<p>The Site is available for development, for uses such as commercial or renewable energy, and there are no over-riding constraints on the land. As recognised in the Joint Green Belt Study, the Site has a Low score for its overall performance against Green Belt purposes. The Site is surrounded by existing development consisting of the M6, the care home, and new employment coming forward on the Wilsons Lane site (allocation EMP2). It does not perform any Green Belt function and part of the land to the east (the care home) is already developed.</p> <p>The Site is readily connectable to the strategic highways network, and is surrounded by strategic allocations.</p> <p>The Site is ideally located on the strategic highway network to provide for modern employment development, especially logistics. The sub-regional HEDNA has provided an insufficient amount of land to provide for employment development and in particular it has not provided a sufficient contribution towards meeting sub regional need for strategic B8 use. in relation to employment floorspace over the plan period. In view of the increased requirement for employment land, the site's strategically important location on Junction 3 of the M6 and the landlocked character of the Site means it has no</p>		

						<p>Green Belt purposes, and exceptional circumstances exist for its removal from the Green Belt. The site's strategically important location is also considered to make this a suitable location for an EV Charging Station which would assist in national and local aspirations to roll out electric vehicles and become carbon neutral. Given the Site's characteristics and location, its allocation for well-designed development has potential to contribute towards meeting the objectives of ensuring new development contributes to improved infrastructure and facilities (Objective 5), improving cycling and walking networks, increasing open space and leisure access and reducing crime (Objective 6), ensuring new development sustains and enhances the historic and natural environments (Objective 7) and addressing climate change by driving sustainability in all new development and the provision of renewable energy generation (Objective 8). In addition, if the Site is allocated for residential development, it would support Objective 4 (to provide a steady and adequate level of suitable housing for all). The allocation of the Site for employment development has potential to provide economic growth which raises the Borough's profile as a more attractive place to live, work and invest in (in line with Objective 1) and also help support the diversification of the borough's economy and improve job opportunities for residents (in line with Objective 2).</p>		
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Agents and Developers

110.1	Richborough	Borough Plan Review	DS3	Unanswered	No	No	<p>Draft Policy DS3 seeks to establish the development needs for the plan period (2021 to 2039), including an overall housing requirement of 9,810 dwellings. This has been established through a document titled 'Towards a Housing Requirement for Nuneaton and Bedworth (2022)', published by Iceni, and which identifies an annual requirement of 545 dwellings per annum (dpa). This exceeds the current standard method calculation for NBBC, which is 442 dpa.</p> <p>Paragraph 6.22 of the Publication Draft identifies that the Iceni Report models a Planned Economic Growth Scenario to support the Borough's economy and align planning for homes, jobs and infrastructure. Paragraph 6.21 of the Report also acknowledges that affordable housing need in the Borough has been considered in reaching the housing figure. However, crucially it does not include an uplift for meeting any unmet needs of neighbouring authorities. This is addressed in more detail below.</p> <p>The adopted Borough Plan sought to deliver at least 14,060 new homes across the 20 year plan period, 2011 to 2031, at an average of 703 dpa. This figure was made up of annual demographic based needs (423 dpa) with uplifts to support economic growth (73</p>	<p>Richborough is of the view that the need for affordable housing should be addressed by factoring this need into an increased housing land requirement and allocating more residential sites. Additional allocations are required so as to allow a sufficient buffer that will ensure the unmet needs arising in Coventry are addressed.</p> <p>The strategic policies should be amended to look ahead to 2040 at the earliest which would mean planning for additional dwellings.</p>	Yes
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					<p>dpa) and improve deliverability (6 dpa), as well as a further 201 dpa uplift to accommodate unmet need in Coventry, under the Duty to Cooperate. In concluding that the 73 dpa uplift in the adopted Borough Plan was sound, the examining Inspector made the following comment in the Final Report: "It is clear from the issues facing the Borough that there does need to be an increase in knowledge-based employment opportunities, a re-balancing of the extent of out-commuting to work in Coventry, other parts of Warwickshire and Leicestershire and a need to address issues of deprivation and low wages in the Borough. The 2015 SHMA considers the level of housing needed to support workforce growth indicated by employment forecasts would be 496 dwellings per annum equating a 73dpa uplift on the demographic starting point." Richborough is of the view that many of these issues remain and have only been exacerbated by the poor level of market and affordable housing delivery since the preparation of the 2015 SHMA which was a key evidence base document at the point of adoption. Given the impacts of Brexit and the pandemic, Richborough is of the view that an uplift to support economic growth should be retained within the local housing need figure as it is critical to NBBC's ability to realise its Vision. Paragraph 61 of the NPPF confirms that the standard method should comprise the 'minimum' figure, and states: "To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for." It is clear therefore that there are circumstances whereby a higher figure could be adopted</p>			

					<p>over and above the standard method. The PPG provides further clarification on when it might be appropriate to plan for a higher housing need figure and states1:</p> <p>“The government is committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth. The standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area. It does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. Therefore, there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates.”</p> <p>The guidance explains that circumstances where an uplift will be appropriate include, but are not limited to, where growth strategies are in place and where an authority agrees to take on unmet need from neighbouring authorities.</p> <p>It is important therefore to recognise that the need figure generated by the standard methodology should be considered as the ‘minimum’ starting point in establishing a requirement for the purposes of plan production. The calculation currently relies on household projections which focus solely on past growth trends and do not include a specific uplift to account for factors that could affect those trends in the future. Where it is likely that additional growth (above historic trends identified by household projections) will occur over the plan period, an appropriate uplift may be applied to produce a higher need figure that reflects that anticipated growth.</p> <p>Richborough support the preparation of additional evidence on the assessment of needs and is of the view that the figure produced by the standard method, plus the affordability ratio - 442 dwellings - represents only the ‘starting point’. In accordance with paragraph 61 of the NPPF, as well as the 2015 SHMA, there are exceptional circumstance which justify an uplift, including a requirement to take the needs of neighbouring authorities into</p>		
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						account. However, Richborough would also suggest that there are additional reasons that would support the local housing figure being even higher than 545 dpa. The plan-led system requires Councils to proactively plan to meet the needs of their community. This means that there is a need to provide a range and choice of sites, a need for flexibility and viability considerations to be taken into account, and a need to consider whether higher levels of open-market housing are required in order to secure the delivery of affordable housing and/or support economic growth.		
110.2			DS4	Unanswered	Unanswered	As set out in these representations, the level of housing completions since the beginning of the plan period for the Borough Plan (2011) has been consistently well below the adopted housing requirement. This is particularly the case for the larger strategic sites which have been slow to develop when compared to the housing trajectory. The latest housing trajectory, published to support the five year supply calculation, indicates that up to 31 March 2022, only 1,299 dwellings had been delivered on Strategic Sites in the previous six years, an average of just 216 dpa. The trajectory table below is provided within the Adopted Borough Plan and highlights that delivery was expected to rise significantly from the year 2019/2020, as strategic allocations were due to be delivered. In 2021/22, it was expected that almost one thousand dwellings would be developed on Strategic Sites, in that year alone. The 2022 trajectory anticipates that 7,753 dwellings will be delivered on Strategic Sites between 2022 and 2031, which is an average of 861 dpa. Despite this, the Publication Draft includes limited detail in respect of why the Strategic Sites have been slow to deliver homes, and more importantly why the sites will now come forward at		

						<p>an accelerated rate.</p> <p>Richborough has previously supported a detailed review of allocated sites in order to assess their suitability for allocation with a view to understanding why they have under-delivered. Richborough are also of the view that this work should have been expanded in order to review the sites which have delivered to gain a better understanding of the characteristics. This would have assisted the Borough Plan Review in identifying deliverable sites and avoiding the failures of the Borough Plan. The evidence in the latest AMR confirms that 33% of completions in the year to April 2022 took place in the Weddington Ward and a further 19% in St Nicolas ward, both of which are to the north of Nuneaton. It is clear that the northern part of Nuneaton represents an area which is viable to deliver new dwellings and is attractive to the market.</p> <p>A Viability Assessment has been prepared by Dixon Searle Partnership and published as part of the Regulation 19 consultation. In regard to testing the viability of Strategic Sites, it is acknowledged at Paragraph 2.14.3 that the level of infrastructure costs likely to be specific to each scheme were not fully developed, "meaning that there are likely to be</p>		
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						<p>other costs incurred which have not been reflected by assumptions within the appraisals at this stage".</p> <p>Richborough is therefore concerned that the retained allocations from the Adopted Borough Plan have not been subject to a sufficiently robust assessment, in regard to being developable.</p> <p>Reasonable Alternatives</p> <p>NBBC identified seven alternative strategies for the delivery of housing and tested these through the Sustainability Appraisal (SA).</p> <p>These included housing requirements ranging from of 646 dpa to 712 dpa and spatial strategies which included rolling forward the existing approach as well as the addition of new Strategic Sites.</p> <p>Paragraph 7.3.1 of the SA acknowledges that continuing the existing strategy in the Adopted Borough Plan would in most respects have neutral effects because there would be little change, although "it could be negative in terms of housing as several of the strategic sites have not come forward readily".</p> <p>Two of the alternatives (Options 3b and 5b) proposed directing further growth to strategic locations north of Nuneaton, which is where Richborough is promoting land interests.</p>		
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						Whilst these two options perform relatively well in the overall assessment provided in Table 7.1, it was noted that minor negative effects are recorded in respect of 'Economic Factors' and 'Air Quality' topics. For both topics it was judged that whilst large scale growth proposed to the north of Nuneaton is relatively close to the main centre within Nuneaton and enjoys relatively good access via the A5 and A444 to the rest of the Borough, it is fairly distant from the main strategic employment locations in the south of the Borough and therefore not optimal in terms of addressing some of the accessibility issues currently experienced with respect to employment sites. This ignores the fact that the northern part of Nuneaton is in close proximity to major employment sites in Hinckley and Bosworth, including MIRA Technology Park and Dodwells Industrial Estate. There would be no negative effects from future residents travelling to work in these areas. It is therefore clear that the SA has undertaken the assessment on basis that NBBC is an isolated 'island' authority rather than considering that the Borough forms part of a wider economy and that arbitrary council boundaries don't inform decisions on where people live and work.		
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						<p>On this basis, Option 3b and 5b have been wrongly assessed and should have been scored neutral for Air Quality and moderate positive for Economic Factors. This changes the balance of the overall assessment and may have impacted on strategic decision making.</p> <p>Housing Trajectory</p> <p>In light of the acknowledged difficulties in delivering the larger Strategic Sites, Richborough is of the view that a detailed Housing Trajectory should accompany the Publication Draft to demonstrate how and when housing site will be developed. Paragraph 74 of the NPPF is clear that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period and if appropriate to set out the anticipated rate of development for specific sites.</p> <p>At present, the Publication Draft includes 'Table 3', titled 'Housing Delivery', which identifies only the sources of supply which make up the claimed figure of 12,127 dwellings. The Housing Trajectory provided at Appendix B is also insufficiently detailed and provides only a graphical representation of the trajectory with no evidence to justify how the conclusions have been reached. Given the historic slow</p>		
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						<p>rate of delivery on allocated sites, the requirement for site by site evidence is justified and will allow for performance to be sufficiently monitored in the future. In order to be considered sound and justified, a detailed housing trajectory including evidence for specific sites should be inserted into Appendix B.</p> <p>Furthermore, a buffer for non-delivery should be added to the overall housing requirement, rather than just small sites, to allow for uncertainties in sites being delivered.</p> <p>This should also factor in assumptions for lead in times and delivery rates and is a common approach which has been adopted elsewhere, including the Aylesbury Vale Local Plan which was adopted in September 2021. This will require the identification of additional allocations to ensure that the higher requirement is met.</p> <p>Windfall</p> <p>Windfall development is defined in the NPPF as "sites not specifically identified in the development plan"10. Paragraph 70 provides background to windfall development and sets out the following guidance on when an allowance might be appropriate:</p> <p>"Where an allowance is to be made for windfall sites as part of anticipated supply, there</p>		
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					<p>should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.”</p> <p>Table 3 of the Publication Draft identifies that in the estimation of NBBC, small windfall sites will deliver 630 dwellings up to 2039, and this is based on an allowance of 42 dpa, applied between 2024-2039. This is justified in the Small Sites Windfall Study (2022), which is included within the evidence base.</p> <p>As noted in these representations, the Strategic sites allocated through the Borough Plan have been extremely slow to come forward. There have also been occasions since the beginning of the plan period in 2010 where NBBC have not been able to demonstrate a five year supply of deliverable sites. Richborough is of the view that any assessment of historic windfall development should be cognisant of such matters, only recording sites that would have come forward under any circumstances, otherwise the Local Plan Review is effectively planning to fail.</p> <p>Paragraph 6.5 of the Study highlights that the period where there was no adopted</p>			
					<p>Borough Plan in place impacts on the historical data as it is likely some small sites would have been included in the Plan as non-strategic sites. This justifies a deduction of 9 dpa from the average net small site completions over the last ten years. However, Richborough does not feel that this adequately represents the points raised above in respect of the tilted balance. The delivery in the year 2020/21 is clearly an outlier (net figure of 117 dwellings) which should be removed from consideration given that it is nearly double the delivery of the second highest year. This tallies with the period in 2018 when NBBC acknowledged that it could not identify a five year supply of deliverable housing sites and may have artificially inflated the figure. Richborough is of the view that the windfall allowance for small sites should be reduced by at least a further five units in order</p>			

					<p>to be justified and considered sound.</p> <p>Footnote 25 of the Publication Draft confirms that windfall sites are included in the supply from 2024-2039 to avoid double counting. However, Table 2 includes the committed supply from a base date of 1 April 2023. Therefore, in order to be justified and avoid double counting with small sites included as commitments within the supply, the windfall allowance will need to be pushed back to 2026 – three years from the base date. This will need to be reviewed each time the base date for the committed supply is reset.</p> <p>Non-Strategic Sites</p> <p>Paragraph 68 of the NPPF is clear that: “planning policies should identify a supply of... specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan”.</p> <p>The Glossary of the NPPF (Annex 2) includes a definition of ‘developable’: “to be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged” (emphasis added).</p> <p>The PPG provides further guidance on these aspects and the identification of sites, generally.</p> <p>In regard to assessing the availability of a site, it is stated at paragraph: 019 Reference ID: 3-019-20190722 that:</p> <p>“A site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available”.</p> <p>The PPG provides guidance (paragraph: 018 Reference ID: 3-018-20190722) on assessing site suitability, noting the following factors in assessing whether locations are appropriate for development:</p> <ul style="list-style-type: none">• national policy;		
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						<ul style="list-style-type: none">• appropriateness and likely market attractiveness for the type of development proposed;• contribution to regeneration priority areas;• potential impacts including the effect upon landscapes including landscape features, nature and heritage conservation. <p>Viability is a major factor in whether a site is achievable and developable. The PPG requires a plan-making body to assess the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period¹¹.</p> <p>Supporting evidence in regard to the viability of sites will therefore be required.</p> <p>Policy DS4 identifies fifteen non-strategic sites with a total combined capacity of 689 dwellings. On behalf of Richborough, an assessment of the developability of non-strategic sites has been undertaken, based on the national guidance noted above.</p> <p>The assessment has identified that seven of the fifteen sites (NSRA1, 2, 3, 7, 8, 9 and 14) are the subject of planning permission. It is notable that Table 3 of the Publication Draft, which sets out the sources of housing supply, includes 4,207 dwellings in the committed supply and 689 for non-strategic housing allocations. The lack of evidence for the supply means that it is not possible to assess whether there is double counting across these two sources and provides further justification for the provision of a detailed Housing Trajectory.</p> <p>NSRA4 - Vicarage St Development Site, Nuneaton (claimed capacity of 68 dwellings). An Outline planning application has been submitted on part of the site for 65 dwellings (ref: 039175). The applicant is Warwickshire Property and Development Group and the target determination date is 31 October 2023. There appears to be an outstanding Historic England objection relating to the loss of a non-designated heritage asset (a library) as part of the proposed development. The SHLAA 2021 confirmed that submissions had been made to locally list the library. The outstanding objections from Historic England</p>		
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					<p>relate to the principle of residential development at the site and therefore the site cannot be deemed developable at the present time. The site should be removed as an allocation and supply reduced by 68 dwellings.</p> <p>NSRA5 – Burbages Lane, Ash Green (claimed capacity of 47 dwellings) The site predominantly comprises rear gardens of around nine properties and a small area of pasture, meaning there are potential issues in respect of multiple ownership. The Publication Draft refers to the potential for the site to be impacted by slow worm populations that require protection. The Publication Draft also highlights the site assessment in the SFRA Level 2 which identified ponding onsite during periods of flooding "which could limit access/egress to the site". The site is technically challenging in respect of access, ecology and flooding and there is no evidence that there are willing landowners. The capacity of the site has increased from 30 dwellings since the Preferred Options consultation in summer 2022. There is no justification for this increase capacity and the developability of the site has not been adequately evidenced. The site should be removed as an allocation and supply reduced by 47 dwellings.</p> <p>NSRA6 – Bucks Hill, Nuneaton (claimed capacity of 40 dwellings). The Publication Draft highlights concerns regarding topography and states that careful consideration is to be given to the design of any development. The Publication Draft also highlights the site assessment in the SFRA Level 2 which flags the site as having some surface water risk and ponding during flood events, concluding "The provisions for safe access and egress must also address the potential increase in severity and frequency of flooding... The Report concluded that both Sequential and Exception Tests are required for this site." The technical site constraints are clearly significant and raise fundamental questions around the claimed capacity and overall developability of the site. The site should be removed as an allocation and supply reduced by 40 dwellings.</p> <p>NSRA10 – Land at Bermuda Road, Nuneaton (claimed supply of</p>		
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						<p>25 dwellings). The Publication Draft refers to the former Bermuda Landfill Site, which is in close proximity, and highlights that the Environmental Health department will need to be satisfied that there are no threats from landfill gas. Any application will also need to demonstrate the GP surgery, which is the subject of an extant permission is no longer required (approved by planning permission: 031064). The Phoenix Centre (including parking area), existing drainage features and landscaping are all identified as needing to be retained on site. The Publication Draft also states that the site has the potential to be of ecological value at a county level if sensitively managed. The developability of the site is therefore drawn into question as a result of these technical challenges which restrict potential developable area and raise significant viability concerns. The SHLAA 2021 refers to an extant planning permission submitted by Taylor Wimpey. However, given that a national housebuilder has not developed the site it can be reasonably concluded that the technical challenges facing the redevelopment of the site may not be overcome. There are significant issues in respect of the claimed supply and suitability of the site for residential development. The site should be removed as an allocation and supply reduced by 25 dwellings.</p> <p>NSRA13 – Arsmont Road, Exhall (claimed supply of 16 dwellings). The Publication Draft confirms that the site is the subject of a planning application for 15 dwellings. The site should be removed as an allocation and supply reduced by 1 dwelling. The contested sites have a total capacity of 181 dwellings, meaning the yield from Non-Strategic Sites should be reduced to 408.</p>		
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110.3			DS7	Unanswered	No	Unanswered	<p>The policy states that NBBC will monitor the delivery of housing and publish progress against the Housing Trajectory shown in Appendix B. As noted elsewhere in these representations, the Housing Trajectory in Appendix B does not provide sufficient detail to evidence that the supply is deliverable, or to enable robust monitoring to be undertaken.</p> <p>Therefore, in order to be sound and justified, a detailed housing trajectory, providing evidence on a site by site basis should be inserted into Appendix B. The wording of the policy is almost identical to that of Policy DS8 in the adopted Borough Plan. The contingencies set out in Policy DS8 were recommended specifically by the Examining Inspector through Main Modification MM291 in order to make the Plan 'sound' through formalising a positively prepared approach to monitoring housing delivery and stimulating action where necessary.</p> <p>Paragraph 194 of the NBBC Borough Plan Inspector's Report addresses the point of 'contingencies', should monitoring reveal that housing delivery has fallen below the trajectory. This includes the release of additional sites, including at the edge of settlements in accordance with the settlement hierarchy, where there is a need to deliver in the short term.</p> <p>Given the long term lack of housing delivery since the adoption of the Plan, without significant action taken by NBBC, it is clear that the Policy has not been applied as envisaged by the Inspector.</p> <p>Despite good intentions by the Inspector to formalise a positively prepared approach, the final wording suggests greater weight will be given to the re-phasing of sites to assist viability and secure external funding, rather than the other two options which include releasing more sites. Granting planning permission for additional new homes is likely to be the most effective way to address any delivery of housing and the policy wording should be more explicit on this point.</p> <p>Richborough are also of the view that NBBC should allocate additional sites and reserve sites in the Plan that could be released if monitoring continued to</p>	<p>Richborough is of the view that NBBC should allocate additional sites and reserve sites, in the Plan that could be released if monitoring continued to show under delivery. This would enable the issue to be addressed promptly, without the need for a full or partial review of the Plan. The additional sites could be considered as a way of addressing the uncertainty around unmet needs for CCC. Richborough is also of the view that Policy DS7 should be re-emphasised so it clearly establishes that if monitoring shows that the Plan is not delivering housing as required, then NBBC will grant permissions for additional housing; release reserve sites; and undertake other actions to help bring schemes forward, in that order. The Policy wording should also set strict deadlines for publication of monitoring each year and failure to do so would trigger the contingencies. The end of the calendar year is a reasonable time frame for monitoring data to be collected and published and should be identified as the deadline within the Policy. It is important for any under-delivery of housing to be addressed as soon as possible. As currently drafted, Policy DS7 is not considered to be sound as it is not justified, effective, positively prepared or consistent with national policy.</p>	

						<p>show under delivery.</p> <p>This would enable the issue to be addressed promptly, without the need for a full or partial review of the Plan. The additional sites could be considered as a way of addressing the uncertainty around unmet needs for CCC.</p> <p>Richborough is of the view that Policy DS7 should be re-emphasised so it clearly establishes that if monitoring shows that the Plan is not delivering housing as required, then NBBC will grant permissions for additional housing; release reserve sites; and undertake other actions to help bring schemes forward, in that order. The Policy wording should also set strict deadlines for publication of monitoring each year and failure to do so would trigger the contingencies. The end of the calendar year is a reasonable time frame for monitoring data to be collected and published and should be identified as the deadline within the Policy. It is important for any under-delivery of housing to be addressed as soon as possible.</p> <p>As currently drafted, Policy DS7 is not considered to be sound as it is not justified, effective, positively prepared or consistent with national policy.</p>		
110.4		DS8	Unanswered	Unanswered	Unanswered	<p>Policy DS8 establishes when the Plan will be reviewed (either wholly or in part). In addition to the requirements set out in national guidance the following circumstances when a quicker review may be required, are also identified:</p> <ul style="list-style-type: none"> • If there is clear evidence that the Borough's local housing need or employment need has changed significantly since the adoption of the plan. Updated evidence or changes to national policy suggest that the overall development strategy should be significantly changed. • Any other reason that would render the plan, or part of it, significantly out of date. <p>Richborough is of the view that this policy should be re-phrased so that the two sentences in the first bullet are split into separate bullets. This would demonstrate that all factors are of equal weight and each would trigger an early review of the Plan. Furthermore, additional detail is needed in regard to the triggers for the review as they</p>		

						are currently too vague to be effective. The specific circumstances and factors which would be taken into account should be referenced in the policy, whether it be the Monitoring Report or the Housing Delivery Test. The time period for a review should be established along with the level of variance in respect of housing or employment needs which would trigger an early review. As currently drafted, Policy DS8 is not considered to be sound as it is not justified, effective or consistent with national policy.		
110.5			SA1	Unanswered	Unanswered	Policy SA1 establishes several criteria which strategic sites are expected to meet, covering matters such as landscape impact, ecological preservation and mitigation, as well as green/open space provision and general delivery points. The first criteria states that residential development must meet 95% M4(2) and 5% M4(3) standards and meet the requirements set out in other relevant SPDs. Compliance with this optional national standard is also referenced in Policies H1, H2 and BE3. These standards are optional national standards for accessible and adaptable dwellings and footnote 49 of the NPPF confirms: "Planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties." A policy requirement for M4(2) and M4(3) dwellings must be justified and the Council has failed to evidence a local need that would result in the application of these standards. The PPG (Paragraph ID: 56-007-20150327) sets out the evidence necessary to justify a policy requirement for optional standards and includes: <ul style="list-style-type: none"> • "the likely future need for housing for older and disabled people (including wheelchair user dwellings). 		

						<ul style="list-style-type: none">• size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes).• the accessibility and adaptability of existing housing stock.• how needs vary across different housing tenures.• the overall impact on viability." <p>The Council should provide robust justification for the implementation of this optional standard and ensure that the policy takes into account other elements set out in the PPG including viability and site specific factors. As currently drafted, Policy SA1 is not sound as it is not justified or consistent with national policy.</p>		
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110.6			NE1	Unanswered	No	Unanswered	<p>Policy NE1 outlines expectations for new developments to protect, maintain and enhance ecological networks. The Policy refers to specific ecology corridors to be protected, including rivers and canals and expands on the required easements to ecological features.</p> <p>The adopted Borough Plan includes the requirement for an 8m easement to main rivers.</p> <p>Paragraph 5 of the draft Policy states:</p> <p>“Where development proposals have a watercourse classified as a main river within their boundary, as a minimum, developers should set back development 8m from the top of the bank or landward toe of any flood defence. The same easement will also be required on smaller watercourses to maintain water elements, ecology and wildlife corridors. Greater widths are appropriate where forming green infrastructure, open space or ecological corridors such as 50m buffers for ancient woodland, 30m buffers around all semi-natural woodland and broad-leaved plantation woodland and 5m buffers either side of intact hedgerows.”</p> <p>The additional easements listed in this paragraph are not justified or effective. There is no evidence to suggest these easements have been recommended by statutory authorities such as Natural England and Richborough considers them to be too stringent.</p> <p>Developers prepare masterplans based on the advice of professionals as a result of ecological, drainage and arboricultural assessment work undertaken on a site by site basis.</p> <p>The requirement for an easement to a main river or sewer as part of a Local Plan is reasonable and can be justified, although there is no evidence to suggest a need for this degree of protection to other ecological features. The vehicle for agreeing an adequate offsetting distance between ecological features and built development should remain as through negotiations with statutory consultees, such as Natural England, during the determination of an application.</p> <p>The wording of adopted Policy NE1 should be retained and reference to additional easements removed from the draft Policy. As currently drafted, Policy</p>	<p>The wording of adopted Policy NE1 should be retained and reference to additional easements removed from the draft Policy.</p>	
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						NE1 is not sound as it not justified or consistent with national policy.			
110.7			NE4	Unanswered	No	Unanswered	Policy NE4 includes a section on Sustainable Urban Drainage strategies. NBBC have a requirement for new development to "implement appropriate, above-ground, sustainable drainage systems". The requirement for SUD's features to be above ground is a new element of the Policy that is not included within the adopted Borough Plan. The emerging Policy further states: "Above ground SuDS features must be included within all development in order to bring wider sustainability benefits including improved water quality, enhanced biodiversity and amenity/leisure value..." Richborough supports the principle of promoting the use of above ground SUDs features in new developments but does not consider it an effective Policy to require all SUDs features to be above ground. This requirement may restrict the development potential of some housing and employment sites, particularly brownfield sites,	Richborough consider it necessary to modify the wording of the Policy to support above ground sustainable drainage features "where possible". As currently drafted, Policy NE4 is not sound as it is not effective or justified.	

						when some below ground SUDs features may be necessary and appropriate. Richborough consider it necessary to modify the wording of the Policy to support above ground sustainable drainage features "where possible". As currently drafted, Policy NE4 is not sound as it is not effective or justified.		
110.8			BE3	Unanswered	No	Unanswered	The inclusion of NDSS requirements in local policy needs to be justified. The PPG states that in justifying the use of NDSS, local planning authorities should take account of local need, viability and the potential impacts on affordable housing, and the timing of the adoption of the policy – to ensure there is a transitional period to enable developers to factor the cost of space standards into future land acquisitions. Richborough consider a modification to the Policy is needed to remove the requirement to comply with Building for a Healthy Life and instead state that its use as a guide for developers should be encouraged. Richborough is of the view that rigorous viability work needs to be provided that tests all modified development management policies, including changes to Building Regulations and likely changes to the NPPF, so as to clearly evidence that they do not result in onerous requirements that would prohibit much needed sustainable development being brought forward. Local planning policies should not restrict the growth aspirations and the evidenced demand for new sustainable development including the delivery of market and affordable housing. As currently drafted, Policy BE3 is not sound as it is not justified, effective or consistent with national policy.	The Council should provide robust justification for the implementation of this optional standard and ensure that the policy takes into account other elements set out in the PPG including viability and site specific factors. With a lack of justification for these optional standards, they should be removed.

110.9			BE4	Unanswered	No	Unanswered	<p>This Policy has been expanded from that within the adopted Borough Plan. A number of points have been added to strengthen the adopted Policy, including the following sentence: "Where there are likely to be valuable archaeological remains, trench surveys are likely to be required prior to the determination of any planning application."</p> <p>The requirement for trench surveys prior to the determination of an application is not justified. It would be unsuitable and premature for the submission of trench surveys before the determination of an outline planning application. Trench surveys can take a number of months to complete, be disruptive to the existing use and are relatively expensive.</p> <p>Outline planning applications typically aren't submitted by the end developer of a site and therefore will not usually undertake these works. Land promoters and private individuals will instruct a technical professional to undertake a site assessment and prepare a Heritage Statement to inform an outline planning application and subsequent sale of the site to a developer. Once in ownership of a developer, the trench surveys will be undertaken to inform the final site layout which will be approved as part of a reserved matters application. This approach would not prejudice the integrity of any preserved remains.</p> <p>Richborough recommends the removal of this sentence from the emerging Policy to ensure there are no constraints to the delivery of sites being brought forward via an outline planning application.</p>	<p>Richborough recommends the removal of the sentence relating to trenching being required prior to the determination of any planning application from the emerging Policy to ensure there are no constraints to the delivery of sites being brought forward via an outline planning application.</p>	
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Agents and Developers

110.10			Vision	Unanswered	No	Unanswered	<p>Paragraph 11a of the NPPF is clear that plans should “positively seek opportunities to meet the development needs of their area” and 11b states that “strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas”. Paragraph 59 of the NPPF also requires that “a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed”. Richborough is therefore of the view that the ‘Vision’ should be altered to acknowledge the need to meet the development needs in full, including for housing. This should not be limited to meeting needs of residents of the Borough. As currently drafted, the Vision is not sound as it not justified, effective, positively prepared or consistent with national policy. The level of housing completions since the beginning of the plan period for the adopted Borough Plan (2011) has been consistently well below the adopted housing requirement. The Borough Plan housing target in place at the time has not been exceeded once in the eleven years up to March 2022, even allowing for the adopted stepped trajectory.</p>		
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					<p>Overall, new completions total just 5,052, which is only 75% of the aggregated requirement of 6,762 dwellings – equivalent to a shortfall of 1,710 dwellings¹. As a result of the stepped trajectory, which was confirmed through the ABP, this level of shortfall is equivalent to 2.78 years of supply (6,762 dwellings / 11 years). NBBC were granted relief from meeting the annualised average housing figure across the twenty year plan period to facilitate a step change in housing delivery. Despite this relief, housing delivery remains well below the intended trajectory. If delivery is compared against the annualised average of 703 dwellings, the shortfall of is equivalent to 3.8 years supply (7,733 dwellings / 11 years). This lower level of delivery has only exacerbated issues in regard to affordability through the lack of supply and lower levels of affordable housing delivery. The figures also highlight the difficulties that NBBC will face in trying to catch up on supply later in the plan period.</p> <p>An Affordable Housing Background Paper was prepared in 2016 by GL Hearn in order to support the examination of the adopted Borough Plan. Table 5 confirmed that the overall identified affordable need figure at that time was 920 affordable dwellings. If this figure is to be met by the end of the current plan period (which equated to a 16 year period when the Paper was prepared – 2015-2031), in addition to the estimated annual newly arising need, the annual affordable requirement is 195 net completions per year. The evidence produced in the relevant AMRs confirms that since 2015, in the seven monitored years, only 793 affordable completions have taken place in total. This is equivalent to an average delivery of 113dpa, which has increased the backlog of affordable housing since 2015 by a further 574 dwellings. This significant shortfall in affordable housing delivery should also be seen in the context of the poor overall performance against the adopted housing trajectory and the lack of an evidenced five year supply.</p> <p>There is evidence of the negative social impact of the failure to deliver sufficient housing in the NBBC over this period, with the house price to income ratio in the Borough deteriorating</p>		
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						<p>from 5.51 in 2013 to 8.09 in 2022. Proportionately, this is significantly more than Warwickshire as a whole, which has worsened from 7.37 to 8.86 in that time. The under-delivery of housing has contributed to deteriorating affordability in the Borough. Affordability is a critical social component of sustainable development that acts as a barrier to local people being able to access housing. The research paper published by LPDF titled 'The Housing Emergency', highlights that 1 in 5 adults regard housing issues as negatively impacting their mental health³. It should be accepted that there is an urgent need to boost housing delivery within NBBC. A step change in both delivery and approach is required if housing needs are to be met going forward. This requires the spatial vision for the Borough Plan Review to evolve and acknowledge where the Borough Plan has failed to date.</p>		
110.11		Strategic Objectives	Unanswered	No	Unanswered	<p>Objective 4 in the Borough Plan Review has an equivalent objective in the adopted Borough Plan - "To provide the size, type and mix of housing that meets...". Paragraph 60 of the NPPF not only establishes that housing needs should be met but also sets out the Government's objective of significantly boosting the supply of homes. In light of the failure to so far meet the housing targets set out in the Borough Plan, the objective to deliver a level of housing which is "steady and adequate" fails to acknowledge the under-delivery that has occurred during the current plan period. The objective should be expanded to account for the full range of need for new housing, as well as integrating a focus on deliverability.</p> <p>Richborough is of the view that draft Objective 4 is not fit for purpose and the equivalent objective in the Borough Plan should be revisited and amended to acknowledge the need to ensure that needs, including those with specific requirements, are met and housing is delivered.</p>	<p>Richborough is of the view that the 'Vision' should be modified to acknowledge the need to meet the development needs in full, including for housing. This should not be limited to meeting needs of residents of the Borough.</p> <p>Richborough is of the view that Objective 4 is not fit for purpose and the equivalent objective in the adopted Borough Plan should be revisited and amended to acknowledge the need to ensure that needs, including those with specific requirements, are met and housing is delivered.</p>	

110.12			Affordable Housing	Unanswered	Unanswered	Unanswered	<p>In respect of affordable housing need, the Nuneaton and Bedworth HEDNA confirms an annual need of 653 affordable homes per year, taking account of current affordability and the existing stock position. Paragraph 7.110 of the report confirms that “provision of new affordable housing is an important and pressing issue in the area... affordable housing delivery should be maximised where opportunities arise.” As noted elsewhere in paragraph 7.110, the affordable housing need is not directly comparable with the overall housing need, although the annual need for this tenure clearly needs to be addressed as part of the Local Plan Review. Paragraph 5.15 of Towards a Housing Requirement for Nuneaton & Bedworth confirms that the evidence points towards an increasingly urgent need for affordable housing delivery and that setting a lower housing requirement would see overall housing delivery fall relative to recent trends constraining the ability to deliver affordable housing. Paragraph 5.17 confirms that the needs evidence would support setting a higher proportion of overall development as affordable homes, but the viability evidence shows that this is not realistic and would not support higher delivery as a percentage of overall housing provision. Richborough is of the view that the need for affordable housing should be addressed by factoring this need into an increased housing land requirement and allocating more residential sites.</p>		
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110.13			Duty to Cooperate	Unanswered	Unanswered	Unanswered	<p>The Publication Draft includes a section titled “Duty to Cooperate” at Paragraph 1.11.</p> <p>The Duty to Cooperate was introduced by the Localism Act 2011 and is set out in section 33A of the Planning and Compulsory Purchase Act 2004. The National Planning Policy Framework (NPPF) (2023) confirms that local planning authorities are under a duty to</p> <p>cooperate with each other on strategic matters that cross administrative boundaries² and</p> <p>identify relevant strategic matters that need to be addressed in their plans³. Paragraph 26 confirms that:</p> <p>“Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy.</p> <p>In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.”</p> <p>The NPPF and Planning Practice Guidance (PPG) confirm that early engagement with strategic policy making authorities and public bodies is required and that a Statement of Common Ground (SoCG) is required to provide a written record of progress made in</p>		
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						<p>addressing cross-boundary issues. The Inspector, as part of a Local Plan examination, will assess compliance with the duty to cooperate taking the submitted SoCG into consideration. Paragraph ID 61-010-20190315 defines this as: "...a written record of the progress made by strategic policy-making authorities during the process of planning for strategic cross-boundary matters. It documents where effective co-operation is and is not happening throughout the plan-making process, and is a way of demonstrating at examination that plans are deliverable over the plan period, and based on effective joint working across local authority boundaries. In the case of local planning authorities, it also forms part of the evidence required to demonstrate that they have complied with the duty to cooperate."</p> <p>Furthermore, the PPG clarifies that authorities are expected to have due regard to the Duty to Cooperate when undertaking a review of a plan to assess if new evidence is available to inform the review.</p> <p>NBBC form part of the Coventry and Warwickshire Sub-Region authorities⁵ and have a well-established track record of preparing joint local plan evidence base work including collaborative approaches to the Duty to Cooperate. Iceni were instructed to prepare a Sub-</p>		
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						<p>regional Housing and Employment Development Needs Assessment (HEDNA), which was published in October 2022. As set in Paragraph 6.18 of the Publication Draft, the Sub-regional HEDNA utilises the latest Census data which was released in June 2022 and looks across a 10-year economic cycle. Table 2 of the Publication Draft identifies that the figure calculated for NBBC was 409 dwellings per annum (dpa), whilst for Coventry City Council (CCC) it was 1,964 dpa. A similar sub-regional assessment of housing development need was undertaken to support the adopted Borough Plan. Through the plan-making process, CCC demonstrated that it was unable to accommodate its full housing need and as a result, NBBC agreed to deliver 4,020 additional dwellings in line with the Duty to Cooperate, which equated to 201 dwellings per annum (dpa). Paragraph 10.7 of the Nuneaton and Bedworth HEDNA (2022) confirms that there "is a reasonable prospect that an unmet need will again arise" in CCC, which "given the strong functional relationship between Nuneaton and Bedworth and Coventry" maybe "an important consideration in considering overall housing provision within the Borough Plan Review".</p> <p>Table 2 of the Publication Draft sets out the minimum housing requirement for the six Coventry and Warwickshire authorities, as established using the standard method, with the 2023 affordability uplift. CCC has the highest annual minimum housing requirement figure at 3,247 dwellings and as referenced above, there is a reasonable prospect that the remaining five authorities will again be required to take on additional housing delivery to comply with the legal duty to cooperate.</p> <p>CCC undertook an Issues and Options Regulation 18 consultation during summer 2023, concluding on 29 September. The consultation document addressed the matter of housing needs and included the following table within Chapter 3, setting out the various alternatives at Table 1 (refer to the representation). CCC's preferred scenario is number 3 and is of the view that this</p>		

					<p>represents the true need and is based on the best available evidence. On this basis, no reference is made within the consultation document to neighbouring authorities meeting unmet needs.</p> <p>The Briefing Note provided at Appendix 1 of this representation was prepared by Lichfields on behalf of a Consortium, which includes Richborough. This seeks to consider how the unmet housing needs of the Coventry and Warwickshire Housing Market Area could be sustainably distributed amongst the constituent authorities, based upon the functional relationships between the authorities.</p> <p>It considers the Sub-regional HEDNA (2022) and the Consortium's alternative assessment of Coventry's projected household population and housing need, set out in their Housing Needs Assessment (HNA), which is appended to the Note.</p> <p>The Consortium contends that CCC's approach, whereby the 35% uplift should be discounted fundamentally lacks any justification. It is argued that this is at odds with the HEDNA, and the evidence produced by the Consortium, which suggests that, in all likelihood, the Coventry's OAHN is between the HEDNA's 1,964 dpa and the HNA's 2,529 dpa.</p> <p>Given that CCC has historically been unable to meet its needs in full, Richborough is of the view that it is likely that there will be significant unmet housing needs arising from Coventry up to 2041. The Briefing Note contends that based on Coventry's current land supply it is likely that there will be an unaccounted for shortfall of between c.14,100 and c.39,780 dwellings up to 2041 – or c.25,420 under the HNA's alternative projections.</p> <p>Lichfields has also considered how this unmet need could be distributed amongst neighbouring authorities based upon the functional relationships between those authorities. The model provided at Appendix 1 of the Note indicates that a reasonable distribution would see NBBC take 40% of Coventry's unmet needs up to 2041, which would equate to a contribution between c.5,650 and c.15,910</p>		
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						dwellings. This would be in addition to the requirement identified in Policy DS3. Richborough is therefore of the view that the current approach taken within the Publication Draft is not sound as it is not positively prepared, justified, effective or consistent with national policy. Additional allocations are required so as to allow a sufficient buffer that will ensure the unmet needs arising in Coventry are addressed. The examination into the Charnwood Local Plan was adjourned in summer 2022 due to the failure to meet Leicester's unmet need through the submitted plan. The examination was ultimately suspended for a significant period of time so as to enable the Inspectors to consider the apportionment as well as to allow Charnwood to identify how additional supply could be accommodated and the implications for the Plan. A similar situation should be avoided here, and the Regulation 19 consultation should be undertaken once the sub-regional housing and employment needs are finalised and discussions between the six Coventry and Warwickshire authorities have taken place and a Memorandum of Understanding is agreed.		
110.14		Plan period	Unanswered	Unanswered	Unanswered	Paragraph 22 of the NPPF makes specific reference to timeframes for development plans and states: "Strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure." According to the latest LDS produced by NBBC in July 2023, adoption of the Plan is likely to occur in June 2024 (subject to no Main Modifications consultation), which is well into the monitoring year, 2024/2025. This scenario wouldn't allow for a full fifteen year plan period at the point of adoption and the timetable is considered severely optimistic in any case. In light of this, Richborough is of the view that the Plan should look ahead to at least 2039/2040 in order to ensure that the Plan meets the requirements of Paragraph 22. To ensure the Plan is positively prepared a modification to the plan		

							period will need to be reflected in the supporting evidence base in respect of employment and residential land requirements. Richborough is of the view that the strategic policies should be amended to look ahead to 2040 at the earliest, which would mean planning for additional dwellings.		
110.15			General	Unanswered	Unanswered	Unanswered	• Richborough is firmly of the view that additional consultation, before the Publication Draft is submitted to the Planning Inspectorate, will be necessary to seek views on additional proposed residential allocations. This approach could avoid more significant delays or repercussions during the course of an examination.		
110.16		N/A	Land West of Higham Lane	N/A	N/A	N/A	The promoted site is available for development, suitable, sustainably located and development would be achievable with the scheme being completed in full well before the end of the plan period, with a significant contribution to delivery in the first five years. Moreover, there are no known viability issues and any scheme would provide a policy compliant suite of planning obligations in respect of affordable housing as well as providing on-site open space for the benefit of new and existing residents. Such benefits would have a significant material positive effect on the local community. The proposals have been landscape-led, to the satisfaction of Development Management Officers and independent landscape consultants, with the emphasis on accommodating development in a manner which would not cause significant harm to the wider countryside. An extensive landscape buffer along the northern edge of the site, incorporating new tree planting and public open spaces, will provide new recreational opportunities and maintain the sense of separation to the north. The proposals also		

							include opportunities for the reinstatement of historic hedgerows, thus creating new opportunities for biodiversity. Through the assessments undertaken on behalf of Richborough's consultant team, no insurmountable environmental or technical constraints exist which would impact on the delivery of the site.		
110.17							Please refer to the representations for supporting evidence alongside the appendices (Higham Lane (final draft)).		
111.1	Gladman Developments Ltd	Borough Plan Review	General	Unanswered	No	Unanswered	For reasons that we explain in subsequent Sections of these Representations, the Publication Draft Borough Plan Review is not sound as currently prepared. Gladman consider that the required work to ensure the Plan can be found sound extends well beyond detailed amendments to drafted policy wording. A fundamental review of the Plan and the basis upon which it has been prepared is required. Gladman would be duty bound to advise an examining inspector that the Plan is not sound. Gladman, however, would be pleased to work with the Council on the issues identified in this representation in order that a robust and sound plan can be put forward at Examination.		Yes
111.2			Vision and Objectives	Unanswered	No	Unanswered	The Vision and Objectives of the draft plan lack a strategic context as currently drafted. Gladman consider that the Plan could go further in its objectives and highlight the importance of effective joint working and support housing and economic growth of the wider sub-region, including direct reference to assisting neighbouring authorities with any unmet housing needs. This is particularly important given that the housing issues of Nuneaton & Bedworth are inextricably linked with the wider Coventry and Warwickshire Housing Market Area, which		

						the borough forms an integral part of.			
111.3			Plan period	Unanswered	No	Unanswered	The Borough Plan Review, as submitted, covers the period 2021 – 2039. Assuming that the Plan is adopted at some point in the monitoring year 2024 / 2025 (i.e. after 1 April 2024 and before 31 March 2025) it would 'look ahead' over a period of 14 years. This would render it inconsistent with the NPPF and it would fail one of the four tests of soundness. This, however, can be easily remedied through extending the plan period to ensure that a minimum 15-year period from adoption is provided for. Gladman consider that extending the plan period to 2041 would be the most appropriate course of action in this instance. This would see the Borough Plan Review plan period align with that of the emerging Coventry Local Plan Review plan period, enabling important cross-boundary matters to be strategically and collaboratively dealt with by both authorities over a consistent timeframe. Paragraph 22 also sets out that where larger scale developments such as new settlements or significant extensions form part of the strategy for the area, policies should be set within a vision that looks ahead at least 30 years. This Plan has no such vision for a 30-year period.		

111.4			Duty to Cooperate	Unanswered	No	Unanswered	<p>The publication plan only makes a fleeting reference to the Duty to Cooperate, stating at paragraph 1.11 that “collaboration between the Council and other local authorities and infrastructure providers, will be documented through Statements of Common Ground, demonstrating effective and on-going joint working and indicating cross boundary matters are being addressed and progressed.” Despite this assertion, Gladman have been unable to locate any signed Statement(s) of Common Ground with neighbouring authorities, or a current Duty to Cooperate Statement. This is a serious omission, particularly given that there is a significant interaction between housing issues in Nuneaton and Bedworth and the wider Coventry and Warwickshire Housing Market Area (C&WHMA). As part of the previous tranche of Local Plans across the C&WHMA, it was established through a joint strategic Housing Market Assessment (SHMA) that Coventry was unable to meet all its identified housing need and there was a shortfall of some 17,800 dwellings to be met throughout the housing market area. To distribute Coventry’s unmet housing needs up to 2031 and demonstrate the Duty to Cooperate, the C&WHMA authorities prepared and signed the</p>		
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						<p>2017 Memorandum of Understanding (MoU), which required each LPA to prepare a Local Plan that reflected the agreed distribution. For Nuneaton and Bedworth, the 2017 MoU identified that the Council should make provision for 4,020 dwellings (c.30% of the unmet need of Coventry) up to 2031. To this end, consequently, the Council made provision for these needs within the adopted 2019 Borough Local Plan. Despite the Council having accepted a responsibility to accommodate some of Coventry's unmet need in the Borough Plan that was adopted just 4 years ago, the publication plan is silent on this matter and makes no contribution towards the unmet housing needs of Coventry City Council. With reference to the previous Preferred Options Plan consulted on in 2022, the Council appear to have taken this decision because of concerns regarding the adopted existing level of unmet needs arising from Coventry, owing to inaccuracies in Coventry's population projections and mid-year population estimates and the consequences this has on Coventry's unmet housing needs up to 20314. The Council have also stated that they wish to withdraw from the current MoU for this reason.</p> <p>There are legitimate questions as to whether this established unmet housing need to 2031 has been fully addressed both within Nuneaton & Bedworth and across the wider HMA. Notwithstanding this, looking further ahead Gladman consider it almost certain that there will still be an acute level of unmet housing needs arising in Coventry in the future given the closely bounded nature of the City and that the current round of plan-making extends the plan period for the authority beyond 2031 to 2041 at a minimum.</p> <p>Indeed, the Council's own 'Nuneaton & Bedworth Housing & Economic Development Needs Assessment (2022)' ("the Nuneaton HEDNA") clearly states that there "is a reasonable prospect that an unmet need will again arise" in Coventry, which "given the strong functional relationship between Nuneaton and Bedworth and</p>		

					<p>Coventry" may be "an important consideration in considering overall housing provision within the Borough Plan Review". Under the Duty to Cooperate, the Council has a legal obligation to cooperate with other planning authorities on strategic housing matters as per paragraphs 11b and 35a of the NPPF. This includes accommodating some of the unmet housing need from Coventry City. To maximise the effectiveness of plan-making and fully meet the legal requirements of the Duty to Cooperate, the Council's engagement should be constructive, active, and on-going. It is deeply concerning, therefore, that the Council has not published any Statement of Common Ground(s) with neighbouring authorities, nor a Duty to Cooperate Statement, to demonstrate how such issues have been strategically and collaboratively addressed. As we have outlined above, the Duty to Cooperate is not simply an issue of consultation it is about effective cooperation, with a meaningful end. At present there is no information provided as part of this consultation which provides sufficient clarity regarding whether the Duty to Cooperate between Nuneaton and Bedworth and neighbouring authorities within the C&WHMA has been met. Without such agreements in place on cross-boundary cooperation with adjoining local authorities and the wider sub-region, the Borough Plan Review will have failed in this regard in observing the requirements of the Duty to Cooperate before the plan reaches examination. It is crucial to remember that demonstrating a genuine commitment to the Duty to Cooperate is an integral part of the plan-making process. Failure to evidence this cooperation adequately will result in an 'unsound' plan. Once the plan is submitted, any inadequacies related to this duty cannot be rectified post submission. Following publication of either a signed SoCG(s) and / or Duty to Cooperate</p>		
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Agents and Developers

						Statement, Gladman reserve the right to submit further comments on the Council's compliance with the Duty to Cooperate either in written Examination Hearing Statements or orally during Examination Hearing Sessions.			
111.5			DS3	Unanswered	No	Unanswered	Policy DS3 sets out a housing requirement for Nuneaton & Bedworth of 9,810 new homes (equivalent to 545 dwellings per annum (dpa)) over the plan period 2021-2039. The housing requirement is informed by a bespoke housing needs assessment, 'Towards our Housing Requirement' prepared by Iceni. Notably, there is a distinct absence in the publication plan of any reference to Coventry and unmet housing needs despite the fact that the Council accepted a responsibility to accommodate some of Coventry's unmet need in the adopted Borough Plan. Although Coventry's Local Plan Review is only at the Issues & Options stage, Gladman consider that it's proposed approach in determining its Objectively Assessed Housing Need (OAHN) is fundamentally inappropriate and at odds with its own evidence base. Notwithstanding, even if, subject to exceptional circumstances, Coventry seeks to use alternative projections rather than the Standard Method, their own up-to-date evidence base on housing land supply indicates that there is almost certain to be unmet housing needs arising from Coventry to 2041 of significant consequence. This is unsurprising given the closely bounded nature of the city and that it		

						<p>has historically been unable to meet its needs in full. Indeed, under the PPG compliant Standard Method calculation, the HEDNAs alternative household projection calculation, and an alternative Housing Needs Assessment prepared by Lichfields', based on Coventry's up-to-date housing land supply evidence there will be an acute housing shortfall arising from the city up to 2041, as set out in the table overleaf. The above (Table provided in the representations) suggests that based on the Standard Method there would be a minimum shortfall of 39,782 dwellings over the 2021-2041 period. If the HEDNA OAHN was utilised, this would drop to 14,122 which is still an acute level of unmet housing need emanating from Coventry. If an alternative approach was utilised as proposed by Lichfields' there would be a minimum shortfall of 25,422 dwellings over the 2021-2041 period. Presently, it is unclear whether any of the C&WHMA authorities will work together to address the unmet housing needs arising from Coventry up to 2041. This is despite, as noted previously, the Council's own evidence base document recognising that</p>		
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					<p>there is a reasonable prospect that an unmet need will again arise in Coventry, which “given the strong functional relationship between Nuneaton and Bedworth and Coventry” may be “an important consideration in considering overall housing provision within the Borough Plan Review” (Paragraph 10.7, Nuneaton HEDNA). On this basis, a key hurdle for Nuneaton & Bedworth Borough Council, and indeed all authorities in the C&WHMA, will be the need to grapple with how these unmet housing needs can be addressed through the raft of emerging Local Plan reviews to ensure that the Council and partner authorities can demonstrate that it has complied with the Duty to Co-operate. In this regard, Gladman strongly contends that the Council, alongside other C&WHMA authorities, should work together to identify and meet (where it is sustainable to do so) the housing needs of the C&WHMA, underpinned by adequate, relevant, and up-to-date evidence now, rather than deferring these matters.</p> <p>To this end, Lichfields’ has prepared a report and accompanying model (Appendix 1) to demonstrate how Coventry’s unmet housing need to 2041 could sustainably be distributed amongst neighbouring authorities based upon the functional relationships between those authorities. For Nuneaton and Bedworth, Lichfields’ model indicates that to address the unmet housing needs of Coventry, a reasonable distribution would see the Council take 40% of Coventry’s unmet needs up to 2041, above the Borough’s own housing needs. On the basis of the likely level of unmet housing need arising in Coventry between 2021 and 2041, this would equate to a contribution between 5,649 and 15,913 dwellings to be accommodated within Nuneaton & Bedworth (Table provided within the representation). With up-to-date evidence now available on Coventry’s housing land supply, Gladman are firmly of the view that now is an appropriate time to examine, test and settle the scale of unmet housing need arising from Coventry through to 2041, and subsequent</p>		

						<p>apportionment across the C&WHMA. It is not considered acceptable for this critical issue to be deferred to a review of this Local Plan (which almost inevitably delays any attempt to meet unmet needs until the early 2030s) or dealt with through the preparation of some other Local Plan elsewhere in the housing market area. It is pertinent to note that the Inspector for the Warwick Local Plan (within the same housing market area) grappled with a very similar issue in 2015 and notably concluded that "whilst there are clearly benefits in having an adopted Local Plan in place as soon as possible, this cannot be at the expense of having a sound plan which effectively deals with key strategic matters."</p> <p>As aforementioned, given the strong functional relationship between Nuneaton & Bedworth and Coventry, it is considered highly likely that the Borough will have to accommodate a significant proportion of the unmet housing needs arising from Coventry up to 2041. To avoid future potential conflicts or delays to plan-making, Gladman suggest the Borough Plan Review should address this matter explicitly. A sensible and pragmatic course of action is the delivery of an increased housing requirement now, even if that is below any eventual distributed growth, with further allocations identified within the Plan that are specifically identified to meet Coventry's unmet need.</p> <p>Failure to uplift the housing requirement now and either deferring to a future plan review or, worse, disregarding any intention to grapple with this critical issue is neither effective, justified or consistent with national policy, particularly in the context that Coventry City's unmet needs can now, in our view, be reasonably quantified up to 2041. If the Council fails to address these needs, the implications are that those needs will not simply disappear; they will either result in increasingly negative housing outcomes for people living in Coventry, or they will mean households will have to look elsewhere to meet their housing needs.</p>		
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						<p>If there is no intention to uplift the housing requirement prior to Coventry's unmet needs to 2041 being quantified, then a delay to plan-making now to enable a SoCG or MoU to be agreed by the C&WHMA authorities is considered a not unreasonable solution. This would enable an appropriate uplift to be delivered in the short to medium term, something which would be far preferable than the current approach which is silent on the issue.</p> <p>In summary, Gladman consider there is clear evidence that there are almost certain to be substantial unmet needs from Coventry City up to 2041 and a good indication at least of the scale of these unmet needs. It is not the case that this Plan should necessarily accommodate all of the residual unmet need from Coventry, however, the Council has submitted a plan in the absence of a clear strategy to deal with this key strategic matter. Policy DS3 is not considered, therefore, to be sound as drafted, as it is not justified, effective, positively prepared or consistent with national policy.</p> <p>A more proactive approach, including a clear commitment to meeting these unmet needs, is needed for the policy to be sound.</p>		
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111.6			DS7	Unanswered	No	Unanswered	<p>Policy DS7 states that the Council will monitor the delivery of housing and publish progress against the housing trajectory as contained within Appendix B of the plan.</p> <p>NPPF paragraph 74 sets out that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period and if appropriate to set out the anticipated rate of development for specific sites. The trajectory in Appendix B lacks any real detail or substance, only providing information collated into five categories of development. Gladman are concerned that the nebulous housing trajectory will not enable robust monitoring to be undertaken. In order to be sound and justified, a detailed housing trajectory including for specific sites should be inserted into Appendix B.</p> <p>Policy DS7 goes on to state that where it becomes apparent that delivery rates are falling short of what is necessary, action will be taken to address any shortfalls. The policy then sets out a list of actions that could be implemented. Whilst the overall thrust of Policy DS7 is recognised, we consider that it requires further modification in order to be found sound. The formatting of the policy suggests that if delivery rates are falling short, the Council will prioritise working with</p>		
							<p>developers to review the requirements and phasing of infrastructure provision, where such re-phasing would assist with viability. If this fails to have the desired effect, the policy then reads that the Council will seek to secure external funding and, if necessary, utilise compulsory purchase powers to help address land acquisition issues. Delivering additional sites where it can be demonstrated that such sites will assist with delivery to address short-term needs is the final bullet point within the policy, suggesting the least weight is being given to this approach. Whilst working with developers of existing site allocations to unlock delivery is clearly important, negotiations around the phasing of infrastructure and viability are likely to be time consuming and in Gladman's view will not have the desired</p>		

						<p>effect of properly addressing the under-delivery of much needed new housing in the short term. Similarly, the suggestion to use compulsory purchase powers and seek to securing additional funding would take some time to implement and ultimately may not be successful. If greater weight is therefore given to these two approaches, Gladman are concerned that this could just compound an existing housing delivery shortfall, rather than resolve it. Ultimately, granting planning permission for additional new homes is likely to be the most effective way to address any under-delivery of housing, particularly in the short to medium term. Gladman therefore consider that the policy should be reformatted so that it clearly sets out that if monitoring shows that the plan is not delivering housing as required the Council will grant permissions for additional housing (focused on sustainable edge of settlement sites) and then undertake other actions to help bring schemes forward, in that order. It is important for any under-delivery of housing to be addressed as soon as possible.</p>		
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111.7			DS8	Unanswered	No	Unanswered	<p>Policy DS8 sets out the Council's approach to undertaking a review of the Plan. As drafted Policy DS8 is not considered to be sound as it is not justified or effective, or consistent with national policy, for reasons set out below. The policy does not define with clear stages and timing, the areas and process that will trigger a review of this yet to be adopted Local Plan Review. The policy is too vaguely written and therefore inconsistent with the approach required by paragraph 16(d) of the Framework which requires policies to be clearly written and unambiguous. The policy also states that a 'quicker review' may be required, if one or more of the listed circumstances is met. However, there is a distinct lack of clarity over what triggers would lead to a 'quicker review' of the Plan. It is necessary to amend Policy DS8 to include a worked example and / or timeline to clearly illustrate what is meant by this policy. We also suggest it may be pertinent to broaden the review triggers to consider other situations, for example the delivery and effectiveness of policies of this Plan against specific performance indicators and targets. Moreover, there are currently no specific criteria about what would trigger a full or partial update to the Plan, so it would be useful to provide some clarity in the supporting text on under what circumstances a full or partial review would be expected. As set out in above, Gladman strongly refute the Council's current approach which postpones dealing with unmet housing need from neighbouring Coventry through this Plan, contrary to national policy and guidance. The Council should be addressing unmet housing needs from Coventry in this Plan, and the Council should not use a review policy to delay taking the positive action it needs to take now to address this critical strategic matter.</p>		
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111.8			H1	Unanswered	No	Unanswered	<p>With reference to the general market housing element of policy H1, Gladman note that it seeks to ensure a range and mix of housing types and sizes are provided, which should be informed by the latest HEDNA or equivalent document.</p> <p>Housing requirements constantly evolves and as such there should be flexibility embedded in policies to enable them to respond to changing demands and context, whilst also recognising that housing needs vary on a site-by-site basis.</p> <p>Furthermore, it would also be appropriate for the policy to refer to other evidence, not just the latest HEDNA, and should include consideration of elements such as the demand/need at the time a planning application is submitted.</p>		
111.9			H4	Unanswered	No	Unanswered	<p>Policy H4 requires all new homes to as a minimum meet the Nationally Described Space Standards (NDSS). If the Council wishes to apply the optional NDSS to all dwellings, then this should only be done in accordance with paragraph 130f and footnote 49 of the NPPF. Footnote 49 confirms:</p> <p>“49. Planning policies for housing should make use of the Government’s optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified.”</p> <p>Furthermore, with reference to the NDSS, the PPG confirms:</p> <p>“Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies”.</p> <p>If the Government had expected all properties to be built to NDSS then they would have made these standards mandatory not optional. Therefore, if the Council wishes to adopt this optional standard, it should be justified by meeting the criteria set out in the national policy, including need, viability and impact on affordability. An inflexible policy approach to NDSS for all new dwellings will impact on</p>		

						affordability and effect customer choice. Gladman do not consider that the requirement for all dwellings to be built to at least NDSS has been robustly justified by the Council.			
111.10			H5	Unanswered	No	Unanswered	If the Council wishes to adopt the higher optional technical standards, it should only do so by applying the criteria set out in the PPG. This criterion includes the likely future need; the size, location, type and quality of dwellings needed; the accessibility and adaptability of the existing stock; how the needs vary across different housing tenures; and the overall viability ¹⁰ . To demonstrate compliance with the PPG, the Council will need to provide evidence setting out a specific case for the need for Optional Technical Standards and their application across Nuneaton & Bedworth prior to the Local Plan Review being submitted for examination. The Council's evidence is set out in the supporting text, with reference in particular to 2021 Census data and the HEDNA. This evidence does not identify any local circumstances which demonstrate that the needs of the Borough differ substantially to those across the West Midlands or England as a whole. Whilst it is accepted that the population of the Borough is ageing and this trend is accelerating, and that a proportion of households have at least one resident with a long-term limiting illness or disability, this is not in itself a reason to apply the optional building		

						<p>standards to 100% of development proposals. The Council should provide further, detailed localised evidence making the specific case for Nuneaton & Bedworth which justifies the inclusion of optional higher standards for accessible and adaptable homes in this policy. If the Council can provide the appropriate evidence and this policy is to be included, then a reasonable transition period should also be included within the policy.</p> <p>More widely, Gladman observe that Policy H5 is one of five separate policies within the Plan that seeks to introduce a requirement for 95% of residential development to meet M4(2) and 5% to meet M4(3). This excessive referencing is potentially confusing to the reader (whether it be member of the public, developer or planning officer).</p> <p>These standards, if needed at all, do not need to be repeated throughout the Plan when they have already been addressed elsewhere, and the plan should be read as a whole.</p>		
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111.11			NE3	Unanswered	No	Unanswered	<p>Gladman hold significant concern with the element of Policy NE3 under the sub header 'Biodiversity offsetting' and consider that, as drafted, it is not consistent with national policy, not effective and not justified, and will need significant amendments to be sound. In our view, this section of the policy as drafted is confusing and requires a variety of amendments to the policy wording for it to reflect the Environment Act, in addition to emerging policy, guidance and Best Practice on how Biodiversity Net Gain (BNG) will be implemented in practice.</p> <p>It is unclear why the section is focused just on 'Biodiversity Offsetting' as offsetting is but one of the ways that BNG can be delivered. This section should therefore be titled 'Biodiversity Net Gain'. A sensible approach from this point may be to split out the two issues of BNG (on-site, off-site, then statutory credits) and mitigation hierarchy (avoid, minimise, restore, offset) within the policy text. The section on BNG should set out that all qualifying development proposals must deliver at least a 10% measurable biodiversity net gain calculated using the latest Natural England's Biodiversity Metric and could also refer to forthcoming mandatory requirements. The policy could usefully say on-site biodiversity should be fully explored before moving to consider off-site units or statutory credits. If the Council wants to explain how it would like to see BNG off-site delivery prioritised, this should be included within the supporting text.</p> <p>If the Council wish to refer to the mitigation hierarchy within this policy, then the policy should start with a section on the mitigation hierarchy which sets out the principles of the mitigation hierarchy and that as a point of principle the loss of any biodiversity should be avoided in the first instance wherever possible. Only then should you move down the mitigation hierarchy to the minimise, restore and then offset phases.</p> <p>Currently, several elements of the policy are unjustified and contrary</p>		

						<p>to national policy. For the Policy to be found sound, the Council need to revise the policy wording to ensure it reflects current national policy advice and guidance. Gladman would urge the Council to review the Planning Advisory Service guidance on BNG in the context of Local Plans and Strategic Planning.</p>		
111.12			BE3	Unanswered	No	Unanswered	<p>Whilst the overarching thrust of Policy BE3 is understood, in overall terms Gladman consider there is a lack of clarity, justification or evidence for a number of the requirements as detailed within the policy and consider that, as drafted, Policy BE3 is 'unsound' for the following reasons.</p> <p>Criterion 3 states that all development proposals must show compliance with a water efficiency standard of 110 litres/person/day. Under current Building Regulations, all new dwellings must achieve a mandatory level of water efficiency of 125 litres per day per person, which is a higher standard than that achieved by much of the existing housing stock. This mandatory standard represents an effective demand management measure. The Optional Technical Housing Standard is 110 litres per day per person. The higher standard proposed within the draft policy has not been justified in accordance with the standard required by the NPPF. If the Council wishes to adopt the optional standard for water efficiency of 110 litres per person per day, it should justify doing so by applying the criteria set out in the PPG (ID: 56-014-20150327).</p>	

					<p>Criterion 4 of Policy BE3 sets out that "Development should adhere to the Future Homes and Buildings Standard prior to its introduction in 2025 by promoting a fabric first approach, including the use of passive design principles where possible". This is unreasonable and unjustified.</p> <p>It is the Government's intention to set standards for energy efficiency through the Building Regulations. The key to decarbonising Nuneaton & Bedworth's energy demand is to recognise the need to move towards greater energy efficiency via a nationally consistent set of standards and timetable, which is universally understood and technically implementable. Therefore, the Council does not need to set local energy efficiency standards to achieve the shared net zero goal because of the higher levels of energy efficiency standards for new homes set out in the 2021 Part L Interim Uplift (which requires at least a 31% reduction in emissions compared to current standards) and proposals for the 2025 Future Homes Standard (which should ensure that all new homes built from 2025 will produce 75-80% less carbon emissions).</p> <p>Gladman have been unable to locate within the Council's supporting evidence any justification for the requirement for new development to meet the upcoming Future Homes Standards and Future Buildings standards, ahead of the government's timeline for its introduction in 2025. Therefore, this part of the policy is not justified, unsound and should be deleted. Furthermore, there is a wider question of whether planning policy should be getting involved in matters that are properly being addressed through the Building Regulations system at all.</p> <p>Consequently, Gladman consider criteria 4 of Policy BE3 inappropriate and contend that it should be removed from the Plan in its entirety.</p> <p>The residential section of the policy is yet again referring to 95% of development meeting M4(2) and 5% meeting M4(3), in addition to NDSS. These issues have already</p>		
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						been addressed several times in the Plan and it is not necessary for them to be referenced in yet another policy.		
111.13		Sustainability Appraisal	Unanswered	No	Unanswered	<p>In current form, Gladman has several concerns with the approach of the Sustainability Appraisal and considers that these matters need to be addressed:</p> <ol style="list-style-type: none"> 1. Regarding housing quantum and distribution, seven strategic options for housing delivery were tested through the Interim SA with the variation between the highest and lowest housing land supply being just 66dpa. Through the SA the Council consider that there are no further strategic alternatives to test in terms of alternative distributions of development or scales of growth. As Gladman sets out later in this representation, it is almost certain that a proportion of the unmet need arising from Coventry will need to be accommodated in the Borough. The SA, however, is silent on this possibility. We therefore consider it necessary for a 'Coventry unmet need' supply scenario to be tested through the SA process prior to examination. A reasonable starting point for considering likely unmet need can now be formed following the publication of the updated Coventry & Warwickshire Sub-Region HEDNA in 2022 and Coventry's updated Housing and Economic Land Availability Assessment in 2023. 2. The assessment of potential spatial strategies for growth to be accommodated through the Borough Plan Review has not adequately considered the opportunity for strategic growth in non-Green Belt locations. The NPPF states that once 		

						established Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified. The Council should review all such non-Green Belt locations such as land north-east of Nuneaton to meet its own housing requirements and unmet needs of neighbouring authorities such as those of Coventry as noted above. 3. It would seem apparent that the SA has not considered the full evidence which is available in reporting site specific findings. Gladman's land interests in the Borough have been the subject of planning applications and as such are supported by detailed and up-to-date site-specific evidence (see Section 4 and supporting Appendices). Gladman consider that the assessment made for its land interests through the SA should be updated to reflect the wider available evidence base available for these sites to ultimately show no adverse effect on any sustainability objective.		
111.14			General	Unanswered	No	Unanswered	As detailed in Section 3.2, it is not a 'sound' approach for the Council to advance its Local Plan Review which makes no contribution towards, and is indeed silent on, the unmet needs of Coventry City Council. National policy and guidance clearly direct the Council to address the strategic priorities of its own area, and the unmet housing needs of its neighbours. It also makes clear that those matters should be addressed now. It is Gladman's view that the housing requirement for Nuneaton & Bedworth requires a further uplift to respond to significant unmet housing need arising from Coventry. A necessary step for the Plan to take in order for it to be found sound is the delivery of an increased housing requirement now, even if that is below any eventual distributed growth, with further allocations identified within the Plan that are specifically identified to meet Coventry's unmet need. Gladman contend that the Council is simply trying to delay,	

						<p>or even ignore taking the positive action it needs to take now to address this critical strategic matter. Such an approach is not positively prepared, not justified and not effective, and so is contrary to national policy and guidance. Moreover, at this time it is not possible to tell if the Council will be able to discharge its Duty to Cooperate, and this could have fatal implications for the Plan at examination. The Council in preparing the Borough Plan Review has a legal duty to co-operate with neighbouring authorities to address cross-boundary issues, including Coventry's potential unmet housing need.</p>		
111.15		N/A	Land off Weddington Road / Land off The Long Shoot	N/A	N/A	<p>As detailed in Section 3.2, it is not a 'sound' approach for the Council to advance its Local Plan Review which makes no contribution towards, and is indeed silent on, the unmet needs of Coventry City Council. National policy and guidance clearly direct the Council to address the strategic priorities of its own area, and the unmet housing needs of its neighbours. It also makes clear that those matters should be addressed now.</p> <p>It is Gladman's view that the housing requirement for Nuneaton & Bedworth requires a further uplift to respond to significant unmet housing need arising from Coventry.</p> <p>A necessary step for the Plan to take in order for it to be found sound is the delivery of an increased housing requirement now, even if that is below any eventual distributed growth, with further allocations identified within the Plan that are specifically identified to meet Coventry's unmet need.</p> <p>Gladman are promoting two sites in the Borough for residential led development.</p> <p>These are Land off Weddington Road, Nuneaton (Appendix 2) and Land off The Long Shoot, Nuneaton (Appendix 3). Appendix 2 & 3 provide additional</p>		

Agents and Developers

						<p>detail on these sites identifying their sustainability and suitability for development and allocation within the Plan. We respectfully request that these sites are assessed fully in the Local Plan process which will identify that they are appropriate for allocation. Gladman has a proved track record of promoting sites which are ready for development and can quickly progress from allocation to outline and reserved matters application to development being delivered.</p>		
111.16						<p>Please refer to the appendices, contained within the representation, for supporting evidence.</p>		

Agents and Developers

112.1	Jelson Homes	Borough Plan Review	General	Unanswered	No	Unanswered	<p>For reasons that we explain in subsequent sections of these representations, the pre-submission local plan is not sound as currently prepared, but it is capable of being made sound with modifications.</p> <p>Land East of Callendar Farm</p> <p>The southern part of the Site is already allocated for housing development under Policy HSG1 of the adopted Local Plan. It forms part of a Sustainable Urban Extension comprising around 4,400 dwellings, a new local centre and primary school. A wider part of the allocation under HSG1 has the benefit of outline planning permission and several phases of it have been, or are being, built out under a series of reserved matters approvals secured by a number of housebuilders, including Jelson.</p> <p>The northern part of the Site is not, however, allocated for development. This appears to be solely because the land was not controlled by a developer or willing landowner at the time the current Local Plan was being prepared, and, as a consequence, it was never promoted for 'development' through the Local Plan process. Jelson secured an option over this land in 2021 and is now looking to bring it forward for residential development, as a logical extension to the existing SUE. Jelson alerted the Council to the Site's availability initially, through the submission it made to its Call for Sites process in October 2021, as well as more recently, during the Regulation 18 Local Plan Consultation in July 2022.</p> <p>As can be seen from the plan at Appendix 2, the site forms a very obvious 'missing part of the jigsaw' in terms of the development of</p>		Yes
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						<p>this strategic development site and its omission as a formal allocation in the emerging local plan is therefore somewhat puzzling.</p> <p>Availability</p> <p>Jelson controls the whole site, including land required for access therefore there are no constraints to the development on the Site in terms of landownership and the Site is available immediately for development.</p> <p>We therefore conclude that the whole site, including the currently unallocated northern parcel is clearly available for development now, and thereby fulfils this part of the NPPF deliverability test.</p> <p>Suitability</p> <p>The site is particularly well positioned and could be developed without extending the built up area of Nuneaton beyond the boundaries of the wider SUE allocation. The site would be contained to the west, east and south by the development to be delivered under Policy HSG1 and to the north by Watling Street/A5 and the completed Midlands Heart development which fronts the A5.</p> <p>A range of technical work has been completed for the site which confirms that the site is suitable for development and that there are no insurmountable constraints which would prohibit this site from coming forward.</p> <p>The site offers a suitable and highly sustainable location for development now, thereby fulfilling this part of the NPPF deliverability test.</p> <p>Achievability</p> <p>We conclude that the development of the site is not only highly sustainable, but also fits squarely with the Council's stated development strategy as this site offers a sustainable location for</p>		
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					<p>growth on the edge of the urban area, adjacent to the existing residential area.</p> <p>Spatial Strategy</p> <p>Overall Jelson agrees that a spatial strategy which focusses the majority of development in the urban area with proportionate growth at other sustainable settlements is the most appropriate and sustainable strategy.</p> <p>The spatial strategy of the emerging Local Plan correlates with the spatial strategy of the existing Local Plan. Of particular relevance to this Site is the element of the strategy which promotes the development of a sustainable urban extension to Nuneaton under the strategic housing allocation HSG1. The Council has therefore, already established that the principle of development in this suitable and sustainable location, is acceptable. The Council also continue to promote development in this location through the strategic housing allocation SHA1, as set out in the Publication Draft Plan (dated September 2023). It is acknowledged that this site forms part of the existing wider HSG1 'North of Nuneaton' allocation.</p> <p>As mentioned above, the emerging Plan anticipates that the majority of development will be directed towards Nuneaton, however from the evidence published by the Council to date, there does not appear to be any justification or explanation as to why capacity around the long-standing 'North of Nuneaton' SUE is not being maximised. More specifically, it is not clear why the Plan's strategy doesn't seek to incorporate Jelson's land into the SUE, given it is so well physically related to it.</p> <p>On this basis, Jelson's land east of Callendar Farm, in our view sits squarely with the development strategy and should be incorporated into Housing Allocation HSG1. As things stand, the approach proposed towards the exclusion of the Site is not justified or consistent with national policy which requires the efficient use of land. Therefore, to be considered sound, the Draft Plan should be updated to incorporate this site, which has a capacity to deliver circa 160 additional dwellings.</p> <p>Alongside this, draft Strategic Policy DS3 (Overall Development Needs) sets out that by 2039, a minimum of 9,810 homes, based on 545 dwellings per annum will be planned for and provided within Nuneaton and Bedworth Borough. It is important to note that the Plan's housing requirement is expressed as a minimum and that need alone cannot be used as justification for denying the allocation of such an obviously sustainable site that is acceptable in all other technical and planning policy respects. Indeed, it is noted that at no-point during the previous stages of plan consultation has the</p>		
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						<p>Council provided any reasoned justification for the site's omission.</p> <p>Site Selection</p> <p>Please refer to the representation as a table has been completed by the agent.</p> <p>Jelson note that as a starting point, the Council does not seem to have given any recognition at all to the Site's location adjacent to (on three sides) by the wider SUE. As such, the Council has not taken into account the facilities, services and amenities that will be delivered on the SUE which enhances the overall sustainability of the Site.</p> <p>Housing Delivery</p> <p>The Council has taken the view that, in order to guard against housing land supply related risks it should identify specific sites to satisfy, and in fact exceed, the entirety of its housing requirement. We agree that this is appropriate and necessary.</p> <p>Conclusions and Modifications Required</p> <p>Jelson believe that the changes that need to be made to the Plan and the key elements of evidence base relate to the inclusion of Jelson's land to the east of Callendar Farm.</p> <p>It is on this basis that Jelson conclude that its land east of Callendar Farm should be allocated in the Local Plan as the approach proposed towards the exclusion of the Site is not justified or consistent with national policy which requires the efficient use of land. Therefore, to be considered sound, the Draft Plan should be updated to incorporate this site, which has a capacity to deliver circa 160 dwellings.</p>		
112.2						<p>Please refer to the representations, including the appendices, for supporting evidence.</p>		

Agents and Developers

113.1	Archdiocese of Birmingham	Borough Plan Review	DS2	No	No	No	<p>We support the inclusion of Ash Green within the settlement hierarchy and consider the settlement can support residential development.</p> <p>We support the inclusion of residential development in this area and consider our clients land south of New Road would suitably accommodate residential development in Ash Green.</p> <p>The site is currently located outside of the settlement boundary but is effectively an infill site located between a site which has recently been developed and The Haven Nursing Home.</p> <p>The site would round off the development boundary of Ash Green in an obvious and appropriate way.</p> <p>We therefore would support additional growth in Ash Green and the inclusion of the land south of New Road.</p> <p>However, we note that the site has been excluded from the Publication Draft Plan and there is limited development allocated in Ash Green.</p> <p>We do not consider sufficient sites have been allocated in Ash Green in accordance with the proposed settlement hierarchy.</p> <p>Ash Green is a sustainable location with a number of services and facilities to support additional growth. By not providing sufficient allocations for dwellings within different areas of the Borough, we consider the plan fails to be positively prepared, justified, effective or consistent with national policy and therefore not sound.</p> <p>We do not consider Strategic Policy DS2 aligns with Policy DS4 and the amount of housing that has been allocated in Ash Green.</p> <p>Policy DS2 does not specify a number of dwellings or even a percentage of the overall housing requirement that will be allocated to Ash Green only stating,</p> <p>“Development will be directed to other settlements, at a scale that reflects the role and function of the settlement and its order in the hierarchy, as well as the settlement’s ability to accommodate change”.</p> <p>It is important to acknowledge that not all development can be accommodated within the existing settlement boundaries or on previously developed land.</p>	<p>We do not consider Strategic Policy DS2 aligns with Policy DS4 and the amount of housing that has been allocated in Ash Green.</p>	Yes

Agents and Developers

						<p>It is therefore important to acknowledge that there may be the requirement to provide development outside of the settlement boundaries (should they not be altered as part of the local plan review) that are not limited to agriculture, forestry and leisure. In these instances, it is important for the plan to be flexible and also provide the ability for the presumption in favour of sustainable development to be implemented when proposals/ applications are viewed on their merits.</p>		
113.2			DS3	No	No	No	We are pleased to see that 'minimum' has been added to the policy as the number of dwellings stated should not be a ceiling figure. With consideration given to the Duty to co-operate and the Governments objectives to significantly boost the supply of housing, restricting development on sustainable sites would be unsound.	

113.3			DS4	No	No	No	<p>We are disappointed to see our clients land has not been included as a proposed allocation. The site would make an positive addition as it has excellent potential to support residential development.</p> <p>Our clients' land is located south of New Road on the edge of the settlement of Ash Green. It is currently located outside of the settlement boundary and located within the Green Belt. However, the site is surrounded to the north, east and west by existing development and effectively could be considered to be an infill site</p> <p>The site has the ability to accommodate approximately 14 dwellings of a mix of 2,3 and 4 bedoomed properties and is a reasonable size site for the settlement of Ash Green.</p> <p>The site is surrounded by residential development on 3 sides and effectively is an infill development plot that would have no impact on the wider Green Belt.</p> <p>The land at New Road has no constraints that would prevent residential development. Please see our response to policy DS6 – Green Belt for additional comments regarding Green Belt related designation and why is should be removed.</p> <p>We note there is one site that has been proposed for Ash Green (Land rear of Burbages Lane, Ash Green site ref NSRA-5/ EXH-8). however, the land south of New Road has the ability to provide additional dwellings for the settlement in a sustainable location. In the Preferred Options consultation, site NSRA-5 was proposed to allocate 30 dwellings. This has now been increased to 47 dwellings in the Publication Draft Plan. This is disappointing to see as we consider our clients site would have been able to accommodate that additional housing increase in the settlement and would provide greater flexibility and assist with ensuring the plan is sound.</p> <p>The lack of an alternative allocation site in Ash Green is a concern. Should there</p>	We consider the plan should be amended to include our clients land off New Road as an additional residential allocation in Ash Green.	

Agents and Developers

						<p>be any delays or unforeseen issues with site NSRA-5, this would hinder the delivery of housing in Ash Green, thus making the plan unsound in its ability to deliver the housing needs of the Plan Review.</p> <p>We do not consider there are any material considerations why the site should not be allocated for future residential development and would contribute to providing a positive residential scheme in an obvious and sustainable location in Ash Green.</p> <p>We therefore consider our clients land should be included within the Borough Plan Review as an additional residential allocation in Ash Green.</p>		
113.4		DS6	No	No	No	<p>We do not consider the Plan Review has been positively prepared, is legally complaint, sound or complies with the Duty to Cooperate.</p> <p>Our client's site has been disregarded as a potential residential site due to its location within the Green Belt.</p> <p>However, the Borough Plan Review is the optimal opportunity to review the Green Belt Boundaries.</p> <p>We understand the importance of the Green Belt and the purpose of land featuring within it. We also acknowledge the 5 key aims of the purposes of land being located within the Green Belt.</p> <p>In accordance with the five purposes set out in paragraph 138 of the NPPF, a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.</p> <p>We do not consider the land south of New Road effectively performs well against all of the above criteria and should be removed from the Green Belt and</p>	<p>We consider that based on our above comments, our client land south of New Road, Ash Green should be removed from the Green Belt to allow for future development.</p>	

						<p>allocated for future development.</p> <p>We consider the review of the Local Plan is the optimal time for land within the Green Belt to be considered against the NPPF to ensure it is fulfilling its role against the key aims, if not, alternative opportunities should be considered for the site even if the site is not previously developed land.</p> <p>We have reviewed the Green Belt Study which forms part of the evidence base and we understand that the Study was completed and published in 2015. This is nearly a decade old.</p> <p>In our representations to the Preferred Options consultation in 2022, the officers response received was as follows, "The site will be assessed in the Council's updated HELAA which will support the Publication version of the Borough Plan.</p> <p>A Green Belt review will be undertaken to support the Publication version of the Borough Plan".</p> <p>From reviewing the Council's website there is a New Green Belt Technical Report 2023 prepared by Arup. However, this is not a comprehensive Green Belt review. It is a document that focuses on the necessary exception circumstance</p>		
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						<p>to designate two site as new Green Belt. It does not consider the removal of any sites from the Green Belt.</p> <p>Further clarification was sought from a Principle Planning Policy Officer, on 29th September 2023, who advised the Green Belt Study of 2015 is indeed the most up to date document. We consider this to be inadequate due to the age of the document.</p> <p>As previously stated, considerations regarding the Green Belt should be carried out at the time of the review of the plan and in order to do that, all the evidence base should be as up to date as possible to ensure the plan is based on an up to date and reliable evidence base.</p> <p>From reviewing the Green Belt Study 2015, my client's land, south of New Road, Ash Green has been identified within parcel NG5.</p> <p>Parcel NG5 is a very large parcel covering all of the land which separates Ash Green and Keresley. This is significantly, a much larger parcel of land than my client's ownership.</p> <p>In regards to the 5 purposes of the Green Belt, Purpose 1 – to check the unrestricted</p>		
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						<p>sprawl of large built up area. The summary was that the parcel plays a role in preventing ribbon development along Blackberry Lane, New Road and Newland Lane. However, in connection to my clients land, there is built development to the east and west and therefore development of the site would not encourage ribbon development as could be described as an infill site. Purpose 1b Openness states, "The parcel contains two farms, an isolated dwelling and a nursing home. The buildings associated with these developments compromise the openness of the Green Belt within their immediate vicinity; however the majority of the Green Belt within the parcel is open and free from development." As stated, my clients land could be considered to be an infill plot, which is surrounded by existing development, the wider parcel of land does not share the same characteristics as my clients' land. Purpose 2 - To prevent neighbouring towns merging into one another. The Green Belt Study states, "The parcel separates Keresley Newlands (a village connected to Coventry) and the villages of Ash Green and Neal's Green. Measured</p>		
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					<p>from the roundabout on Central Boulevard to the west of the southern portion of the parcel to Neal's Green to the east, the narrowest distance between the two settlements is roughly 600m". My clients land has no bearing on neighbouring towns merging together. My clients land is surrounded by development to the north, east and west and therefore its development would not result in Ash Green merging into Keresley. Purpose 3 - To assist in the safeguarding of the countryside from encroachment the study states, "3a - Significance of existing urbanising influences - The parcel contains two farms, an isolated dwelling and a nursing home. The nursing home represents the only urbanising influence within the parcel; however, it's location at the northern tip of the parcel serves to almost enclose the parcel of Green Belt with urbanising development. Nevertheless, the centre of parcel is open and free from urbanising influences". My clients' land is adjoining the nursing home; adjacent to the east. The comments made regarding the nursing home enclosing the parcel of Green Belt with urbanising development on the northern tip of the parcel would apply to development of my clients land and therefore would not have the same degree of impact as development within the wider Green Belt parcel in regards to encroachment of the countryside.</p> <p>"3b - Significance of boundaries / features to contain development and prevent encroachment - The parcel contains small rectangular and irregular shaped open fields with small pockets of woodland. Other than the Green Belt designation itself, there are no boundaries within the parcel which help to prevent encroachment of the countryside within the parcel."</p> <p>Since the Green Belt Study was produced in 2015, planning application 035173 was granted in 2018 allowing the Demolition of existing farm buildings and construction of 10 dwellings with associated access parking and landscaping to be</p>		

					<p>built to the east of my clients' land. This development, my clients land and the nursing home all have a southern boundary line which creates a straight horizontal line. This therefore creates a strong boundary line where a revised settlement boundary could be drawn and would prevent encroachment of the countryside within the wider parcel.</p> <p>Purpose 4 - To preserve the setting and special character of historic towns, the study states, "The parcel does not overlap with a Conservation Area within an historic town. In addition, there is no intervisibility between the historic core of a historic town and the parcel"</p> <p>Purpose 5 - To assist in urban regeneration by encouraging the recycling of derelict and other urban land. The study states, "All Green Belt makes a strategic contribution to urban regeneration by restricting the land available for development and encouraging developers to seek out and recycle derelict / urban sites. The Local Authorities involved in this review are covered by the Coventry and Warwickshire Housing Market Area (HMA). Defining the area as an HMA reflects the key functional linkages that operate between where people live and work and the household demand and preferences that define the area. As the whole Housing Market Area functions as one unit, this makes it difficult to accurately assess whether one individual parcel considered in isolation makes a more significant contribution than another to incentivising development on previously developed land. What can be said is that all parcels make an equally significant contribution to this purpose and are each given a score of 4. We understand the above, however, as stated, "As the whole Housing Market Area functions as one unit, this makes it difficult to accurately assess whether one individual parcel considered in isolation makes a more significant contribution than another to incentivising development on previously developed land".</p>		
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					<p>We would agree with this statement and do not consider the allocation of my clients' land in Ash Green would prevent the regeneration of previously developed land elsewhere within the Borough. We consider relying on a document from 2015 as evidence for a document that is to cover a period of 2021 – 2031 is not only inappropriate, but also unsound. Not only because of the age of the document, but also due to changes that have occurred in that time which has altered the built environment surrounding my clients land and therefore has an impact on the purposes of including land in the Green Belt.</p> <p>However, based on the conclusions set out in the Green Belt Study 2015, as the most up to date study, we do not consider my clients land scores high enough to justify why it would not be a suitable development site and considered for removal from the Green Belt during the Borough Plan Review.</p> <p>It is also important to reiterate we consider that a level of flexibility should be included within the Borough Plan to allow for development in the Green Belt over the 15-year period should the circumstances of both National policy or the characteristics of a site change to a degree where its designation of Green Belt no longer applies, and development should be suitable on the site. There should be the allocation of safeguarded sites for future development.</p> <p>Our clients land south of New Road, if not allocated for development during the plan period, should be considered for removal from the Green Belt and designated a safeguarded site for future development.</p> <p>It is important to acknowledge that we do not consider all development can be accommodated within the existing settlement boundaries or on previously developed land.</p> <p>It is therefore important to acknowledge that there may be the requirement to provide development outside of the settlement boundaries, (if they are not amended within the Borough Plan Review to allow for additional development) that</p>		
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						are not limited to agriculture, forestry and leisure. In these instances, it is important for the plan to be flexible and also provide the ability for the presumption in favour of sustainable development to be implemented when proposals/ applications are viewed on their merits.		
113.5			DS7	No	No	We consider there should be additional housing proposed in Ash Green and therefore additional sites should be considered as part of the Local Plan Review to accommodate further development. Policy DS7 should make reference to additional sites being identified within sustainable settlements such as Ash Green in addition to town centre and edge of centre developments in Nuneaton to ensure there is a wide range of sites to meet a variety of housing needs throughout the Borough. All additional sites should not be identified in only Nuneaton as that would significant alienate those who do not wish to live in such a large settlement and would prefer to live on the edge of a small, but still sustainable settlement such as Ash Green.	We consider clear reference should be made to additional housing sites in smaller settlements such as Ash Green will be considered.	
113.6			DS8	Yes	Yes	We support the inclusion of a policy highlighting the need for a review of the plan and that this requirement may arise for a number of reasons. We take this opportunity to reiterate our previous comments that other policies within the plan should be devised with a level of flexibility built into the plan, considering the plan is to cover a 15-year period and given the real possibility for significant political changes both nationally and locally.		

113.7			H1	Unanswered	No	Yes	<p>We do not consider the plan to be considered sound as there is the need for a greater level of flexibility in connection to the mix of housing. We understand the need to rely on the HEDNA, however, as expressed in our previous representations, we consider each site should be considered on its own merits to allow an element of individuality as a 'one size fits all' approach may not be suitable for every site.</p> <p>We understand in the Council's response to our previous comments it was stated;</p> <p>"The HEDNA data will be used to determine the housing mix required at the strategic level. Individual applications will need to justify an alternative housing mix."</p> <p>We consider there should be an amendment to the policy to reflect that each site will be determined based on its own merits and circumstances and that the HEDNA will be considered at strategic level as a starting point, with consideration given to alternative proposals.</p> <p>As it is currently worded, any deviation from the HEDNA would be contrary to policy.</p> <p>As the HEDNA is to be relied upon, we consider this should be kept up to date with regular reviews in light of regional changes.</p>	We consider the wording should reflect that alternative housing mixes will be considered based on the circumstances of the site in addition to the HEDNA	
113.8			H2	Yes	Yes	Yes	<p>We note the retention of the statement of policy to provide 2 affordable housing units of dwellings between 11 and 14.</p> <p>We again, confirm my client land off New Road, Ash Green would be able to deliver 2 affordable units as part of the overall scheme for the site.</p>		

114.1	L&Q Estates	Borough Plan Review	SEA2	Unanswered	Unanswered	Unanswered	<p>Paragraph 7.101, accompanied by plans referenced 'SEA2 Employment area' and 'SEA2 Housing area', provides no flexibility or justification in relation to the proposed location of housing. Paragraph 7.101 states, "Residential development will be focussed in the north-eastern and south-eastern parts of the site, adjacent to the existing residential areas. The remainder of the site will be brought forward for employment uses". It should be noted that the southern part of the site offers more suitable access arrangements for residential development, as demonstrated by the fact that planning permission has been granted for housing in this location. It should also be noted that the eastern part of the site is more suitable for employment development due to the close proximity to the strategic road network which also makes it a less desirable location for residential development due to the significant noise impact and poorer air quality. The eastern parcel of the site is also constrained with electricity pylons cutting through this part of the site which would reduce the availability of usable land and make it less attractive for residential use. Notwithstanding the above, the granting of planning permission by NBBC and Coventry in relation to ref: 037237 and OUT/2020/1505 respectively demonstrates that a suitable scheme can come forward with the housing element wholly being delivered to the southeast part of the Site. Furthermore, as part of the Committee Report for this application, it is notable that NBBC Planning Policy raised no objection to the proposed development including Land Use Plan (refer to Figure 2) which formed part of the approved plans under Condition 4. It is important that any plans associated with this policy reflects the planning permission and Land Use Plan to provide a smoother transition for any subsequent reserved matters application, to ensure this strategic allocation comes to fruition and preventing barriers to delivery through the planning process. The Site's location, being adjacent to Junction 3 of the M6, the A444 and B4113, will assist in meeting the burgeoning demand for employment floorspace within the M6 transport corridor;</p>	<p>The two plans at 'SEA2 Employment area' and 'SEA2 Housing area' should be amended to reflect the approved Land Use Plan (refer to Figure 2) because it has gone through the scrutiny of the planning application process and form the approved list of plans under planning permissions 037237 and OUT/2020/1505. It therefore represents a workable layout and is the most logical and efficient use of the Site, being capable of delivering this allocated site. As previously requested during the Preferred Options consultation, paragraph 7.101 should be amended to read, "Residential development will be focussed to the south-eastern part of the site, adjacent to the existing residential areas. The remainder of the site will be brought forward for employment uses." The relevant key development points associated with the above policy, and which the Applicant seeks to amend or delete, are numbered below as per the policy, for ease of reference.</p>	Yes

						whilst also providing much needed housing stock in the Borough. Again, it is essential that the policy reflects the approved Land Use Plan, in order to bring this strategic allocation into fruition.		
114.2			SEA2 - Primary and Secondary Education	Unanswered	Unanswered	For the planning application ref: 037237, the County Council Infrastructure team did not seek primary education financial contribution as there was forecast to be sufficient capacity within the local area, with contributions sought for secondary level education instead.	This development point should be amended accordingly to read as follows: "8. Financial contribution towards expansion of existing primary school provision and secondary school places at Ash Green School, if a requirement is demonstrated through discussions with Warwickshire County Council. Additional provision for early years, SEND and post-16 as required, if demonstrated by clear evidence."	
114.3			SEA2 - Larger B2 and B8 uses to the west of the landscape corridor	Unanswered	Unanswered	14. Locate larger B2 and B8 uses to west of the landscape corridor on the lower ground, with smaller scale development on the more visible higher ground next to the housing site and existing residential development on Wilsons Lane. The wording of this point is too prescriptive and is also incompatible with the planning permission ref: 037237, the approved Illustrative Masterplan and Land Use Plan (refer to Figures 1 and 2). No landscape corridor is proposed and the maintenance of this wording would potentially jeopardise a reserved matters application being realised. In particular, the wording is confusing bearing in mind that the planning permission does not include any housing on the higher ground on the northeast of the site.	This issue is no longer relevant and should be deleted, as previously requested during the Preferred Options consultation.	
114.4			SEA2 - Ridge and furrow	Unanswered	Unanswered	"16. Retain areas of ridge and furrow within open spaces." Similarly to the above, the area of ridge and furrow should not be required to be retained. This was agreed with the Council through the granted planning permission ref: 037237 and OUT/2020/1505, As recognised within the Committee Report for application 037237, Warwickshire County Archaeology responded on this matter concluding that: "16. Whilst we always regret seeing the loss of ridge and furrow	This point is therefore no longer relevant and should be deleted, as previously requested during the Preferred Options consultation.	

						within the county, I am not of the opinion that this isolated example is of such significance as to merit preservation in situ. I have advised the Planning Authority that I do not wish to object to the development and will not have any further comments to make in respect of this proposal."		
114.5			SEA2 - Retain Public Right of Way (PRoW) through middle of site	Unanswered	Unanswered	<p>"21. Seek to retain the section of public right of way routed through the middle of the site within a landscape corridor (with appropriate tree and shrub planting and open ground) and maintain views from the public right of way towards the western side of the River Sowe Valley, or if necessary, appropriately divert the public right of way along a route that does not materially inconvenience the public."</p> <p>This diversion, which was considered to be acceptable as demonstrated by the granting of planning permission ref: 037237, makes the most efficient use of the Site, and allows for a suitable development platform to meet current and future employment demand.</p> <p>It has been recognised that dissecting the Site with a PRoW and landscaping corridor would severely compromise its ability to deliver the quantum of employment land proposed and respond to the needs and demands within the area on this allocated site. Given the Site's location adjacent to the strategic road network and the finite amount of land in these locations, it is important that the development potential for the land is maximised in order to provide suitable accommodation for businesses that need to be located in accessible environments and to prevent businesses from locating elsewhere, outside of the Borough.</p> <p>Another consideration is that the PRoW's central location, spanning the entire length of the site from north to south, would require any new vehicular access road from the B4113 to intersect the PRoW so as to enable HGVs and other vehicles to cross. This would be unfavourable for the PRoW users, and could also create a risk to highways safety. Moving the PRoW to a more suitable and desirable location would be the most</p>	<p>This paragraph should be amended as follows:</p> <p>"The section of public right of way routed through the middle of the site shall be appropriately diverted, as necessarily required to allow development, along a route that does not materially inconvenience the public nor cause a road safety hazard."</p>	

						appropriate action. It should also be noted that as part of the design development before the application ref: 037237 was submitted, an option to retain the PRoW (B25) within a landscape corridor through the middle of the site was considered (although not on its existing alignment). There was concern, however, that whilst the policy requirement would be fulfilled it resulted in issues of potentially inappropriate amenity for users as well as concerns with regard to security surveillance. Following discussions with the Development Control Officer and relevant consultees as part of the application ref: 037237, it was agreed that the most appropriate option would be to divert the footpath along the southern boundary toward the A444, as shown in Figure 3 above. The emerging Policy should reflect these discussions.		
114.6		SEA2 - Retain and strengthen central hedgerows	Unanswered	Unanswered	Unanswered	"Where possible, retain and strengthen the central hedgerow in order to maintain an east-west network of green infrastructure, or if necessary, compensate any loss in hedgerow through extensive replacement planting on the site." This point is in conflict with the planning permission granted under ref: 037237 and the type and quantum of land use proposed, given that the hedgerow splits one large strategic site into two smaller parcels. Notwithstanding, it was agreed as part of the planning permission that the loss of the hedgerow would be compensated as part of a range of measures to increase the BNG including the extensive planting of additional hedgerow and trees across the site. If required, the policy should be amended to only refer to the hedgerow being compensated for in replacement planting on-site.		

114.7			SEA2 - Para 7.102	Unanswered	Unanswered	Unanswered	<p>"Ancillary offices E(g) should be focused on the eastern part of the site, adjacent to the existing and proposed residential properties. B2 and B8 uses will be focussed on the western part of the site. Scheme layouts need to take into consideration potential stand-offs and easements associated with the overhead power line and early discussions with National Grid are essential in informing any detailed layout, but it is considered that parking and storage areas will be provided in the vicinity of the power line." This requirement is based upon there being a landscape corridor through the centre of the Site and does not consider the planning permission ref: 037237, which is not bringing this forward. It is taken that the wording of this paragraph is to protect the amenity of neighbouring residential properties, with Class E(g) being seen as a 'compatible neighbour'. However, it prevents B2 or B8 uses locating towards the eastern end unless it can be demonstrated that no material detrimental impact would be caused upon the amenity of the residential properties. This has already been demonstrated by the planning permission ref: 037237 which includes associated conditions for noise and landscape mitigation. It is considered that the eastern part of the site would in fact be a more appropriate location from Class B2 or B8 development due to the existing noise from the strategic road network and the existing access.</p>	<p>This paragraph should be amended as follows:</p> <p>"Any proposed B2 or B8 uses that are located towards the eastern part of the site adjacent to existing residential properties, should demonstrate that there would be no material detrimental impact caused upon residential amenity. Scheme layouts need to take into consideration potential stand-offs and easements associated with the overhead power line and early discussions with National Grid are essential in informing any detailed layout, but it is considered that parking and storage areas will be provided in the vicinity of the power line."</p>	
114.8			SEA2 - Para 7.104	Unanswered	Unanswered	Unanswered	<p>"Access to the residential areas will be via two new access points onto Wilsons Lane. The existing pedestrian access to public footpaths B23 and B25 will be retained. Contributions towards associated improvements to Wilsons Lane, the B4113 and bus infrastructure will be sought."</p> <p>This point is in conflict with the planning permission granted under ref: 037237, which proposes the whole residential element to be delivered to the southeast part of the Site, and the bus services element should be included to reflect point 5.</p>	<p>This paragraph should be amended as follows:</p> <p>"Access to the residential area will be via a new access point onto Wilsons Lane. The existing pedestrian access to public footpaths B23 and B25 will be retained. Contributions towards associated improvements to Wilsons Lane, the B4113 and bus infrastructure or bus services will be sought."</p>	

Agents and Developers

115.1	L&Q Estates (separate representation)	Evidence base		Unanswered	Unanswered	Unanswered	The adopted NBBP was supported by a comprehensive suite of additional evidence, including a Green Belt Study (2015), an Employment Land Review (2014) and Employment Land Use Studies (2015 and 2016), for which no equivalents have been produced in relation to the Local Plan Review process. Ensuring the delivery of sufficient employment land is particularly important given the sub-regional context of record demand and constrained supply and the local context of a lack of growth and a recent fall in employment. As stated elsewhere in these representations and previously in the L&Q I+O Reps and L&Q BPR PO, L&Q Estates considers that Green Belt release at appropriate locations should be considered to deliver at the most sustainable pattern of new development. An updated Green Belt Study would be appropriate to ensure the most sustainable options are fully explored and the changes that have occurred since the 2015 Green Belt Study are taken into account in assessing potential sites.		Yes
115.2		Coventry and Warwickshire HEDNA (2022)		Unanswered	Unanswered	Unanswered	The approach taken in calculating employment land requirements has been underpinned by past completion rates and the situation in NBBC has been constrained until very recently by a lack of employment sites coming forward. This must influence the calculation of employment land. No allowance is made to take account of this factor nor the low levels of growth in Nuneaton and Bedworth. There is a large requirement for strategic B8 development which is defined as 551Ha up to 2041. The M6 corridor including J3 and J4 remain key locations to meet this need. The distribution of this requirement across the sub region has yet to occur.		

115.3		NBBC HEDNA (2022)	Unanswered	Unanswered	Unanswered	<p>L and Q Estates support the general approach in the NBBC HEDNA set out above (in the representation) however if it is to address the specific issues associated with the low level of historic growth in the Borough, it will need to make a step change in the provision of employment development, rather than still, at least in part, be based on past employment completions.</p> <p>In addition, as the sub regional HEDNA identifies, the increasing need for B8 development is often predicated on the need to replace existing buildings to address changes in technology/ user requirements etc, as well as long term growth in the supply of goods. As has been set out there has been limited development within Nuneaton and Bedworth in the employment sector generally due to constraints on employment sites. As a result it follows that much of the existing supply in NBBC must be of older stock which is more likely to require renewal than elsewhere in the sub region. This provides further support for an increase in the requirement.</p> <p>Based on the above analysis, it is L&Q Estates' position that the employment need set out in the NBBC HEDNA and planned for, which includes the a reduction in the amount of employment land proposed at Bowling Green Lane (EMP7 in the NBBP) is insufficient to help the Borough increase its long-term employment growth rate. If the aspirations of the Reg 19 Local Plan and in particular the Council's Draft Local Economic Strategy are to be realised, and in particular in terms of enterprise and prosperity to deliver a step change from historic circumstances, it will be essential that new employment opportunities are brought forward which exceed the largely trend based derived employment need.</p> <p>With regard to housing need, the use of a housing need figure higher than the minimum derived from the standard method is supported. However, consideration needs to be given to what this uplift could mean for job numbers because housing and the labour market are closely linked.</p> <p>For the reasons set out above it is anticipated that additional employment allocations are likely to be required as a result of further evidence arising, and, as set out in Section 5 of these representations, the Land West of the A444 and south of M6</p>	
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Agents and Developers

							Junction 3 is considered an appropriate location for removal from the Green Belt and allocation for employment development.		
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115.4	Towards a Housing Requirement for Nuneaton and Bedworth (2022)	Unanswered	Unanswered	Unanswered	<p>L&Q Estates also support including Strategic B8 completions in the employment need calculation bearing in mind the limited amount of completions that have come forward.</p> <p>However the evidence to support the scale of the contribution towards strategic Class B8 needs is scant, again being based on past trends for this sector, which the same report has discounted as the basis for calculating general employment land requirements, due to the limited availability of sites in the Borough. In particular this does not take account of the scale of the requirement (606HA in the TAHR). The allowance made for the contribution of 19.4ha of employment land for strategic B8 warehousing and distribution development is entirely inadequate representing only 3% of the requirement, and the report recognises that it may be appropriate to plan above this level to provide supply-side flexibility and/or if there was potential to provide a higher contribution to the strategic B8 warehousing/distribution needs.</p> <p>In addition it appears that the 'past trends' justifying this approach is based solely on the Faultlands site coming forward for B8 development. The fact that this single site is consented is inadequate to provide a meaningful contribution and ignores that other sites capable of largescale B8 use such as Wilsons Lane are also consented.</p> <p>In addition it must be recognised that the Borough contains one the 4 key locations for strategic B8 development (the M6 corridor). It is location which has already been successful in attracting storage and distribution uses. This locational advantage should feed into identifying a suitable leve of contribution.</p> <p>In order to take account of the above a substantially larger contribution towards the significant need for Strategic B8 need and which looks to identify sites in strategically important locations such as J3 of the M6, should form part of the conclusion of the TAHR.</p>	
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115.5	Review of Nuneaton and Bedworth Employment Land Portfolio (2023)	Unanswered	Unanswered	Unanswered	This report drills further into the supply position in the Borough, including issues around current vacant/available land and premises in the Borough; and any replacement provision which might be incorporated to take account of expected losses of employment floorspace to other uses. This will allow NBBC to consider the appropriate level of employment land provision to make in the Borough Plan Review. The report concludes that a locally-generated need for 68.5 ha is identified, made up of the office need and local industrial and warehousing needs, together with provision for replacement of losses and sites to be removed from the portfolio. At para 6.23 the report states that if strategic B8 development is provided for in line with past trends, a total employment land needed of 87.9 hectares to 2039 is identified. However this is contingent on the ability of the Council to identify and allocate sites which are suitable and commercially attractive for strategic B8 development. The strategic B8 need shown (19.4 ha) should also be treated as a minimum figure.		
115.6	Sustainability Appraisal (2023)	Unanswered	Unanswered	Unanswered	The SA Report (at 6.2.1), however, identifies Green Belt release as an 'unreasonable alternative' to Options 1 to 5. It states that: "The Council consider it unnecessary to continue exploring the potential for Green Belt release to deliver housing growth. There are sufficient sites within the urban area and the countryside that are not Green Belt and these would well exceed identified housing needs in the Borough. Even in the event that needs may increase in response to changes in evidence or cross boundary issues, it is still considered that there are sufficient non-Green Belt sites to explore first." The Council's approach to Green Belt land is not supported by L&Q Estates. The fundamental role of a local plan when identifying a strategy for the delivery of new housing development is to deliver sustainable development. Green Belt boundaries, which are largely a historic designation which does not take into account many of the factors that feed into the delivery of sustainable development, should not be utilised in a way which would exclude the		

						consideration of the most sustainable options for the allocation of residential and employment development. It is not considered appropriate to discount development options without a clear basis in need. Given the concerns raised in regard to the approach to calculating the local need for employment growth and particularly strategic B8 development set out elsewhere within these representations, L&Q Estates considers that this is a potential threat to a finding of soundness with regard to the requirements that development plans should be positively prepared and justified and that all reasonable alternatives should be fully considered.		
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115.7			Site Assessment - EXH-10 Land east of St Giles Road	Unanswered	Unanswered	Unanswered	<p>The Land West of the A444 and South of M6 Junction 3 is assessed under the SA Report under the reference EXH-10 Land east of St Giles Road. Site EXH-10 scores highly on a number of sustainability measures. It is identified as being located in an area of low landscape sensitivity, without overlap with any areas identified as potentially sensitive. With regard to biodiversity, the site's development would not cause the direct loss or disturbance of any Special Areas of Conservation, Sites of Special Scientific Interest, ancient woodland or Local Nature Reserves. The SA also identifies that the site is well-located with regard to local parks, sports and recreational facilities and the nearest primary school. The nearest GP is only 728 m away and the site is 818 m from the Coventry Road / School Lane built-up centre. The Site also scores highly with regard to access to the strategic road network, with the A444 being located immediately east of the site and M6 Junction 3 being located to the north. An active travel network overlaps with the site (which is crossed by a PRoW) and it is identified as being 74 m from the nearest bus stop (with 15 bus stops within 800 m) and just over 1 km from the nearest railway station. L&Q Estates questions some aspects of the scoring of the Site within</p>		
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						<p>the schedule to the SA Report:</p> <ul style="list-style-type: none">• Whilst the Site is categorised as red for impacts on a local wildlife site, due to Breach Brook cutting through the Site, this is the lowest category of wildlife designation (the Site score green for all higher categories) and the submitted Vision Document demonstrates how development can come forward sensitively incorporating the brook and avoiding any impacts.• The loss of Grades 1, 2 and 3 Agricultural Land is given an aggregate score, which does not distinguish between those sites which include the highest grades of agricultural land and those which only contain Grade 3. The Site comprises only Grade 3 Agricultural Land.• The use of an 800 m yardstick to gauge accessibility to facilities and public transport masks the overall accessibility of the Site. The Site scores red for access to built up centres, being only 812 m from the nearest built up centre – the SHLAA identifies the Site as “all facilities reasonably accessible”. The site scores green for its distance from the nearest railway station (1,167 m) but nevertheless also receives a red score as the distance is greater than 800 m. The reality is that the site is well related to the existing settlement and has access to public transport which can be enhanced through contributions.• Coalescence is scored amber, however there is little scope for the site to merge with land to the east in Longford, due to the A444 creating a physical barrier between the two settlements. The consented Wilson Lane site will maintain a substantial landscape buffer alongside the A444 to reinforce the separation. Notwithstanding, coalescence can be avoided through detailed design work and mitigation on site including along the Breach Brook corridor which would further reduce the potential impact.• The presence of a PROW also leads to a red rating despite the positive aspects of		
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						retaining PROWs in terms of connectivity and supporting active travel. On this basis, the presence of a PROW should not result in a red score. Section 5 of these representations provides details of the sustainability credentials of Land west of the A444 and south of M6 Junction 3 and it is considered that the Site is particularly well placed in terms of proximity to the strategic road network, existing employment areas, services, facilities and public transport provision. The site is suitable for employment-led development, is immediately available and can be delivered in the short to medium term.		
115.8	Borough Plan Review	Plan Period	Unanswered	Unanswered	Unanswered	The plan period to at least 2039 reflects the minimum 15-year period from adoption that should be covered by strategic policies according to NPPF (paragraph 22). L&Q Estates maintains that the vision set out in the BPR Reg 19 should be amended to provide a strategy for a 30-year plan period. As set out previously in the L&Q Reps, an extended planning period would provide greater certainty to the public and the development industry as to how land will come forward into the future and ensure that both development and supporting infrastructure can be appropriately planned for. There is no reason why a longer plan period should impact the relevance of the underlying evidence, given the NPPF requirement to review local plans every five years to ascertain whether or not they remain up-to-date. The NPPF is clear that Green Belt boundaries should endure beyond the plan period (paragraph 140). An extended plan period would allow for a more strategic consideration of Green Belt boundaries and whether they still serve their intended purpose, as well as whether Green Belt release is required to meet identified needs.		

Agents and Developers

115.9			Evidence	Unanswered	Unanswered	Unanswered	<p>The LPAs in Coventry and Warwickshire commissioned a sub regional Housing and Economic Needs Assessment (HEDNA) to inform the preparation and review of local plans in the area.</p> <p>This has been considered in the previous section.</p> <p>The Council has also independently commissioned from Iceni the NBBC Draft HEDNA and developed this into the 'A Housing Requirement for Nuneaton and Bedworth (THAR 2022) document. This report draws together further relevance to setting a housing requirement and policies for employment level provision. It is intended to supplement and be read alongside the Sub-Regional HEDNA. Comments on this document are also included in the preceding section.</p>		
115.10			Duty to Cooperate	Unanswered	Unanswered	Unanswered	<p>L&Q Estates supports the Council's commitment (at 1.11 of the BPR Reg 19) to positive engagement with relevant bodies on strategic matters that cross administrative boundaries during the preparation of BPR Reg 19.</p> <p>However, it is notable that the response of Coventry City Council (CCC) to the BPR PO stated that the Local Plan had yet to comply with Duty to Cooperate and would not be considered sound. CCC also referred to the lack of a Memorandum of Understanding and that there was a need to robustly calculate housing need.</p> <p>North Warwickshire Borough Council also raised concerns that the Duty to Cooperate has not been adequately addressed. In particular NWBC state that they are very disappointed that NBBC is withdrawing from the Memorandum of Understanding, NWBC considered the Local Plan not sound due to a range of factors associated with cross boundary issues.</p> <p>In view of the above, lack of progress on the Memorandum of Understanding and timing of the Local Plan in advance of others in the sub-region, L&Q Estates are concerned that the Duty to Cooperate Test will not be met.</p> <p>This view is reinforced when the approach the Council has taken into contributing towards meeting strategic B8 requirements is considered. The LP in Policy DS3</p>		

						<p>has identified a very small contribution towards meeting these needs based on the fact that a single site had been consented at Faultlands. Instead, the LP should either make a much more substantial contribution or else the LP should be supported by evidence of the sub regional dissemination of this requirement taking into account the specific locational requirements of this sector. Consequently, the Duty to Cooperate has not been met at this stage due to the absence of a strategy to disseminate the employment needs of the sub-region.</p> <p>Whilst the HEDNA has been prepared to establish the potential level of development requirements, the recent publication of the Coventry Local Plan has shown that there are a number of major issues to be resolved in the sub region. In particular, the CCC Preferred Option relies on departing from Government Policy in order to reduce housing requirements.</p> <p>It also relies on employment sites which were previously part of its LP supply but have not come forward to meet current requirements. L&Q Estates are aware that a number of representations have been made to CCC suggesting that their strategy in the emerging LP conflicts with government policy. There is strong potential that development requirements in Coventry will increase significantly. This further emphasises the need for a Memorandum of Understanding to be agreed at sub-regional level to plan for, and manage, development requirements.</p>		
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115.11			Vision and Objectives	Unanswered	Unanswered	Unanswered	<p>The amended vision and objectives are broadly supported, but L&Q Estates would reiterate that the vision should be extended to cover a 30-year time period. The vision rightly aims to ensure the Borough is a place of sustainable economic growth with diverse job prospects, housing for all and integrated infrastructure. This is particularly important that employment growth in Nuneaton and Bedworth has been less than other parts of the sub region and West Midlands.</p> <p>To achieve this vision it will be necessary to provide the right number of new homes to attract and retain economically active residents within the Borough to support the economic growth ambitions. It is also essential that, if employment growth is to increase to compare with elsewhere in the sub-region, the targets for the delivery of housing and economic development land are sufficiently ambitious.</p> <p>L&Q Estates recognises that the delivery of new infrastructure will be necessary to support new development and address needs arising from new residents and the opportunities that may exist for assisting in delivering strategic infrastructure projects that have a far wider benefit to businesses and residents within the Borough and could assist in addressing a number of the highlighted issues. It is vital that any infrastructure requested in support of development is based on an up-to-date understanding of needs and takes into account the type of development proposed and any contributions already made through development proposals and permissions. However Strategic Objection 2 could be made more specific to the Borough if it emphasised the advantages of the access to the strategic road network the area benefits from and that this should be maximised especially north of Coventry.</p> <p>The other objectives are also broadly supported by L&Q Estates. As stated in section 5 of these representations, it is considered that the allocation of the Land West of the A444 and South of M6 Junction 3 for development has the potential to meet Objectives 1, 2, 4, 5, 6, 7 and 8 set out in the BPR PO.</p>		
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Agents and Developers

115.12			DS1	Unanswered	Unanswered	Unanswered	<p>The revision of Policy DS1 contained in BPR Reg 19 has taken on board the comments made by L&Q Estates, with the Policy being largely rewritten. The policy now makes a number of references to development 'contributing' towards achieving net zero carbon emissions. However it is unclear how the degree of 'contribution' will be measured. Presumably to fully meet the 'contribution' a development would have to be zero carbon. There is no evidence to substantiate that in Nuneaton and Bedworth all development should be zero carbon nor has this been subject to viability assessment.</p>		
115.13			DS2	Unanswered	Unanswered	Unanswered	<p>L&Q Estates supports the Council's acknowledgement in the supporting text to Policy DS2 that it is necessary to consider the wider context in which the borough is located, including the close proximity of other settlements outside the borough boundary. L&Q Estates agrees that Nuneaton, Bedworth, Bulkington and the northern Coventry fringe are the most sustainable locations for growth and supports the identification within the supporting text of the role the Plan has in delivering the wider aspirations of the sub-region. The policy identifies the northern fringe of Coventry as having "a supporting role for housing, shopping and local services". This does not fully reflect the important role parts of the northern fringe play in the delivery of employment land. Land close to M6 Junction 3, at the northern fringe of Coventry and south of Bedworth, has consistently been considered an appropriate location for significant employment development, as evidenced by existing allocations EMP2, EMP6 and EMP7. As set out in previously large-scale employment uses are most appropriately located on the strategic road network, in order to facilitate the requirements of the businesses that occupy such uses but also to minimise conflict with residential dwellings and their impact on the local road network. The M6 transport corridor is identified as a priority area for strategic investment in the Coventry and Warwickshire Sub-Regional Employment Market Signals Study (July 2019) and programmed improvements to M6 Junction 3</p>		

						<p>will further increase its capacity and enable it to support additional development. The importance of this area as a focus for employment growth is underlined by significant existing and proposed development including at Prologis Park at Keresley, which is identified for expansion and land at Wilsons Lane, which benefits from a grant of planning permission for development.</p> <p>It is generally recognised that much of the need for employment land results from the requirements of warehouse/logistics sector. As set out above the M6 corridor had been identified as an important location for this sector.</p> <p>In particular, the sub regional HEDNA identified the key elements necessary to meet strategic B8 needs. Key factors included accessibility, power supply, labour availability and neighbouring activities. The sub regional HEDNA identified the M6 corridor as being one of 4 key corridors for strategic B8 development. This included Junction 3 north of Coventry. It also recognised the significance of the location being close to Coventry, which is a large population centre with significant levels of deprivation.</p> <p>In view of the clear evidence for land in the vicinity of J3 to have a role in meeting the need for strategic B8 needs. it is recommended that the policy text is altered to reflect the role of this area in providing employment development.</p>		
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115.14			DS3	Unanswered	Unanswered	Unanswered	<p>The evidence behind these development needs is contained in the report Towards a Housing Requirement (TAHR). This was prepared to supplement and be read alongside the sub-regional HEDNA. Comments on both these documents are set out in the previous section.</p> <p>However serious concerns are raised about the approach towards calculating employment needs set out in the LP on the following grounds:</p> <ul style="list-style-type: none"> • If it is to address the specific issues associated with the low level of historic growth in the Borough it will need to make a step change in the provision of employment development, rather than still, at least in part, be based on past employment development trends which are recognised as being unduly constrained due to a lack of sites. • The Council's aspiration via its Local Economic Strategy to seek enhanced economic growth would in itself warrant an increase in the provision of employment land. • The evidence for the contribution towards strategic Class B8 needs is scant being based on past trends for this sector, which the same report has discounted as the basis for calculating general employment land requirements, due to the limited availability of sites in the Borough in the past. In fact the 'past trends' relates to a single planning permission at the Faultlands site. <p>• The scale of contribution towards strategic B8 needs is inadequate and not properly justified being only 3% of the requirement. By identifying the contribution in the Policy, particularly at such a low level, usurps the sub regional approach on this sector advocated by the Iceni reports and casts doubt on the duty to cooperate.</p> <p>In addition the sub regional HEDNA makes clear that there are specific locational requirements for strategic B8 in the sub region consisting of:</p> <ul style="list-style-type: none"> • Road Accessibility • Power supply • Proximity to rail terminals • Labour availability • Neighbouring activities <p>The sub regional HEDNA goes on to identify 4 key areas of which one is the M6 corridor</p>		

						<p>including junctions 3 and 4. These factors are key in delivering the strategic B8 component and should be referenced in the policy.</p> <p>In view of the above L and Q Estates consider Policy DS3 is failing to adequately provide for the quantum of employment land needed to provide a 'step change' to economic development as required by the Council's Local Economic Strategy. In addition, the policy is failing to meet the need for strategic B8 requirements in locations which would be suitable, based on its own evidence. To address this additional land should be identified in key location such as in close proximity to J3 of the M6. Land West of the A444 and South of M6 Junction 3 would meet with all these requirements. As a result, as drafted the policy is unsound.</p>		
115.15		DS5	Unanswered	Unanswered	Unanswered	<p>As stated above, L&Q Estates considers that the employment need set out in the NBBC HEDNA/ TAHR and planned for through the allocations in Policy DS5 is insufficient to help the Borough increase its long-term employment growth rate.</p> <p>L&Q Estates considers that it is necessary for NBBC to identify additional employment allocations to ensure growth rate targets can be met and that further additional allocations will be required to address previous low levels of growth, the Council's aspirations in its Local Economic Strategy and contribute toward strategic B8 requirements.</p> <p>In addition, it should be noted that SEA2 Wilsons Lane is consented. This further reduces the potential for employment land to come forward later in the plan period.</p> <p>The Council's approach to meeting this requirement is set out in Table 5. This relies on a windfall allowance of 15.1 ha to contribute towards delivering the requirement. This relates to circa 17% of the 87.85 ha requirement. There is limited evidence to support the size of this figure. In addition, the reference to extant planning permissions at April 2023 is incorrect as SEA2 Wilsons Lane (19.09 ha) was also consented at this time. On this basis L&Q Estates consider insufficient land is identified in Policy DS5 to deliver the employment need set out in DS1. Additional sites must therefore be identified in locations capable of meeting the need, including meeting the need for strategic B8 development.</p>		

							As stated elsewhere in these representations, and as previously put forward in the L&Q I+O Reps and L&Q PO, L&Q Estates maintains that the most sustainable locations for employment development should be prioritised no matter whether they are designated as countryside or Green Belt. The area of land around M6 Junction 3 is appropriately located on the strategic road network within the M6 transport corridor, a priority area for strategic investment according to the Coventry and Warwickshire Sub-Regional Employment Market Signals Study (July 2019) and in the sub regional HEDNA. Additional allocations in this location would represent a continuation of a strategy begun through the adopted NBBP, which allocated sited EMP2, EMP6 and EMP7 in the vicinity of M6 Junction 3 based on the NBBP evidence base including the 2014 Employment Land Review.		
115.16		DS8	Unanswere d	Unanswert ed	Unanswert ed	Unanswert ed	supported, however this does not mean the Council should avoid making an appropriate and reasonable contribution to meeting sub-regional needs through the current LP review process, especially in relation to meeting the need for B8 employment development. As set out at para 23 of the NPPF (2023), "strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period.... this should include planning for and allocating sufficient sites to deliver the strategic priorities of the area". At present, the Council are failing to conform with Government Policy by not taking on board the strategic need for Class B8 development in the sub region.. Para 26 of the NPPF (2023) states that, "joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met		

						wholly within a particular plan area could be met elsewhere". As set out previously the situation with Coventry and its development requirements could result in its needs having to be considered by neighbouring LPAs including NBBC and a potential failure of the Duty to Cooperate.			
115.17			SA1	Unanswered	Unanswered	Unanswered	The application of the Nationally Described Space Standard to all residential development would require clear justification in line with footnote 49 of the NPPF and the Government's Planning Practice Guidance (ref. ID: 56-020-20150327). As also stated above, the proposed requirement for compliance with the Future Homes and Building Standard is potentially unnecessary as the standard will be secured by Building Regulations from 2025. L&Q Estates also questions the proposed requirement for 95% of residential development on strategic sites to meet the M4(2) Building Regulations standard and 5% of residential development on strategic sites to meet the M4(3) Building Regulations standard. NPPF footnote 49 allows for these optional technical standards for accessible and adaptable housing to be made use of by planning policy "where this would address an identified need for such properties". Planning Practice Guidance (ref. ID: 56-007-20150327) sets out the evidence that can be used by local planning authorities to demonstrate a need to set higher accessibility, adaptability and wheelchair housing standards. Such evidence has not been provided to date through the Borough Plan Review process, and this policy would therefore not meet the test in NPPF paragraph 31 that the preparation of policies should be underpinned by relevant, up-to-date, adequate, proportionate evidence. Policy SA1 again seeks compliance with "the principles set out within		

						relevant SPDs". It is not appropriate to treat the content of SPDs as equivalent to development plan policies, as required in criterion 16, which have been tested through the examination process. It is more appropriate to refer to up-to-date SPDs as material considerations in planning decisions. The Policy includes specific and prescriptive requirements for employment sites such as car parking being over 50 m away from residential property. It is not clear the basis for this figure which appears arbitrary. These elements should be deleted.			
115.18			H1	Unanswered	Unanswered	Unanswered	L&Q Estates supports the requirement for a range and mix of housing that meets identified and evidenced needs and demands to be delivered through development. Policy H1 currently refers to "the most up-to-date HEDNA Assessment or equivalent" as the appropriate source of evidence of need. L&Q Estates would suggest that it is more appropriate to refer to up-to-date sources of evidence of need more generally, providing flexibility for other valid forms of evidence to be accepted by decision-makers. It is also important for the policy to allow for departure from the specific mix recommended across the wider Borough where it can be demonstrated that an alternative mix is justified and appropriate for a particular site. The requirements for development of homes for older people and specialised housing to comply with the emerging WCC Technical Guidance for Specialised Supported Housing and Housing with Care development is not supported. This requirement is both ambiguous, given that it refers to evidence which is not yet complete, and affords inappropriate status to a guidance document. As with SPDs, technical guidance documents are		

							not tested through the local plan examination process and should be treated as material considerations and not be given equivalence to local plan policies.		
115.19			H2	Unanswered	Unanswered	Unanswered	<p>L&Q Estates supports the delivery of an appropriate amount of affordable housing at residential development sites.</p> <p>With regard to the delivery of First Homes, the policy states that 25% of the total affordable housing requirement will need to be provided as First Homes. This is in line with Government guidance in the Planning Practice Guidance (Ref. ID: 70-001-20210524).</p> <p>As with the application of the housing mix for market housing, it is important that Policy H2 allows for flexibility for the justified departure from size and tenure mix sought by the Council.</p> <p>The allowance within Policy H2 for the delivery of an alternative mix on viability grounds or better suited to local needs is therefore supported. With regard to an alternative suitable mix, it is suggested that a Housing Mix Statement would be a more appropriate evidential requirement than a Viability Statement.</p>		
115.20			H5	Unanswered	Unanswered	Unanswered	<p>The policy requires 95% of new developments to meet M4(2) standards and 5% to meet M4(3) standards. As with Policy SA1, specific evidence is required to justify imposing such requirements and in the absence of this the policy is not justified.</p>		

115.21			E1	Unanswered	Unanswered	Unanswered	<p>The specific focus in Policy E1 on use classes B2 and B8 on strategic employment sites and existing employment sites is supported by L&Q Estates. The emphasis within the policy (at E1.2) on favourable consideration for certain employment sectors includes advanced manufacturing, professional services and research and development but does not include logistics development which up-to-date evidence demonstrates is in strong demand within the West Midlands and which can offer excellent opportunities for full-time employment at a range of professional and non-professional skill levels.</p> <p>L&Q Estates notes that the sectors listed at Policy E1.2 are those identified in the Economic Development Strategy, which dates from 2016. It is recommended that the Plan should also recognise the current strong demand for, and opportunities offered by logistics development and that this form of development should be added to the list of sectors which will receive favourable consideration under Policy E1.2.</p> <p>These representations are supported by an Economic Benefits Statement (attached at Appendix 2), which sets out the contribution in terms of economic outputs, direct and indirect employment and business rates that could be made by the development of circa 33,300 sqm of B2 or B8 floorspace at the Land West of the A444 and South of M6 Junction M3, which is promoted for inclusion as a residential or employment allocation through the Borough Plan Review.</p> <p>The Statement, which is summarised more fully in Section 5 of these representations, also sets out the range of occupations and the skills spectrum that are supported by the manufacturing and warehousing sectors in the West Midlands. Based on an analysis of the existing employment profile of the manufacturing and warehousing sectors in the West Midlands, employment opportunities would be supported at all ends of the skills spectrum and not just in lower skilled roles. An estimated 23.1% of jobs in the two sectors are in professional or manager, director and senior official roles and a further 8.5% would be</p>		

							associate professional roles. Employment would be supported across a wide range of occupations on-site, including managerial roles, as well as skilled trade and process, plant and machine operative occupations. With specific regard to warehousing, the Economic Benefits Report includes a summary of how companies in the logistics sector invest substantially in their workforce, including through measures such as providing learning centres, apprenticeship schemes, partnership schemes and skills programmes, with an emphasis on local employment. The delivery of logistics and warehousing development at appropriately located sites would therefore meet a strong existing sub-regional demand, promote inward investment and generate a diverse range of high-quality employment opportunities, in line with Objectives 1 and 2 of the Reg 19 Local Plan and Policy E1 and DS1. The Borough Plan Review must recognise the importance of logistics and warehousing development locally and sub-regionally and ensure that such development is appropriately supported. It is therefore suggested that the policy should be amended to emphasise at E1.2 that such development will be favourably considered.		
115.22			HS1	Unanswered	Unanswered	Unanswered	L&Q Estates supports the requirement for development to contribute towards supporting infrastructure appropriate to the impacts of the proposed development, subject to viability considerations. It is vital that any requests made for the delivery of infrastructure are proportionate and evidence-based and that any requests for planning obligations to support infrastructure delivery meet the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).		

Agents and Developers

115.23			HS2	Unanswered	Unanswered	Unanswered	<p>L&Q Estates broadly supports Policy HS2 on strategic accessibility and sustainable transport.</p> <p>As with other policies, the reference to accordance with several SPDs is questioned, however in Policy HS2 the reference is a less stringent requirement for proposals to “consider how they accord with” SPDs.</p> <p>The appropriateness of requiring all development to include all of the elements listed under Policy HS2.5 is questioned and a review is recommended to ensure the requirements are reasonable, necessary and proportional and do not present an unjustified obstacle to sustainable development.. For example, the policy as drafted requires all development to provide easier access to rental-bikes and e-bike hubs, which may not be appropriate for certain categories of development.</p>		
115.24			HS6	Unanswered	Unanswered	Unanswered	<p>Policy HS6 requires, “where justified”, either the provision of land for sports, leisure and recreation facilities on-site at no cost or an off-site contribution to fund the facility and the land for the facility. L&Q Estates does not contest the appropriateness of providing a justified and proportionate contribution to sports, leisure and recreation where this is viable, however it is recommended that the circumstances in which delivery will be considered justified are set out within the policy.</p> <p>The supporting text to Policy HS6 states that “developers will be expected to collaborate on the provision of infrastructure which is needed to serve more than one site”. It is recommended that the Plan includes further detail on the forum for such collaboration and the role that will be played by NBBC and other relevant bodies.</p>		

115.25			BE3	Unanswered	Unanswered	Unanswered	<p>In common with several other policies, described above, Policy BE3 seeks to apply standards to all development proposals which are not yet justified by evidence. Policy BE3 again seeks to apply Nationally Described Space Standards to all development proposals. As stated above with regard to Policy SA1, the application of the Nationally Described Space Standard to all residential development would require clear justification in line with footnote 49 of the NPPF and the Government's Planning Practice Guidance (ref. ID: 56-020-20150327).</p> <p>Policy BE3 point 3 requires all development proposals to meet the standard in regard to water of 110 litres per person per day. Planning Practice Guidance allows for local planning authorities to set out Local Plan policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litre/person/day "where there is a clear local need" (Ref. ID: 56-014-20150327) and confirms that "it will be for a local planning authority to establish a clear need" based on existing evidence, consultations with the local water and sewerage company, the Environment Agency and catchment partnerships, and consideration of the impact on viability and housing supply of such a requirement (Ref. ID: 56-015-20150327). No such evidence has been produced in support of the Borough Plan Review to date.</p> <p>Policy BE3 applying to residential development seeks to apply requirements that 95% of market housing must meet M4(2) and 5% M4(3) Building Regulations standards. As stated above, the inclusion of optional technical standards for accessible and adaptable housing within planning policy must be justified through evidence of an identified need for such properties, in accordance with NPPF footnote 49 and Planning Practice Guidance (ref. ID: 56-007-20150327).</p> <p>Policy BE3 point 1 seeks to impose a requirement on all development proposals to be designed to meet the requirements of "any future Concept Plan SPD". As discussed in relation to other policies in the Local Plan, L&Q Estates considers that it is not appropriate to</p>		

						treat the content of SPDs as equivalent to development plan policies which have been tested through the examination process. It is more appropriate to refer to up-to-date SPDs as material considerations in planning decisions. It is particularly inappropriate to require adherence with the contents of a future design SPD which has not yet been issued and which clearly therefore fails the clarity test in NPPF paragraph 16(d)		
115.26		N/A	Land West of the A444 and South of M6 Junction 3	N/A	N/A	<p>The Site is in one ownership and is available for development for either residential or employment purposes. There is no over-riding constraint on the land which cannot be either resolved through design or adequately mitigated.</p> <p>The Site was assessed within the Coventry and Warwickshire Joint Green Belt Study (2015) which formed part of the evidence base for the adopted NBBP. It is located within parcels NG2 and NG1 which were considered to be 'mid-performing Green Belt parcels' with their weaker performance being attributable to a range of factors including the presence of the M6 Motorway, pylons and buildings. Land on the opposite side of the A444 was removed from the Green Belt and this shared many of the characteristics of the land on the west side of the A444.</p> <p>Given the Site's characteristics and location, its allocation for well-designed development has potential to contribute towards meeting the objectives of ensuring new development contributes to improved infrastructure and facilities (Objective 5), improving cycling and walking networks, increasing open space and leisure access and reducing crime (Objective 6), ensuring new development sustains and enhances the historic and natural environments (Objective 7) and addressing climate change by driving sustainability in all new development (Objective 8).</p> <p>In addition, the allocation of the Site for residential development would support Objective 4 (to provide a steady and adequate level of suitable housing for all). The allocation of the Site for employment development has potential to provide economic growth which raises the Borough's profile as a more attractive place to live, work and invest</p>		

Agents and Developers

							<p>in (in line with Objective 1) and also help support the diversification of the borough's economy and improve job opportunities for residents (in line with Objective 2).</p>		
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115.27			Conclusion	Unanswered	Unanswered	Unanswered	<p>L&Q Estates has concerns that the Council is not yet able to demonstrate that the Reg 19 LP meets the statutory tests of soundness or the duty to co-operate. Evidence presented within these representations concludes that, with regard to employment land, the figures in the Council's HEDNA and TAHR the employment floorspace planned for in the Reg 19 LP are insufficient to help the Borough increase its long-term employment growth rate and to address evidence of record levels of sub-regional demand for and constrained supply of logistics and warehousing development focused particularly around the M6 corridor. Additional allocations of employment land are considered to be needed to provide sufficient employment growth to meet Nuneaton and Bedworth's needs, and further allocations are required to make a meaningful contribution towards sub regional needs for strategic B8 development in optimal locations.</p> <p>The exclusion of Green Belt land from consideration in the strategy for the distribution of development is not considered justified in the context the inadequate amount of employment land proposed in the Reg 19 LP and the ability of well-located sites in the countryside and the Green Belt to deliver sustainable development to meet a range of needs.</p> <p>In these circumstances, and especially the specific circumstances associated with the M6 corridor, it is considered that exceptional circumstances justifying changes to Green Belt boundaries through the Borough Plan Review will be demonstrable. The Land West of the A444 and south of M6 Junction 3 is considered an appropriate location for removal from the Green Belt and allocation for employment development. It is particularly well-located with regard to the characteristics required to meet burgeoning demand for strategic B8 floorspace within the M6 transport corridor. A Vision Document submitted to accompany these representations demonstrates how appropriate development could be achieved at the Site.</p> <p>Several of the detailed policies in the Reg 19 LP include requirements of development, including with regard to accessibility standards, internal space standards and water use</p>		
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Agents and Developers

						standards, that are not yet justified by evidence. L&Q Estates has also identified an inappropriate over-reliance on the content of existing and future SPDs and guidance documents within the draft policies, which it is recommended should be addressed.		
115.28						Please refer to the representation received (appendices) for supporting evidence.		

116.1	CEG Land Promotion	Borough Plan Review	Duty to Cooperate	No	Unanswered	No	<p>Given the finite supply of land within Coventry, there is a clear need to ensure that allocations come forward that can provide for a range of house types, in particular family-sized accommodation. This is crucial to help meet Coventry's unmet housing needs. Consequently, suitable sites outside of its administrative boundaries will need to come forward. This requires working collaboratively with neighbouring authorities such as Nuneaton and Bedworth under the Duty to Cooperate.</p> <p>The Duty to Cooperate plays a crucial part of the plan-making process, especially in Coventry where they will need to work with neighbouring authorities meet their housing requirements. When plan making, Paragraph 35a of the NPPF states plans should be positively prepared so that that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development. In fulfilling its statutory Duty to Cooperate, N&BC should readily be willing to work with adjacent authorities to address its unmet housing needs.</p> <p>At present, a current Duty to Cooperate Statement has not been produced. In order to comply with the Duty to Cooperate, N&BC needs to demonstrate that it has, and remains, in proactive engagement with CCC and the other neighbouring authorities around the issue of the housing and employment requirements. We are aware that the examination of the Shropshire Local Plan has faced significant delays due to, amongst other matters, a lack of clarity and information on the cross boundary cooperation with neighbouring authorities. Information on the engagement between N&BC and neighbouring authorities, especially Coventry, should be made available ahead of the plan's submission to the Inspector.</p>	<p>The issue of potential unmet need requires clearly evidenced and ongoing cooperation. Ongoing work will still be needed as the Plan progresses including as part of the Examination in Public. N&BC are currently unable to demonstrate that this has taken place, therefore, CEG object on the grounds that the plan does not pass the legal test for Duty to Cooperate.</p> <p>As stated above, Information on the engagement between N&BC and neighbouring authorities, especially Coventry, should be made available ahead of the plan's submission to the Inspector.</p> <p>Notwithstanding this, the Plan makes no mention of an update to the Memorandum of Understanding which needs to be completed given it relates to the planned distribution of housing within the Coventry & Warwickshire Housing Market Area and updated in light of emerging local plans throughout the sub-region.</p>	Yes
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116.2			DS3	Unanswered	No	No	<p>Coventry's unmet need</p> <p>Coventry City Council ('CCC') is seeking to remove the urban uplift required in the standard method for the largest 20 urban areas which will have a knock-on implication for the regional HMA calculations for which the needs of Coventry, and any resulting unmet need should form a component. The urban uplift is part of securing the delivery of the Government's ambition for 300,000 dwellings per annum across the country. It is widely accepted that there is a national housing crisis due to the consistent failure to achieve this target, with affordability unsurprisingly worsening across many parts of the country, year on year.</p> <p>CCC's approach is also contrary to the suggested approach in the Coventry and Warwickshire HEDNA which is also evidence that Nuneaton and Bedworth Council ('N&BC') is seeking to rely on to inform its Local Plan Review.</p> <p>Within our response to the Coventry Issues and Options Consultation, we raised significant concerns with CCC's preferred approach to its housing requirement as there has been no justification presented as to what the exceptional circumstances are to justify removal of this uplift. Coventry's current approach to calculating their housing numbers has the effect of seemingly shrinking the housing requirement across the sub-regional HMA, to the point where any unmet need from Coventry disappears. Neighbouring authorities therefore do not have the firm basis of an acknowledgement or quantification of any unmet need from Coventry to plan for, despite the likelihood that such a need exists.</p> <p>This approach has the potential to create issues for N&BC as without an accurately identified unmet need from Coventry, it is difficult for the Local Plan Review to accommodate this growth via the Duty to Cooperate. It is recognised that this issue may not be resolved before the submission of the Nuneaton and Bedworth Local Plan to the Inspector. However, there is a</p>	<p>The Nuneaton and Bedworth Plan needs to plan proactively for what it would do if and when an unmet need from Coventry is quantified. As such, for a sound, approach N&BC need to include a mechanism to deal with Coventry's or other LPA's unmet housing and employment need.</p>	

						considerable risk to the soundness of the Local Plan Review if and when the unmet need from Coventry is quantified. Moreover, as the 'front-runner' local plan in Coventry and Warwickshire, the decisions taken around potential unmet need, the relationship with Coventry and a method for distributing levels of associated housing and employment growth will set the direction for future plans in the HMA to follow. It is therefore imperative that the Local Plan Review sets out a sound and robust approach which is capable of enduring the plan period. As we highlight below, we do not believe that the Nuneaton and Bedworth Local Plan Review provides an appropriate mechanism to accommodate Coventry's unmet which raises fundamental issues of soundness.		
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						Housing Requirement Strategic Policy DS3 – Overall Development Needs states that Nuneaton and Bedworth Borough will make provision for a minimum of 9,810 dwellings between 2021 and 2039. However, the policy, and the plan as a whole, does not make any provision to contribute to meeting any of Coventry's unmet need. CEG therefore objects to the proposed housing figures within the Nuneaton and Bedworth Borough Local Plan Review. The 9,810 dwellings set out within the policy equates to an annual requirement of 545 dwellings each year which is set out within the report, 'Towards our Housing Requirement' ('THA'). This report notes, at para 6.1, that the 'Oct 2022 Coventry and Warwickshire HEDNA' suggests a figure of 409 dwellings per annum in the Nuneaton and Bedworth area. Para 6.1 of the report also notes that the figure of 409 dwellings per annum is considerably less than the 646 dwellings per annum that is set out within in the Nuneaton and Bedworth HEDNA prepared in May 2022. This THA report recommends the provision of a housing target of around 545 dpa as necessary to positively support economic growth, the sustainable regeneration of the Borough's Town Centres, and the delivery of affordable housing. However, again, this figure is identified without any clarity on the extent of unmet need arising from Coventry City. Para 5.4 of the THA report also explains that the need for affordable housing is high relative to the overall housing need in Nuneaton & Bedworth at 407 dpa, this is likely to require higher levels of open-market housing as the primary delivery mechanism. This high level of affordable housing need within the Borough justifies additional housing over and above the locally assessed housing need level. Therefore, we consider that the 545 dwellings per year does not go far enough and that the N&BC will inevitably need to plan for a higher figure due to	

					<p>affordability issues regardless of the contribution they may need to make to Coventry's anticipated unmet needs.</p> <p>As noted above there are fundamental issues with the approach taken in the emerging Coventry Local Plan review and its level of housing need. This raises considerable concerns that the housing requirement for Nuneaton and Bedworth is potentially unsound.</p> <p>CEG's position is that the Nuneaton and Bedworth Plan lacks the ability to proactively plan for the unmet need from Coventry. As such Policy DS3 is not effective, nor has it been positively prepared and is therefore unsound.</p>		
					<p>Employment Requirement</p> <p>CEG objects to the proposed employment figures within Strategic Policy DS3 –</p> <p>Overall Development Needs which states that 82.5ha of employment land would be an appropriate minimum level of provision. As with the housing figure, it is not clear how 82.5ha of employment land can be considered an appropriate figure given it does not take into potential unmet needs arising from other LPA's including Coventry.</p> <p>As with potential unmet housing need arising from Coventry or other LPA's, there needs to be a clear mechanism in the plan to address potential unmet needs for employment and this is required to ensure that the plan is sound. At present, without such a mechanism Policy DS3 and the plan is considered unsound.</p>		

117.1	Warwickshire Property and Development Group	Borough Plan Review	Non-strategic allocation / Duty to Cooperate	Unanswered	Unanswered	Unanswered	<p>Our client's site, Former Manor Park Community School, is a draft allocation (ref: NSRA2) for 123 dwellings under Strategic Policy DS4 (Residential allocations) of the Plan.</p> <p>We support the allocation of the site which benefits from outline planning permission for the erection of up to 46 houses, 12 flats and a one, two and three storey extra care facility of up to 65 units including the demolition of existing buildings (ref: 035587). The outline planning permission was granted on 30th November 2022.</p> <p>We understand that Nuneaton and Bedworth Borough Council will be seeking to enter into Statements of Common Ground (SoCG) with interested parties who have a draft allocation in the Plan. The purpose of this is to demonstrate the plan is effective by being deliverable over the plan period and therefore meets the test of soundness set out in paragraph 35 of the National Planning Policy Framework (2023). We welcome early dialogue with Nuneaton and Bedworth Borough Council on the preparation of a SoCG in relation to the allocation on the Former Manor Park Community School.</p>		Unanswered
117.2			DS4				<p>The explanatory text supporting Draft Strategic Policy DS4 (Residential Allocations) of the Plan reads as follows:</p> <p>“The site is a former community school located in a primarily residential area. It adjoins Beaumont Road and Vernons Lane. The site benefits from outline permission for 46 houses, 12 flats and 65 extra-care units (Application reference 035587 – November 2022).</p> <p>Opportunity exists to create a new positive frontage to Vernons Lane, retain views from the north of the site towards Mount Judd, retain established trees and boundary hedges wherever possible, ensure development is sensitive to its location adjacent to the conservation area, that development reflects the characteristics of the surrounding townscape and that built development sits outside the small area of flood zone located in the south of the site. Development should seek to avoid any loss of trees covered under the Tree Preservation Order on the site (reference TPO 1.19).”</p> <p>On the whole, we agree with the explanatory text which supports the policy. We note the Council’s requirement in respect of a new positive frontage onto Vernons Lane. The site only provides a small frontage onto the highway, and it is one of the agreed access points approved under the aforementioned outline planning application. Given the limited space available, we seek further clarification from Nuneaton and Bedworth as to what is required to satisfy this point.</p> <p>With regard to the requirement to retain views from the north of the site towards Mount Judd, we query to what extent the Council are going to seek to retain views into the site. Given the shape of the site, it’s likely that the primary highway route will run in a south easterly direction from Vernons Lane and then will curve slightly to extend in a straight line to the south of the site. Thus, it’s likely that the only views which will be retained are around the site’s entrance. This is a</p>		

						similar position to the current arrangement with the school buildings on site.		
118.1	Warwickshire Property and Development Group	Borough Plan Review	Plan period	Yes	No	Yes	The Plan period in the Publication Draft Plan (September 2023) has been extended by 3 years from the Plan period contained within the Preferred Options document (June 2022) from 2024-2039 to 2021-2039. While we support this extension, the 15 year period cited in Paragraph 22 of the NPPF (2023) is a minimum period from adoption. Assuming that the Local Plan is adopted in line with the timetable in the Local Development Scheme, it would only have a plan period of 15 years post adoption. If there are any delays in the plan-making process, the 15-year minimum period will not be met and therefore the Plan would not be consistent with national policy and meet the test of soundness. To allow flexibility within the timetable, we recommend that as a minimum, the Plan period is extended circa 1-2 years to 2040/2041. In addition, we recommend that Nuneaton and Bedworth should take a more positive and proactive approach to plan-making by extending the Plan period further to anticipate and respond to long-term requirements and opportunities. The NPPF (2023) is clear that where significant extensions to existing settlements form part of the overall development strategy, policies should be set within a vision spanning a period of at least 30 years. The emerging Plan proposes two large strategic sites (Top Farm and Arbury) which account for the delivery of 3,225 homes. Given their scale and	Yes

						important contribution to the overall delivery of the development strategy, we recommend that a significantly extended Plan period would be positive, proactive and justified. This approach would in our view meet the test of soundness. If the Council extend the Plan Period, additional housing allocations will be required and the accompanying evidence base would need to be updated. We strongly recommend that the Council considers re-allocating the Former Playing Field for Canon Evans School site and The Former Manor Park Playing Field site. Both sites are located in highly sustainable locations and are suitable, available and achievable.		
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118.2			DS3	Yes	No	Yes	<p>Draft Policy DS3 (Overall Development Needs) of the Publication Draft Plan (September 2023) states that by 2039, as a minimum, 9,810 homes based on 545 dwellings per annum will be planned for and provided within Nuneaton and Bedworth Borough. This figure was derived from a bespoke report titled 'Towards our Housing Requirement for Nuneaton & Bedworth' (November 2022) which considered the objectively assessed housing need set out in the Draft Housing and Economic Development Needs Assessment (HEDNA) (2022) and Sub-Regional HEDNA for Coventry and Warwickshire Local Authorities (2022), as well as other considerations which may influence the Council's decision on an appropriate housing requirement.</p> <p>The figure represents an alternative approach to calculating housing need than the standard method.</p> <p>Paragraph 61 of the NPPF states that "to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals." The 'standard method' figure for NBBC is 442 dwellings per annum, according to Paragraph 6.15 of the Publication Draft Plan 2021-2039 (September 2023).</p> <p>We consider that exceptional circumstances apply in this instance as the alternative approach identifies a need higher than the standard method figure and takes account of current and future demographic trends and market signals. The approach also considers a wide range of factors including affordable housing need and delivery, the levelling up agenda, emerging strategies and potential issues of unmet housing need from other parts of the Housing Market Area.</p> <p>This is in accordance with the National Planning Policy Guidance on Housing and Economic Needs Assessments which states "where a strategic policy-making authority can show that an alternative approach identifies a need higher than using the standard method, and that it adequately reflects current and future demographic trends and market signals, the approach can be considered sound as it will have exceeded the minimum starting point."</p> <p>Table 3 of the Publication Draft Plan 2023-2039 (September 2023) demonstrates the provision of approximately 12,085 dwellings through the Borough Plan Review, including housing completions, existing sites with full and outline planning permission, prior notification and approvals, housing allocations, with an allowance for windfall developments. This</p>	Given the above recommendation, we suggest that Nuneaton and Bedworth Borough Council reconsider the Former Manor Park School Playing Field site and the Former Playing Field for Canon Evans School site.	

							equates to a surplus 2,275 dwellings (approximately 23%). As per paragraph 6.26 of the Publication Draft Plan (September 2023), this buffer provides flexibility in the housing supply across the plan period in the unforeseen event that some of the identified sites do not come forward as predicted. While we support the flexibility which is being incorporated into the housing requirement, the housing need figure of 9,810 homes is a minimum and should not be seen as a definitive target or cap on sustainable development. We therefore recommend that the Council should allocate additional land for residential development or consider safeguarding land to plan for the longer term development needs of the Borough. The Council should particularly focus on sites which are situated in sustainable locations and within existing settlement boundaries in primary and secondary settlements. This will help to contribute to the Council's sustainability targets by ensuring that development is directed towards the most sustainable locations within the Borough.		
118.3			DS4	Yes	No	Yes	Policy DS4 (Residential Allocations) of the Publication Draft Plan (September 2023) sets out NBBC's strategic and non-strategic draft allocations for housing land for the plan period (2023-2039). This includes 8 strategic housing draft allocations, totalling approximately 4,769 dwellings, and 15 non-strategic draft allocations, totalling approximately 689 dwellings. The Preferred Options document (June 2022), in contrast, included 8 strategic housing draft allocations, totalling approximately 4,770 dwellings and 27 non-strategic draft allocations totalling approximately 912 dwellings. We consider that the Council's approach to housing is over-reliant on large strategic sites and that a broader range of small to medium sized sites should be re-introduced to support the delivery of housing.	In light of the above, we suggest that Nuneaton and Bedworth Borough Council should re-allocate the Former Manor Park School Playing Field site and the Former Playing Field for Canon Evans School site for residential development.	
118.4		N/A	The Former Manor Park School Playing Field Site	N/A	N/A	N/A	The Former Manor Park School Playing Field site is being promoted to deliver 72 dwellings and is assessed under site reference BAR-1 of the Strategic Housing and Employment Land Availability Assessment (SHLAA) (2021). Suitability - There are few constraints on the site. The major constraint is that the land appears to be a playing field which will need to be assessed as required by the NPPF to determine if development is acceptable. Availability – The land is available. Achievability – There is no evidence the site is not achievable.		

Agents and Developers

118.5		N/A	The Former Playing Field for Canon Evans School Site	N/A	N/A	N/A	The Former Playing Field for Canon Evans School site is being promoted to deliver 33 dwellings and is assessed under site reference BED-6 of the SHLAA (2021). Suitability - No known constraints to suggest site unsuitable Availability – Site owned by a developer Achievability – There is no information to determine that the site is not achievable.		
118.6			General	Yes	No	Yes	In conclusion, while we support the flexibility which is being incorporated into the Council's housing requirement, we consider the Council should allocate additional sites for residential development to boost the supply of housing within the Borough and to cover a longer plan-period to meet the test of soundness set out in paragraph 35 of the NPPF (2023). We consider that the Council should allocate the Former Manor Park School Playing Field site for 72 dwellings and the Former Playing Field for Canon Evans School site for 33 dwellings. Both sites are located in highly sustainable locations within the Borough's existing and emerging settlement boundaries.		
119.1	McDonald's Restaurants Ltd	Borough Plan Review	HS7	Unanswered	No		The 400m Exclusion Zone is Inconsistent with National Policy - NPPF paras.; 81; 82 and PPG Paragraph: 002 (Reference ID: 53- 002- 20140306); Paragraph: 006 (Reference ID: 53-006- 20170728). The Policy is inconsistent, discriminatory and disproportionate - The policy aims to address obesity and unhealthy eating but instead simply restricts new development that comprises an element of Sui Generis use. Yet Class E retail outlets and food and drink uses can also sell food that is high in calories, fat, salt and sugar, and low in fibre, fruit and vegetables, and hot food from a restaurant unit can be delivered to a wide range of locations, including schools. The Policy is not justified because of a lack of an evidence base. Similar policies have been found unsound when promoted in other plans.	Planware Ltd considers there is no sound justification for Policy HS7 which imposes commercial restrictions on restaurants that include an element of hot food takeaways within a 400m radius from a school or college. The exclusion zone should therefore be removed to provide consistency and to abide by the Framework. Planware Ltd would welcome and support proposals for a wider study of the causes of obesity and their relationship with development proposals, including examination of how new development can best support healthy lifestyles and the tackling of obesity. When a cogent evidence base has been assembled, this can then inform an appropriate policy response. That time has not yet been reached.	Unanswered

119.2							Please refer to the representation received (appendices) for supporting evidence.		
120.1	Deeley Group	Borough Plan Review	SHA2 (paras 7.39 – 7.51)	Yes	No	Yes	<p>The concept plan shown on page 65 of the Publication Plan is not clear as to what transport links are required. Draft Policy SHA2 indicates at Paragraph 7, that the link is solely for pedestrian/cycles, as does the supporting text at Paragraph 7.48, but this is not clear on the concept plan and requires clarification.</p> <p>The concept plan indicatively shows a separate cycling route connection to Hazell Way in between the large industrial/warehouse unit currently occupied by IFCO and Ensor's Pool. The restrictive ecological designation of Ensor's Pool and the existence of the Deeley's warehouse building this additional cycle link is undeliverable.</p> <p>Paragraphs 8 and 31 of draft Policy SHA2, and paragraph 7.44 of the supporting text, further reference the enhancement of Harefield Lane. a significant part of it remains in Deeley's ownership as shown on the accompanying ownership plan (please see attached to this representation). It is therefore already an established route that also serves as an important ecological corridor and we are not convinced that it requires upgrading given the policy also requires a new footpath/cycle way connection immediately to the north of it.</p> <p>Given some significant changes to SHA2 from earlier proposals, the Plan should make reference to the fact that the adopted SPD for this strategic allocation will require revising following the adoption of the Plan.</p>	<p>The text at Paragraph 7 of SHA2 and Paragraph 7.44 of the supporting text should therefore include an acknowledgement that delivery of any links (vehicular or pedestrian) is dependent upon agreement with 3rd party landowners.</p> <p>Suggest that these paragraphs are omitted or, if not, any reference to upgrading/enhancing should be caveated by stating that delivery of this element is dependent upon agreement with 3rd party landowners.</p> <p>The Plan should make reference to the fact that the adopted SPD for this strategic allocation will require revising following the adoption of the Plan.</p>	Yes
120.2			DS4 / NSAR10	Yes	No	Yes	<p>Deeley Group is the owner of Proposal Site NSRA10 and are in support of the allocation of this site as a non-strategic residential allocation.</p>	<ol style="list-style-type: none"> 1. The site is party affected by flood plain, a right of way and an existing surface water balancing pond, which means the net developable area is less than indicated in the Draft Policy and more like 0.7 ha. 2. The range of uses that are acceptable on this site should include care home use (Use Class C2), as this is currently considered the most viable use for the site. 3. The reference to provision of a GP surgery should be removed as a mandatory requirement and included as an option only. Whilst Deeley's obtained permission for a surgery in 2011 and were 	

Agents and Developers

							willing to deliver such, the NHS has advised Deeley that they will not be able to approve such a facility here at the current time and it is therefore far from certain this will ever be taken up.	
120.3			E2	Yes	Yes	Yes	Deeley Group support the inclusion of the Hazell Way employment area (Site Ref. E33) within draft Policy E2. The site forms an important part of the employment offer for Nuneaton and policy should support re-use/redevelopment of employment buildings in this area for employment use, especially given the number of new residents that will live in close proximity after the SHA2 – Arbury land has been developed	
120.4							Please refer to the representation received (appendices) for supporting evidence.	
121.1	Opus Land Nuneaton Ltd	Borough Plan Review	Duty to Cooperate	Unanswered	Unanswered	No	Opus are concerned that the Duty to Corporate test will not be met and the Plan will be found unsound.	
121.2			DS1	Yes	No	Unanswered	The policy text itself is lengthy and confusing, and it is unclear how the first three paragraphs will directly support the delivery of sustainable development within Nuneaton and Bedworth and not consistent with national policy.	
121.3			DS1	Yes	No	Unanswered	Opus object to the reference in the second paragraph of Policy DS1 to bring new developments in line with water resource efficiency of 110 litres/person/day, the inclusion of this specific element in a strategic level policy is not justified and unsound.	

Agents and Developers

121.4			DS2	Yes	No	Unanswered	The policy identifies the northern fringe of Coventry as having “a supporting role for housing, shopping and local services”. This does not fully reflect the important role parts of the northern fringe play in the delivery of employment land	Policy DS2 should be subject to modification to ensure that the importance of the M6 development corridor between junctions 2 and 3 as identified by the HEDNA is specifically addressed with relation to the role of Bedworth in the Settlement Hierarchy as DS2.2.	
121.5			DS3	Yes	No	Unanswered	Whilst Opus are supportive of the alignment of employment growth and residential growth, it is considered that the Reg19 Plan does not provide sufficient housing growth to address the needs of the Borough and its obligations under the Duty to Cooperate. Moreover, if housing delivery is increased then there should be a commensurate increase in employment allocations to meet the requirements from the increased population.		
121.6			DS4	Yes	No	Unanswered	The use of a housing need figure higher than the minimum derived from the standard method is supported, in order to provide a buffer of flexibility in supply. Support the inclusion of SEA6 within the strategic housing allocations and welcome the reference to its position next to the employment allocation.		
121.7			DS5	Yes	No	Unanswered	The HEDNA recommends that there should continue to be a focus of strategic B8 growth in the north and west of the sub-region, where SEA6 falls. Opus therefore support the continued allocation of Land at Bowling Green Lane for employment development, with this element being positively prepared and justified, responding to the identified need and meeting the tests of soundness.		
121.8			DS7	Yes	No	Unanswered	Opus raise objection to the policy as drafted as it fails to include a clear approach to the identification and release of additional land for residential development, beyond the limited approach currently proposed of initially seeking redevelopment opportunities within Nuneaton town centre and at the edges of settlements.		
121.9			DS8	Yes	No	Unanswered	The commitment to early review of the Plan ‘if required by changing circumstances’ is supported, however as drafted the policy is vague and imprecise in how and when the triggers would be activated.		

121.10			SA1	Yes	No	Unanswered	<p>Nationally Described Space Standards (“NDSS”) to all residential development as required by SA1 is unsound, being inconsistent with national guidance. As per footnote 49 of the NPPF and the Government’s Planning Practice Guidance (ref. ID: 56-020-20150327), this requirement, if it is to be imposed, requires full justification including an assessment of its impacts upon viability, and none is provided in this case, therefore the policy is unsound.</p> <p>Object to the inclusion in the Local Plan of the proposed requirement for compliance with the Future Homes and Building Standard. The standard will be addressed through Building Regulations from 2025 and it is therefore unnecessary to duplicate its requirements within local plan policy. Its inclusion is unsound</p> <p>Object to the proposed requirement for 95% of residential development on strategic sites to meet the M4(2) Building Regulations standard and 5% of residential development on strategic sites to meet the M4(3) Building Regulations standard. Evidence should include the viability impacts of requiring higher optional technical standards and not consistent</p> <p>Opus object to the requirement at SA1.15 for employment site car parking to be positioned at least 50 m from residential properties. This is considered to be an unjustified and unreasonable constraint, it is inflexible and unsupported by any evidence.</p> <p>Policy SA1 seeks to require full compliance with “the requirements set out within the relevant SPDs” (in reference to residential standards at SA1.1) and “the requirements of the relevant Concept Plan SPD” (at SA1.15). It is not appropriate nor positively prepared to treat the content of SPDs as equivalent to development plan policies which have been tested through the examination process.</p>		
121.11			H1	Yes	No	Unanswered	<p>Opus object to the policy as drafted as it does not allow for any departure from the specific mix recommended across the wider Borough where it can be demonstrated that an alternative mix is justified and appropriate for a particular site.</p> <p>Policy H1 applies a requirement for homes for older people and other specialised housing to comply with M4(2) and 5% M4(3) Building Regulations standards. The policy also states that proposals for homes for older people and specialised housing will need to comply with M4(3) Building Regulations standards as a minimum. - Must be justified through evidence of an identified need for such properties, in accordance with NPPF footnote 49 and Planning Practice Guidance (ref. ID: 56-007-20150327).</p> <p>The requirements for development of homes for older people and specialised housing to comply with the emerging Warwickshire Country Council Technical Guidance for Specialised Supported</p>		

Agents and Developers

						Housing and Housing with Care developments is not supported. This requirement is both ambiguous, given that it refers to evidence which is not yet complete, and affords inappropriate status to a guidance document.		
121.12			H2	Yes	No	Unanswered	As with Policies SA1 and H1, Policy H2 seeks to apply requirements that 95% of affordable housing must meet M4(2) and 5% M4(3) Building Regulations standards. Opus object to this as drafted.	
121.13			H4	Yes	No	Unanswered	Opus object to the requirement for all housing to comply with NDSS. This requires robust and evidenced justification in order to be found sound, and no justification or evidence has been demonstrated.	
121.14			E1	Yes	No	Unanswered	<p>The specific focus in Policy E1 on Use Classes B2 and B8 on strategic employment sites and existing employment sites is supported by Opus, this element is justified as it has been prepared in line with the assessment contained with the Housing Requirement Paper (which also addressed associated economic / employment growth) and the Sub-Regional HEDNA.</p> <p>The emphasis within the policy (at E1.2) on favourable consideration for certain employment sectors includes advanced manufacturing, professional services and research and development but should include logistics development.</p>	
121.15			SEA6	Yes	No	Unanswered	<p>Opus support the continued allocation of Land at Bowling Green Lane for employment development, and housing.</p> <p>The southern portion of the allocation boundary has been drawn away from the pylon corridor such that there is an incursion of the into a relatively limited area to the south of the pylon alignment. The alignment of this boundary is objected to as being unsound. The positioning of the pylons mean the site boundaries are not viable in design terms and should be redrawn (alternative boundaries within rep). National Grid guidance on 'Development near overhead lines' (National Grid, July 2008) identifies that residential development should not occur under high voltage electricity pylons.</p>	

Agents and Developers

121.16			SEA6 - Key Development Principles	Yes	No	Unanswered	<p>Principle 1: the site area should be amended to reflect the revised allocation boundaries which are required to be amended as identified above in order to be sound.</p> <p>Principle 2: in relation to Strategic Policy DS4, the number of homes to be provided should allow flexibility</p> <p>Principle 3: the principle addresses the detail of the proposed access onto Bowling Green Lane serving the employment site. The policy should recognise that the residential site is likely to secure an independent access to avoid potential conflict between employment and residential uses separated as they will be by the presence of the electricity pylons and intervening green infrastructure.</p> <p>Principle 8: it will be necessary for the policy to provide evidenced justification of how development at the site would give rise to a requirement for a contribution towards increased personnel and vehicles for Warwickshire police. Absent a CIL Regulation 122 level of evidential justification, then the requirement expressed by Principle 8 would not be sound as it would not be consistent with national policy.</p>		
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121.17			SEA6 - Form of Development (FoD)	Yes	No	Unanswered	<p>FoD 10. Ecological enhancements to existing boundary on southern and eastern edges of the site. - The requirement expressed at FoD 10 is unsound.</p> <p>FoD 11. Provision of enhanced buffer in the south-eastern corner to protect the setting of the Exhall Hall scheduled monument and listed buildings, as well as ensuring that the scale of development does not detract from the prominence and importance of the listed buildings. - This criterion is unsound as it is inconsistent with national guidance.</p> <p>FoD 12. Retain existing hedgerows and trees as part of the green infrastructure for any development. Enhance existing hedgerows with new planting where they have become fragmented. Retention of the public right of way within a landscape enhancement area either side of the route in order to form a strategic landscaping area through the centre of the site.</p> <p>This criterion is considered unsound as it would create an ineffective policy incapable of delivering the strategic employment outcomes desired. -There are multiple 'field gates' which provide access to the site, which is currently in agricultural use.</p> <p>FoD 14. Habitat adjoining the motorway should be retained as an important wildlife corridor. - Opus object to the requirements of FoD 14 as drafted, it lacks reasoned justification as to where the corridor sits or in quantifying the value of the habitat.</p> <p>FoD 15. Provision of landscape screening consisting of small groups of specimen trees interspersed amongst grassed areas and wildflower meadows. - This requirement appears to have been included without sufficient consideration of the physical layout and appearance of strategic employment land and is, therefore, unjust and inappropriate in this regard.</p> <p>FoD 16. New development should be accompanied by woodland and tree planting to reduce its prominence within the landscape. Opportunities should be taken to enhance the urban edge through planting new trees and woodland. - Opus support the provision of new tree planting.</p> <p>FoD 17. Scale and massing of building form around northern edge of site should be reduced due to proximity to residential properties. - The policy lacks clarity.</p> <p>FoD 19. Explore opportunities to retain views towards Bedworth Water Tower. Opus object to FoD 19 as it is not justified or effective and therefore fails the tests of soundness.</p>		
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Agents and Developers

121.18			SEA6	Yes	No	Unanswered	<p>The supporting text of SEA6 requires that an “appropriate assessment of the groundwater regime be carried out at the site-specific Flood Risk Assessment (FRA) stage.” The justification for this is unclear as to date, in the course of the live applications, groundwater flood risk has not been considered to be an issue.</p> <p>The supporting text goes on to state “The report concluded that Sequential and Exception Tests are required for this site. The document should be considered as part of the further site-specific flood-risk assessment that will be required for any planning application.” Opus object to this element on the basis that the requirement for Sequential and Exception Tests is inconsistent with national policy, and in any event these tests would not be required.</p>		
122.1	SevenHomes	Borough Plan Review	DS1	Yes	No	Unanswered	<p>Wording of the policy is considered to be unclear with numerous requirements incoherently set out across a number of paragraphs, with the inclusion of generic statements, making it particularly unclear and providing no clear direction or certainty for the reader.</p> <p>SevenHomes objects to the reference in the second paragraph of Policy DS1 to bring new developments in line with water resource efficiency of 110 litres/person/day, the inclusion of this specific element in a strategic level policy is not justified and unsound.</p> <p>Delivery of net zero homes there is no evidence to substantiate that in Nuneaton and Bedworth all development should be zero carbon and this has not been appropriately assessed as part of a robust viability assessment.</p>		Yes
122.2			DS4	Yes	No	Unanswered	<p>SevenHomes’ Site at North Warwickshire and South Leicestershire College provides an opportunity for a further housing allocation on previously developed land within a highly sustainable location. It would be remiss, not to put forward the site as an appropriate strategic housing allocation, contributing positively to the range of strategic housing sites identified to meet Nuneaton and Bedworth’s housing needs across the Plan Period.</p>		
122.3			H1	Yes	No	Unanswered	<p>As currently written Policy H1 is not consistent with the requirements of national policy and should be revisited to ensure it meets with the requirements of NPPF paragraph 16(d).</p>		
122.4			H2	Yes	No	Unanswered	<p>Policy H2 seeks to apply requirements that 95% of affordable housing must meet M4(2) and 5% M4(3) Building Regulations standards. The current requirements of the adopted Plan are 35% homes to be delivered as M4(2) compliant and therefore the onerous requirements in relation to M4(2) and M4(3) compliancy could result in implications for overall delivery of much needed homes, including the delivery of homes at the NW&SL College, Hinckley Road.</p>		

Agents and Developers

122.5			H4	Yes	No	Unanswered	SevenHomes object to the requirement for all housing to comply with NDSS which is not considered to be sound as it is not justified, effective or consistent with national policy. SevenHomes objects to the inclusion of existing SPDs within local plan policy through the Borough Plan Review process.		
122.6			H5	Yes	No	Unanswered	The policy requires 95% of new developments to meet M4(2) standards and 5% to meet M4(3) standards. Specific evidence is required to justify imposing such requirements. NPPF footnote 49 allows for these optional technical standards for accessible and adaptable housing to be introduced through planning policy 'where this would address an identified need for such properties'. Planning Practice Guidance (ref. ID: 56-007-20150327) sets out the evidence that can be used by local planning authorities to demonstrate a requirement to set higher accessibility, adaptability and wheelchair housing standards.		
122.7			HS4	Yes	No	Unanswered	Supporting text also specifies that the provision of new facilities will primarily be delivered through the IDP despite no mechanism within the Policy itself for developer contributions to be provided which are proportionate and reasonably related to the proposed development and associated loss of community facility. The supporting policy text at 11.40 conflicts with the policy itself, setting out a far more stringent approach which indicates that 'the loss of community facilities will be resisted to ensure that suitable provision remains spread across the Borough'. This fails to take account of the provisions set out with the Policy for enhanced replacement facilities/that a proposed use could bring greater benefits to the area than the existing community use.		
122.8			HS5	Yes	No	Unanswered	It is not appropriate that the content of SPDs is considered equivalent to development plan policies. Planning policy must be made through the local plan examination process and be subject to mandatory requirements for public consultation and independent scrutiny. Incorporating SPDs within local plan policy that have been prepared against the policies of the currently adopted local plan is considered wholly unsound and contrary to national policy.		

122.9			HS6	Yes	No	Unanswered	<p>Policy HS6 sets out that 'existing local sports pitches and playing fields should be retained unless justification can be provided as to why they are no longer required or that proves alternative suitable provisions can be provided'. This is addressed under the provisions of Policy HS4 (with sports pitches and playing fields identified as 'community facilities' within supporting text 11.40). It is therefore suggested that this paragraph of the policy is deleted given it is repetitive and potentially open to interpretation/ambiguity.</p> <p>It continues that 'where justified' housing sites will need to provide land for sports, leisure and recreation facilities on-site at no cost, or an off-site contribution to fund the facility and the land for the facility. Although the appropriateness of providing a justified and proportionate contribution to sports, leisure and recreation where viable is not questioned, it is recommended that the circumstances in which delivery will be considered justified are set out clearly within the policy to avoid any ambiguity with the interpretation of the policy requirements at the decision-making stages. As currently written the policy is contrary to the provisions of NPPF paragraph 16(d).</p>		
122.10			NE3	Yes	No	Unanswered	<p>The Policy is not accurately reflective of the Environment Act which requires 10% BNG or the emerging policy, guidance and Best Practice on how Mandatory BNG will be implemented. 2.39. The Environment Act is clear that BNG requirements can be met on-site, off-site or through statutory credits and whilst it is recognised that on-site provision should be explored first there are numerous reasons specific to individual sites why on-site BNG may not deliverable.</p>		
122.11			NE2	Yes	No	Unanswered	<p>Policy NE2 presents yet further uncertainty through the plan in relation to the loss and retention of playing fields with conflicting policy objectives and outcomes when read alongside Policies H4 and H6.</p> <p>Policy NE2 uncertainty in relation to the loss and retention of playing fields with conflicting policy objectives and outcomes when read alongside Policies H4 and H6.</p> <p>Policy NE2 sets out a list of objectives but fails to identify how these objectives should be met, with seemingly very little flexibility, with a 'catch all' approach. The policy sets out that new development 'must' demonstrate how it will improve the green network of publicly accessible and linked open spaces to support growth without adequate justification through proportionate evidence base in accordance with the tests of soundness.</p> <p>There is no clarity provided on how the requirements of the policy will be delivered, whether on site through the inclusion of the listed types of open space and other green networks or through off site financial contributions.</p>		

122.12			BE3	Yes	No	Unanswered	<p>Policy BE3 seeks to apply standards to all development proposals without adequate justification through proportionate evidence base in accordance with the tests of soundness.</p> <p>The application of the Nationally Described Space Standards to all residential development would require clear justification in line with Paragraph 130f and Footnote 49 of the NPPF and Government's Planning Practice Guidance (ref. ID: 56-020-20150327).</p> <p>Proposals to meet the standard in regard to water of 110 litres per person per day are not evidenced.</p> <p>Requirements that 95% of market housing must meet M4(2) and 5% M4(3) Building Regulations standards. As set out under representations to Policy H2, SevenHomes object to the unreasonably onerous nature of the proposed requirement. As per NPPF footnote 49, these are optional technical standards for accessible and adaptable housing and should be delivered via planning policy 'where this would address an identified need for such properties'. Evidence (as per Planning Practice Guidance ref. ID: 56-007-20150327) has not been provided as part of the evidence.</p> <p>Point 1 seeks to impose a requirement on all development proposals to be designed to meet the requirements of 'any future Concept Plan SPD'. It is not appropriate to treat the content of SPDs as equivalent to development plan policies.</p>			
122.13							Please refer to the representations, including the appendices, for supporting evidence.			
123.1	Nicholas Chamberlaine School Foundation Trust	Borough Plan Review	DS2	Unanswered	Unanswered	Unanswered	<p>There is a lack of a link between the purported spatial strategy within Policy DS2 and the proposed allocations that will support delivery of that strategy and this link needs to be made clearer.</p> <p>Bedworth and Bulkington should still experience a level of growth commensurate with their position in the settlement hierarchy and the respective contribution of these settlements towards housing supply as a result of the deletion of HSG4 and HGS7 has materially diminished which affects the spatial strategy whilst the already dominant role of Nuneaton has been amplified.</p>	<p>Suggest that Strategic Policy DS2 is redrafted to better clarify the chosen spatial strategy and the role and function of each settlement within the hierarchy and its role in accommodating growth. At present, it is a simple rehearsal of analogous policy within the adopted Borough Plan despite the fact that the BPR represents a departure from the established spatial strategy in several important respects.</p>	Yes	

123.2			DS3	Unanswered	Unanswered	Unanswered	<p>Coventry City Council, has sought to abandon the Standard Method and its 35% urban uplift which results in no unmet need arising. The soundness and legal compliance of that approach will need to be tested, if this approach is found unsound or wanting of legal compliance then it could have significant implications for the soundness and legal compliance of the BPR in terms of its housing requirement.</p> <p>The bespoke report "Towards our Housing Requirement" by Iceni is, generally speaking, a welcome document and it considers factors not captured by the Standard Method which may indicate a greater housing requirement such as affordable housing need, growth strategies, economic growth and unmet housing need from other areas.</p> <p>Affordable Housing Need:</p> <p>The evidence suggests an acute affordable housing need in the Borough. However, is unclear how this important fact has fed into the housing requirement. The deletion of existing housing allocations that would actively undermine affordable housing delivery which, in the context of the evidence base on affordable housing need, cannot be a sound approach.</p>	<p>The housing requirement figure of 545dpa has not been adequately set to reflect the need to secure affordable housing delivery and to provide a flexibility contingency to accommodate unmet need from surrounding areas. This renders the BPR unsound as it is not positively prepared to meet development needs or respond to changing circumstances. In respect of affordable housing, whilst it may not be possible to meet needs for it in full, existing capacity clearly exists within the Borough to provide more affordable housing that would otherwise be enabled by 545dpa. The evidence clearly shows that 545dpa will continue the trend of affordable housing under-delivery in the Borough. Given the acute affordable housing needs in the area, we would recommend that the LPA consider and incorporate a "capacity-led" uplift into the housing requirement to deliver a level of affordable housing that is closer to the amount that is needed as identified by the evidence base.</p>	
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123.3			DS3	Unanswered	Unanswered	Unanswered	Unmet Need from Neighbouring Areas "Towards our Housing Requirement" only deals with potential unmet needs arising from other areas in a cursory way. At paragraph 4.37 the observation is made that the housing requirement figure of 545dpa arising from the Planned Economic Growth Scenario would provide "headroom" over and above the local housing need figure of 409dpa to contribute to unmet needs from other areas. Firstly, the statement that the minimum local housing need/Standard Method figure for Nuneaton and Bedworth amounts to 409dpa is factually incorrect. The local housing need figure for the Borough is 442dpa as referenced so there is materially less headroom than assumed by Iceni. Secondly, the level of headroom provided by an uplift to accommodate economic growth bears little if any relation to the levels of unmet need which may arise from surrounding areas. For the sake of comparison, the proportion of unmet need arising from Coventry and accommodated within the adopted Borough Plan amounted to 201dpa, approximately double the headroom figure allowed for in the Planned Economic Growth Scenario. As such, the BPR housing requirement lacks critical flexibility to respond to changing circumstances.	The housing requirement figure of 545dpa has not been adequately set to reflect the need to secure affordable housing delivery and to provide a flexibility contingency to accommodate unmet need from surrounding areas. This renders the BPR unsound as it is not positively prepared to meet development needs or respond to changing circumstances. In respect of affordable housing, whilst it may not be possible to meet needs for it in full, existing capacity clearly exists within the Borough to provide more affordable housing that would otherwise be enabled by 545dpa. The evidence clearly shows that 545dpa will continue the trend of affordable housing under-delivery in the Borough. Given the acute affordable housing needs in the area, we would recommend that the LPA consider and incorporate a "capacity-led" uplift into the housing requirement to deliver a level of affordable housing that is closer to the amount that is needed as identified by the evidence base.	
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123.4			DS4	Unanswered	Unanswered	Unanswered	<p>The BPR proposes the deletion of two strategic allocations from the Borough Plan – namely HSG4 Woodlands and HSG7 East of Bulkington. Paragraph 6.1.5 of the SA states that various elements of supply remain consistent across all the options tested. These include all strategic allocations in the adopted Borough Plan that are still considered “appropriate and deliverable.” The six strategic options are considered in Table 6.1 of the SA. At least three of the options incorporate the deallocation of sites HSG4 and HSG7, including Option 1 (the preferred option), which would see the allocation of additional sites within the urban area to replace these deleted strategic allocations.</p> <p>HSG4 and HSG7 are the only sites within the existing Local Plan singled out for deletion. Whilst it is true that many of the current local plan allocations benefit from planning permissions and HSG4/7 do not, this alone cannot explain why they have been selected for deallocation. HSG4 is currently subject to a planning application for circa 150 dwellings under LPA reference (Ref. 039730). Despite this, Footnote 2 of the SA erroneously states that “No planning application has been submitted for HSG4.” As such, the conceptualisation of strategic options with the SA is based on a false premise that HSG4 will not come forward when a planning application for a least part of the allocation has already been submitted. Footnote 2 of the SA also alludes to significant infrastructure being required to enable the delivery of HSG4. However, this is not unusual in respect of a strategic urban extension for almost 700 units. Thus there is no logical basis for why HSG4 in particular has been singled out and the result is a flawed conceptualisation of the strategic options tested.</p> <p>As set out above in respect of the spatial strategy, the LPA’s preferred option is predicated on a “brownfield first” approach as set out in the SA. If this is the case and existing and uncommitted strategic allocations on Greenfield sites are proposed for deletion on that basis, then these must all be tested on the same basis through the SA process to identify the most appropriate strategy. Indeed, the SA identifies some benefits which flow from deletion of HSG4 and HSG7 but it stands to reason that the same or greater benefits could be achieved from the deletion of other uncommitted strategic allocations. For the avoidance of doubt, we do not consider that any allocations within the adopted Borough Plan should be deleted given that these have gone through the examination process and been found sound, but if this is an approach the LPA wish to use then it is critical that the reasonable alternatives to the selected strategy are understood and tested. This is not the case.</p> <p>In respect of the SA, a further issue arises in that it assumes that despite being allocated in an adopted development plan, HSG4 and HSG7 will not be granted planning permission within the BPR plan period prior to the BPR’s adoption. Together, both strategic allocations account for at least 885 dwellings and even a fraction of this number</p>		

						coming forward will affect the spatial strategy both in terms of quantity and location of housing provision. This scenario is not tested within the SA vis-à-vis options that would see additional development elsewhere in the Borough, on top of these existing allocations. The non-strategic site allocations predominantly relate to sites within the built-up area for which there is already policy support, as reflected by the fact that many of these either have planning permission or resolution to grant planning permission. Hence it is not unrealistic to expect the BPR non-strategic site allocations coming forward plus development at HSG4 and HSG7 yet the SA does not test this scenario.		
123.5		DS4	Unanswered	Unanswered	Unanswered	<p>HSG4 (Woodlands) – Delivery and Timescales</p> <p>It is accepted that like many large-scale allocations, HSG4 has not come forward as quickly as anticipated. However, it is evident from reviewing the housing trajectory evidence¹ produced as part of the examination of the Borough Plan that HSG4 was only expected to start delivering completions within the 2021/2022 monitoring year and was only expected to achieve peak delivery in the 2023/2024 monitoring year. This is not an inordinate delay as regard a strategic allocation and now a planning application has been submitted, it would not be unreasonable to expect some completions within the next two years.</p> <p>Paragraph 122 of the National Planning Policy Framework (NPPF) states that planning policies and decisions need to reflect changes in the demand for land and they should be informed by regular reviews of both the land allocated for development in plans and of land availability. It continues by stating that: “Where the local planning authority considers there to be no reasonable prospect of an application coming forward for a use allocated in the plan it should, as part of plan updates, reallocate the land for a more deliverable use that can help address identified needs (or, if appropriate, de-allocate a site which is undeveloped).” [Emphasis Added]</p> <p>This is a firm statement within the NPPF of the circumstances where the LPA should consider de-allocating sites. It is where there is “no reasonable prospect” of the site coming forward for that intended use having considered more deliverable uses. There is nothing within the Plan or its evidence base that would indicate that HSG4 has not reasonable prospect of coming forward. In fact, a pending live planning application on part of the allocation indicates the contrary.</p>		

					<p>Whilst HSG4 has not come forward as rapidly as anticipated, this is not an unusual situation and the delay is not so pronounced that there is now no reasonable prospect of delivery. To retain confidence in a plan-led system as well as to provide a level of certainty for the public and the development industry, the deletion of allocations within existing local plans should not be taken lightly. Given our client's status as a Charitable Trust there are certain formalities that must be observed including the demonstration to the Charities Commission of achieving best value in respect of its assets. Our client remains fully committed to bringing forward its portion of the allocation as part of a combined approach with the adjoining landowner (as demonstrated to planning officers on previous occasions). The School Foundation has progressed a number of background technical specialist reports to assist in the preparation of a planning application for the site to meet the housing needs of the Borough. That work continues to be progressed, and an application is envisaged within the next 4 to 6 months as part of the Charity's commitment to deliver a well-designed and sustainable scheme for their site. Joint work has also been undertaken with the other principal landowner within the allocation, the Arbury Estate, which has already submitted a planning application for 150 dwellings. Much of the concern running through the Plan and its evidence base has been derived from the requirement for HSG4 to deliver a new access onto the A444 via a new northbound slip. The access strategy is a result of high-level transport work prepared in May 2018 as part of the Borough Plan examination. Subsequent, up-to-date and more detailed transport work has been undertaken with respect to the proposed development for 150 dwellings within the Arbury Estate's portion of HSG4. The Transport Assessment by Mode Transport Planning dated June 2023 has tested off-site junction capacity using Warwickshire County Council's transport model and, as set out within paragraph 10.4.14 of the Transport Assessment, concludes the following in respect of this issue:</p> <p>"There remains practical reserve capacity across the network of all junctions in all scenarios. It is envisaged that the network of junctions will continue to operate with suitable spare capacity following the introduction of additional traffic associated with the proposed development, and no mitigation is therefore considered necessary at this location." [Emphasis Added]</p> <p>Having regard to the content of the TA, it stands to reason that further development could come forward on HGS4 without the need to deliver the A444 access and that this would not result in a cumulatively severe impact to the local road network.</p>		
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123.6			DS4	Unanswered	Unanswered	Unanswered	Housing Need The Borough is experiencing an acute need for affordable housing. Whilst it may not be possible to meet all the affordable housing need arising over the plan period, the deletion of allocations such as HGS4 which could substantially contribute towards meeting this need cannot be sound approach as it is an active decision to deliver less affordable housing than may otherwise be the case within the Borough Plan. Furthermore, deletion of HSG4 erodes the Borough's ability to respond to changing circumstances vis-à-vis unmet need from Coventry and the upward adjustment to the base LHN need to accommodate economic growth is not on its own sufficient to provide adequate contingency.	By virtue of the failure to retain HSG4 a key strategic allocation within adopted Borough Plan, the BPR is unsound, firstly for lack of justification of this decision and secondly for lack of compliance with national planning policy. The decision to delete HSG4 also means the BPR is not positively prepared as deletion of his key strategic allocation will undermine the policy framework's ability to accommodate affordable housing, the need for which the Plan's own evidence base suggests is acute. It will also undermine the ability of the BPR to respond to changing circumstances such as accommodating any unmet housing need arising from Coventry. In order to rectify these deficiencies with the Plan, we recommend the retention of HGS4.	
124.1	Lichfields for St Philips Land Ltd	Borough Plan Review	DS3	No	No	No	Representations are supported by detailed arguments and technical reports that set out the unmet housing needs of the C&WHMA and how these should be addressed by the constituent authorities within the C&WHMA. Agree with the Council's evidence base that there is clearly a reason to make provision for a greater level of housing than the HEDNA to support economic growth aspirations. St Philips also considered that there is no legitimate or robust reason to plan for less than this number. However, St Philips considers that the acuteness of affordable housing needs within the Borough demonstrably justifies additional housing over and above the THR Report's housing need level. The Unmet Housing Needs of the C&W HMA The Council's proposed inaction in relation to addressing Coventry's unmet housing need is unacceptable and unjustified and that the Council should re-evaluate its approach to deriving an appropriate		Yes

Agents and Developers

						<p>contribution to meeting these needs and test this through BPR and associated SA process accordingly.</p> <p>Green Belt Release and Exceptional Circumstances</p> <p>Strongly contends that the Council will not have sufficient land to meet the Borough's own housing need in addition to the unmet housing need arising from Coventry.</p>			
124.2			DS4	No	No	No	<p>Policy DS4 is unsound, in the context of NPPF paragraph 35, as it is not:</p> <p>Justified – it is not an appropriate strategy and does not seek to meet the needs of the Borough and the unmet housing needs of the C&W HMA, nor does the strategy take into account reasonable alternatives within the Green Belt.</p> <p>Effective – it is not based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred.</p>		
124.3			DS6	No	No	No	<p>This policy requirement extends far beyond the requirements of paragraph 149 of the NPPF, with little justification provided to support its inclusion.</p> <p>It is fundamentally unclear how and against what barometer the Council will apply this policy as, absent a baseline assessment of that parcel's extant performance against the five purposes (i.e., the Council has not undertaken a Green Belt Review/Assessment), it is difficult to establish how this test could be satisfied by development proposals.</p>		

124.4			DS7	No	No	No	<p>The trajectory only breaks down projected annualised completions by broad typology this is not a detailed site-specific trajectory. None of the Council's broader supporting evidence base clearly sets out how the anticipated rate of development for specific sites would deliver the housing requirement over the plan period up to 2039. it is unclear how and against what barometer on a site-by-site basis, the Council will monitor completions and underperformance in terms of delivery. The overall objective and wording of this policy is unsound as it seeks to establish a totally ineffective mechanism by which future under-delivery of housing is addressed. The wording itself is unclear on the 'triggers' for this part of the policy.</p> <p>The policy is not clear on how additional sites would be brought forward.</p> <p>The final paragraph of the Policy is unsound as it is an unnecessary duplication of the NPPF requirements set out in paragraph 11, and is therefore contrary to paragraph 16(f) of the NPPF.</p> <p>There is a need for the Council to address unmet housing needs arising from Coventry, which will require additional housing allocations beyond those currently proposed, which will require some Green Belt land to be released. As such, the Council should allocate additional land in order to meet the housing requirements for the Borough and make a contribution toward addressing the unmet needs of the C&W HMA and avoid potential future under-delivery.</p>		
124.5			DS8	No	No	No	<p>The draft policy highlights the Council's complete deference of unmet need, with even the draft Plan Review policy omitting any reference to needing to review the BPR to address any unmet housing. Indeed, although not explicitly stated by the Council that it does not consider the C&W HMA needs to be an issue, this is tacitly implied by the distinct absence of any reference to unmet housing needs arising from the C&W HMA within the Publication BPR. The Council is, and should be, acutely aware of the issues that the C&W HMA is facing and to omit the inclusion of a clause within this policy to address these is unsound as it is not positively prepared nor justified.</p> <p>The Council should seek to address unmet needs now and that deferring this to a subsequent BPR Review would not be positive, proactive or pro-growth, they also consider that the policy should include explicit trigger relating to Coventry declaring unmet housing needs.</p>		
124.6							Please refer to the representations received (appendices) for supporting evidence.		
125.1	Asteer Planning LLP on behalf of Ainscough Strategic Land	Borough Plan Review	DS1	No	No	No	Support recognition in Policy DS1 of the presumption in favour of sustainable development, in accordance with the NPPF.		Yes

Agents and Developers

125.2			DS2	No	No	No	Support the proposed settlement hierarchy in Policy DS2, which identifies Nuneaton as the Borough's primary town where most growth will be directed (in line with the recently published Accessibility and Settlement Hierarchy Paper, 2023). However, ASL consider that Nuneaton, as a primary town, should be accommodating additional growth than what is currently identified in the spatial strategy and identify additional strategic sites given its dominant role in the Borough and settlement hierarchy. Additional housing will also drive economic growth, which is a key objective of the Council throughout the plan. In particular, there is scope to build on existing growth on the unconstrained western edge of Nuneaton and identify this as a location that could accommodate additional future growth. As the evidence base is developed and the Local Plan is progressed, the Council should consider the objectives of Policy DS2 and, in particular, if a review of the settlement boundary is undertaken, then logical and sustainable non-Green Belt sites on Nuneaton's urban edge should be considered to meet its overall needs.		
125.3			DS3	No	No	No	Policy does not consider scenarios where housing need may point to a significantly higher requirement, owing to economic growth, a lack of affordability or via any unmet need from neighbouring Authorities.		
125.4			DS4	No	No	No	Additional strategic sites and an amendment to the settlement boundary should be considered ensure that the Local Plan is sound and the Borough's overall strategic development needs are met throughout the entirety of the Plan Period.		
125.5			DS6	No	No	No	The Publication Plan, as confirmed in the Green Belt Technical Paper (2023) and the Publication Plan Policies Map (2023), seeks to de-allocate a number of sites that were removed from the Green Belt in the adopted Local Plan; but does not propose to return these sites to the Green Belt. This approach leads to inconsistent Green Belt boundaries that are neither permanent nor enduring; and which to not create logical or natural settlement boundaries around Nuneaton and Bedworth. ASL consider that, should these sites be ultimately de-allocated, this land should be returned to the Green Belt to create logical Green Belt and settlement boundaries, and to support a sound Local Plan policies map, spatial strategy and allocations strategy.		
125.6			H1	No	No	No	Support the need for a range and mix of housing across the Borough and, in particular, the Council should ensure that an adequate supply of new family and affordable homes is delivered in line with the NBBC HEDNA and THR Paper.		

Agents and Developers

125.7			H2	No	No	No	Support the provision of 25% affordable housing on new residential developments in order to address the identified acute affordability issues that are being experienced in the Borough. However, in order to ensure that this policy contributes to meeting affordable housing needs, it is crucial that an ambitious housing requirement and the allocation of viable and deliverable sites are pursued in the emerging Local Plan; that can deliver policy compliant levels of affordable housing, and assist in alleviating the significant need for affordable housing identified in the Borough.		
125.8			HS1	No	No	No	Policy HS1 will need to be informed by an up to date Infrastructure Delivery Plan ("IDP"). The Publication Plan refers to the Council's 2021 IDP, which includes strategic allocations are proposed to be de-allocated the Publication Plan. Therefore, the delivery of required plan-wide infrastructure must be considered fully in the context of the proposed allocations that are proposed to be carried forward. The allocation of viable and deliverable sites, particularly where infrastructure can be delivered onsite, will be critical to the delivery of the package of infrastructure required to meet the overall needs of the Plan Period. Sites such as Galley Common, which can contribute to the improvement and expansion of existing infrastructure, are critical to ensuring that the Local Plan viably delivers the infrastructure that will meet the needs of the population during the forthcoming Plan Period.		
125.90			NE1	No	No	No	Support the provision and protection of important green and blue infrastructure in the Borough and the intention to secure an uplift in biodiversity on new sites. Strategic sites should be identified that have the capacity and scope to provide opportunities for multi-functional green and blue infrastructure, and opportunities to create new habitats that support increased biodiversity.		
125.10			BE2	No	No	No	Support aspirations to address climate change and embed sustainability into new developments. Viable and deliverable strategic sites have the potential to be exemplar in the design and construction of low carbon developments, which should be considered as part of the Council's land allocations strategy.		

Agents and Developers

125.11		HELAA (2023)	GAL-3	No	No	No	<p>ASL strongly disagrees with the conclusions for the site, and therefore the robustness of decision making that has underpinned allocations and the soundness of the Publication Plan.</p> <p>The HELAA considers the entire Galley Common site (c.41ha) as a development site, and does not consider the sensitive landscape-led masterplan (provided in Appendix 1) that includes proposals to retain a large part of the site (where topography is steep and benefits from long range views) as a new area of green infrastructure, biodiversity enhancement and multi-functional amenity space. The illustrative masterplan at Appendix 1 has considered the landscape, visual impact and character of the wider site to create a visually enclosed and limited development platform that forms a natural extension to Galley Common. We consider that the HELAA, and therefore the site selection process, has fundamentally ignored this context, and therefore drawn incorrect and unsound conclusions in relation to the sensitivity and deliverability of the site.</p> <p>The assessment also does not fully consider the urban influences that new developments at Plough Hill have introduced to the east, nor the Landscape and Visual Appraisal that ASL has commissioned to ensure that a masterplan for the site has been sensitively developed to respect the areas landscape character.</p>		
125.12		Accessibility and Settlement Hierarchy Paper (2023)	General	No	No	No	Supports the findings of the Accessibility and Settlement Hierarchy Paper, which firmly identifies Nuneaton as the settlement which should accommodate the greatest level of growth.		
125.13							The Development Statement attached at Appendix 1 sets out how the promoted site at Galley Common offers an opportunity to bring forward a deliverable site that will support a viable and deliverable mix of market and affordable housing and community infrastructure.		
126.1	West Midlands Housing Association Planning Consortium	Borough Plan Review	DS3	Unanswered	Unanswered	Unanswered	<p>It is clear that the proposed housing requirement will fail to deliver anywhere near the full affordable housing needs of the authority. Considering this, the WMHAPC urges the Council to draft a more ambitious housing requirement for the authority which allows the Council to meet a larger proportion of its affordable housing need. Coventry City Council is still considering the potential of accommodating its housing needs through a Local Plan Review. Therefore, the capacity of Coventry and the subsequent quantity of unmet need that will need to be accounted for across the HMA remains unknown. It remains difficult to see how matters relating to Nuneaton and Bedworth's housing requirement can be finalised until Coventry progresses its own Local Plan further. Council should publish the Statements of Common Ground so this matter can be considered in more depth.</p>		Unanswered

Agents and Developers

126.2			H2	Unanswered	Unanswered	Unanswered	To ensure consistency with PPG the policy should be reworded to express affordable housing provision as a percentage rather than by the number of units to be required. Draft Policy H2 goes on to state "Proposals must consider how they accord with the requirements set out in the Council's latest Affordable Housing SPD." Supplementary Planning Documents (SPDs) can only provide guidance for the adopted policies of the Development Plan. The Council should be aware that new planning policy cannot be introduced by SPDs.		
126.3			H4	Unanswered	Unanswered	Unanswered	Regarding the 'need' to apply NDSS in Nuneaton and Bedworth the Council references the Space Standards for Homes' study undertaken by RIBA in 2015. This study is dated given it was undertaken eight years ago, and the document considers the size of new homes being built regionally not locally. As such, the relevance and robustness of this document in establishing a need for NDSS in Nuneaton and Bedworth specifically is questionable. The WMHAPC suggests that the Council considers more recent evidence that considers the need for NDSS at the Borough level. This would ensure the policy is 'justified' and found sound at examination.		
127.1	P Hughes Holdings Ltd	Borough Plan Review	General	No	No	No	Promoting site in Bulkington not previously been submitted to the Council as part of the Borough Plan Review process and it is therefore the intention of this representation and the Vision Document to present background information on the site, its characteristics and credentials to deliver housing over the forthcoming plan period. See representation for details.		Yes
127.2			DS1 - DS5	No	No	No	Objection is raised to the overarching development strategy's reliance on a limited number of large and medium sized site allocations at Nuneaton and Bedworth to deliver the new homes required for the Borough. Indeed, the proposed allocation known as SHA2 which was previously allocated in the Borough Plan adopted in 2019 has still not come forward by way of a planning application. Infrastructure delivery and the complexity of the proposed planning application raises the prospect of further delays to delivery. Policies DS1 to DS5 put forward an unsustainable growth strategy for the Borough, which fails to have regard to the evidence base, and which fails to follow through on the recognition of the settlement hierarchy, notably, at Bulkington. There is a concern as to whether housing requirements will continue to be met over the plan period and as to whether alternative greenfield sites in Bulkington were properly assessed and whether proactive contact was made with all potentially suitable landowners to assess the availability of all greenfield land parcels.	It is recommended that the Council produce and prepare a Spatial Distribution Statement which provides a rationale for the new housing proposed and a justification as to why a greater or smaller number is not proposed for Bulkington and other settlements.	
127.3			Green Belt	No	No	No	It is recommended that the Council commit to a more site-specific Green Belt review (for its future Local Plans) within the proposed Borough Plan Review given the Borough's significant relationship with		

Agents and Developers

							the green belt and its aspirations for sustainable growth of the wider area.		
127.4			Housing Requirements	No	No	No	<p>Borough Plan Review needs a clear mechanism by which under delivery is addressed. One option for the Council is to allocate reserve sites when monitoring indicators and policy parameters are not being met.</p> <p>The Borough have missed an opportunity to go over and above the numbers needed to meet population and demographic projections and be more ambitious in the creation of this Borough Plan Review. Furthermore, the issue of unmet need should be addressed now rather than deferred as set out in policy DS9.</p> <p>With regard to the provision of housing for older people, the emerging housing strategy is silent on the role that settlements such as Bulkington may play in meeting that specific tenure. NPPF para 62 makes clear that the housing needs of older people are to be specifically addressed in planning policies. The Council's spatial strategy should reflect this, and modifications are recommended.</p> <p>Furthermore, the lack of sites allocated for self and custom build is also a missed opportunity within the Plan.</p>		
127.5			Duty to Cooperate	No	No	No	<p>Borough Plan Review has a brief, limited section on the Duty to Cooperate which does not address how this engagement will occur, or how the legal requirement for the Duty to Cooperate will be taken forward.</p> <p>A Duty to Cooperate Statement should be published before the Borough Plan Review is examined which credibly identifies green belt considerations, housing, employment, infrastructure, protected sites, commercial/retail/leisure development and heritage as matters of strategic/cross boundary significance. More detail should be provided on which parties have been engaging, the management and working arrangements and proposed ongoing co-operation.</p>		
127.6							Please refer to the representation received (additional development strategy document) for supporting evidence.		

Agents and Developers

128.1	Terra Strategic	Borough Plan Review	Section 6	Unanswered	Unanswered	Unanswered	<p>Nuneaton and Bedworth is not a Borough with a multitude of brownfield land available to develop. Therefore, alternative sites, greenfield or Green Belt need to be considered. In fact, non-Green Belt greenfield sites are in short supply, limited to a few locations north of Nuneaton, of which adopted Strategic Housing Allocation HSG1 forms a significant part and land to the west of Bedworth adjacent to Strategic Housing Allocation HSG4 Woodlands (which is now proposed to be deallocated in the Publication Draft Plan). This point is acknowledged by NBBC in the Issues and Options consultation document at paragraph 6.6. Accordingly, we object to the development strategy in the Publication Draft Plan because it is ineffective and unjustified.</p> <p>It is important that the Joint Green Belt Study and the Landscape Capacity Study are reviewed and updated, to reflect the existing allocations and recent Green Belt releases, and form the evidence base to identify future growth options opposed to only considering a limit number of sites.</p> <p>Object to the latest Sustainability Appraisal because it fails to consider alternative sites including the allocated sites in the adopted Borough Plan that are now proposed to be deallocated and alternative sustainable sites that perform poorly in the Green Belt including land south of Hawkesbury Golf Course. Consequently, the development strategy is unsound because it is unjustified. The Council's development strategy is unsupported by evidence.</p> <p>More sites including land south of Hawkesbury Golf Course should be allocated to meet specialist housing needs such as for the elderly (see representation for site details).</p>		Unanswered
128.2			DS3	Unanswered	Unanswered	Unanswered	<p>The Publication Draft Plan covers the Plan period 2021 to 2039. Previously the Preferred Options consultation document covered a Plan period of 2024 to 2039. We object to the Plan period starting in 2021 and consequently, the plan is unsound because it is unjustified.</p>		
128.3			Duty to Cooperate para 1.11, Section 6.0	Unanswered	Unanswered	Unanswered	<p>Coventry is in the early stages of a Local Plan Review and is yet to finalise its housing requirement for the new Plan period, but it is inevitable that Coventry will continue to need the support of NBBC and neighbouring Warwickshire authorities to help meet its unmet housing needs, as it did previously and was included in the adopted Borough Plan housing requirement. As such, the housing requirement of NBBC should be reviewed in line with the housing requirements of the Coventry Local Plan once it has progressed. For this reason the plan is unsound as it is unjustified.</p>		
128.4			Housing Land Requirement	Unanswered	Unanswered	Unanswered	<p>NBBC should take a proactive approach to planning to address the unmet housing need that Coventry is likely to declare and take a realistic position on the likely 'exceptional circumstances' that will warrant an updated Green Belt review. Considering Coventry's latest housing need position, it is possible that similar circumstances persist that warranted the release of Green Belt land for the Borough Plan</p>		

							(2019), as acknowledged by paragraph 7.52 of the Publication Draft Plan.		
128.5			DS4	Unanswered	Unanswered	Unanswered	It is essential that the Joint Green Belt Study (LUC 2015) is updated as part of the review of NBBC's evidence, especially as several of the sites in the study are no longer in the Green Belt and have been allocated for housing. The Plan is unsound because the development strategy is unsupported by evidence and is ineffective and unjustified (Representation includes details of why the Green Belt study is out of date and why the site 'Former Hawkesbury Golf Course' should be removed from the Green Belt).		
128.6			H1	Unanswered	Unanswered	Unanswered	More sites including land south of Hawkesbury Golf Course should be allocated to meet specialist housing needs such as for the elderly. Strategic Policy H1 is unsound because it is insufficiently supportive of housing for older people.		
128.7			H4	Unanswered	Unanswered	Unanswered	A blanket application of NDSS across all residential development could undermine the viability of many development schemes. This will potentially result in fewer homes being delivered as optional technical standards have implications for build costs and sales values, with implications in turn for development viability. It is possible that many eligible households in Nuneaton and Bedworth may not desire, or require housing that meets the NDSS, as it may result in for example, higher rental and heating costs. We recommend that meeting the NDSS is not made mandatory unless it can be demonstrated that there is a clear need for such a standard in dwellings in Nuneaton and Bedworth.		
128.8			BE3	Unanswered	Unanswered	Unanswered	NBBC has pledged to provide direction to enable the Borough to become carbon neutral by 2050. NBBC to be wary of the way that such policies could impact development viability which may restrict the provision of much needed market and affordable housing across Nuneaton and Bedworth. We would also like to remind NBBC that building requirements in the Borough should be reflective of Government requirements. As such the Council should not be seeking to introduce stringent building standards on issues already covered by adopted and emerging national Policy.		
128.9							Please refer to the representation for supporting evidence.		

129.1	Taylor Wimpey Strategic Land	Borough Plan Review	Duty to Cooperate para 1.11	No	Unanswered	No	<p>No statements of common ground or other evidence has been presented in the Regulation 19 Plan or made available as part of the consultation material to demonstrate how the Council has discharged the duty obligations. This has a number of implications for the examination of the Plan.</p> <p>Implications for legal compliance</p> <p>The Localism Act makes clear that engagement must be active and ongoing in order to be legally compliant. However, the Plan does not provide any further explanation as to what collaborative work has been undertaken on the strategic matters, and presents no supporting evidence to demonstrate that this work constitutes engagement in accordance with the Duty to date. The lack of evidence provided at this critical stage in the local plan process does not give any confidence</p> <p>that the Council has satisfactorily discharged its obligations under the Duty to this point.</p> <p>As highlighted above, part of the evidence that is lacking relates to the preparation of Statement of Common Ground (SCGs). Paragraph 27 of the NPPF identifies SCGs as relevant documents that should be prepared in order to document the cross-boundary matters and progress made in cooperating to address these, in order to demonstrate effective and on-going joint working, and should be produced using the approach set out in the PPG, and be made publicly available throughout the plan-making process to provide transparency, in accordance with national policy1.</p> <p>The PPG also highlights that SCGs form part of the evidence required to demonstrate that they have complied with the duty to cooperate (PPG ID: 61-010). Without any details regarding what progress has been made, the Plan is not providing sufficient transparency, which is not consistent with national policy.</p> <p>The lack of evidence and lack of clarity regarding the Council's approach to discharging its obligations under the Duty raises other, more fundamental concerns regarding legal compliance.</p> <p>This is because as the duty to cooperate relates to the preparation of the plan, it cannot be rectified post-submission (PPG ID: 61-031). All the relevant documentation necessary to demonstrate compliance must be submitted for examination alongside the Plan, to allow the Inspector to determine if the Duty has been adequately discharged.</p> <p>Given their relevance and significance to the preparation of the Plan, this documentation would</p>	<p>Pause progress on the Regulation 19 Plan</p> <ul style="list-style-type: none"> • Revisit their approach to addressing the legal duty under the duty to cooperate • Undertake constructive discussions with Coventry and the other Warwickshire authorities <p>to take co-ordinated actions to address the emerging housing evidence, in particular the likelihood that Coventry will continue to be unable to meet their own housing needs in full now and beyond 2031 and which remains a strategic matter for the C&W HMA as a whole.</p> <ul style="list-style-type: none"> • Work towards preparing Statements of Common Ground with neighbouring areas to address this strategic matter now and not later. • If necessary, go back a stage to the Regulation 18 and issue a draft plan that addresses the legal obligations under the duty, including an appropriate policy response to this strategic matter. 	Yes

						<p>clearly fall into the category of "...such supporting documents as in the opinion of the local planning authority are relevant to the preparation of the local plan...." under the definition of 'proposed submission documents' under Regulation 17 of the Town and Country Planning (Local Planning) (England) Regulations 2012.</p> <p>All proposed submission documents, including any documents relating to the duty to cooperate, must be consulted on at the Publication (Regulation 19) stage before they can be submitted for examination, and not at some later date in the process. A number of relevant documents have not been made available that should have been issued as part of the Regulation 19 consultation (either by error or because they do not exist).</p> <p>Given the existing and emerging evidence on unmet housing need emanating from Coventry. In light of this, the Council should be engaging constructively, actively and on an ongoing nature with Coventry on the existing and emerging evidence pointing to a continuance of unmet need from the City up to and beyond 2031. There is a distinct lack of evidence to demonstrate any constructive discussions have been ongoing during the NBLP review process.</p>		
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129.2		Borough Plan Review	DS2	Yes	No	Unanswered	<p>Agree with the Council that Bulkington is amongst the 'most sustainable locations for growth' in the Borough. However, RPS raises soundness concerns regarding the development strategy for Bulkington.</p> <p>Bulkington is the 3rd largest (and most sustainable) settlement in the hierarchy, behind the towns of Nuneaton and Bedworth. However, housing to meet the needs of Bulkington has been severely limited since the start of the current plan period (2011).</p> <p>The level of new completions delivered at the Borough's third largest settlement remains anaemic (1.1% of all homes built in the Borough since 2011). This is the result of the tightly drawn Green Belt collar that currently surrounds the settlement as well as the lack of available non-Green Belt sites within the settlement boundary.</p> <p>Against the backdrop of the persistent under-delivery at Bulkington, Regulation 19 Plan allocates two sites, totalling 377 dwellings; Strategic Allocation – West of Bulkington (SHA5) for 348 dwellings, and NSRA9 - Former New Inn Public House for 29 dwellings.</p> <p>According to the site-specific commentary in the Regulation 19 Plan, both these sites now benefit from planning permission are now essentially form part of the extant committed supply. The Council therefore has a limited control on the release of these sites. In any event, these two sites would comprise just 3% of the housing land provision (out of 12,085 dwellings in total) identified in the Regulation 19 Plan.</p> <p>Appendix 2 of the Housing and Employment Land Availability Assessment (HELAA) 2023 predicts both these sites will come forward in years 1 to 5 of the plan period, which is assumed to be 2012-2026. If these sites do come forward as anticipated, then virtually all future planned delivery at Bulkington will effectively stop after 2026.</p> <p>The Council's strategy restricts the forward supply of land at Bulkington, which undermines the wider national policy objective of significantly boosting the supply of homes where it is needed and undermines the ability of the NBLP to meet the needs of specific groups (under paragraph 60 of the NPPF), notably those in need of affordable housing. It is not soundly based.</p> <p>There is no evidence that the strategy through Policy DS2 for Bulkington has been devised taking any account of market signals (outside the standard method calculation) including house prices, which is of relevance in terms of defining an appropriate quantum of growth for the settlement. The approach is not adequate or proportionate and so is inconsistent with national policy and so not soundly based.</p>	<p>Recommends that additional land is directed to Bulkington in line with its role as foci for growth in the Borough, but also in response to the soundness concerns identified in this submission, a namely the persistent under-delivery of housing, the lack of housing land to meet needs in the latter part of the plan period, and the correlation to above-borough house prices seen at the settlement. In numerical terms, the amount of housing to be directed to Bulkington should be at least 12.3% of the overall need (9,810 dwellings), this reflects the market signals (see representation). This would equate to 1,206 dwellings, instead of 377 dwellings assigned to the two site allocations identified under the draft policy, representing an uplift of 830 dwellings. This modification relates to local housing need only and does not account for any additional uplift to account for unmet need from elsewhere in the C&W HMA.</p>	

Agents and Developers

129.3		Borough Plan Review	DS3	Yes	No	Unanswered	<p>The Approach to devising the strategy does not demonstrate effective cooperation on cross-boundary issues and so is contrary to national policy (paragraphs 21, 27, and 35c).</p> <p>The strategy is predicated on a projection methodology that is not justified.</p> <p>The strategy ignores emerging evidence on unmet need from the wider HMA and so is not effective or positively prepared.</p> <p>The strategy does not adequately address affordable housing need in the Borough.</p> <p>Full representation addresses unmet needs from the wider-HMA up to 2039.</p>	<p>The strategy under Policy DS3 is predicated on a projection methodology that is not justified .</p> <p>The approach to devising the strategy does not demonstrate effective cooperation on cross-boundary issues and so is contrary to national policy (paragraphs 21, 27, and 35c)</p> <p>The strategy ignores emerging evidence on unmet need from the wider HMA and so is not effective or positively prepared</p> <p>The strategy does not adequately address affordable housing need in the Borough</p> <p>the total housing requirement would be between 20,502 and 29,286 dwellings over the plan period. The additional uplift is between 594 to 1,082 dwellings per annum compared to the Regulation 19 Plan figure in Policy DS3.</p>	
129.4		Borough Plan Review	Vision	Yes	No	Unanswered	<p>Ignores the emerging evidence pointing to a continued unmet need for housing elsewhere in the sub-region, notably Coventry and wider needs outside the Borough.</p>	<p>RPS recommends that the strategic housing objective for the Plan are amended to properly reflect the emerging evidence on wider housing need across the C&W HMA as well as local characteristics.</p> <p>Accordingly, the draft objective 4 should be amended as follows:</p> <p>“To provide a steady and adequate level of suitable housing which meets the needs of existing and new residents, including housing to assist in meeting needs of households from elsewhere in the wider housing market area.”</p>	

129.5		Borough Plan Review	DS8	Unanswered	No	Unanswered	<p>The policy wording identifies two circumstances, however the first bullet point is a jumble of different (if not related) issues which renders the criteria ill-defined and poorly drafted; whilst the second point relates to 'any other reason that would render the plan, or part of it, significantly out of date' which is also considered to be vague and imprecise. This is not consistent paragraph 16 of the NPPF which requires policies to be 'clearly written and unambiguous' and on this basis alone is not soundly-based.</p> <p>Furthermore, whilst the various circumstances may be of relevance to the matter of a plan review, the policy contains no criteria that relates to the possibility (or, in our view, the probability) that there will continue to exist an unmet need for housing, and also employment, emanating from Coventry City</p>	<p>Make reference in the policy to the potential need for a plan review in response to evidence regarding wider development needs from elsewhere in the C&W HMA as a trigger for a plan review. RPS suggest the first bullet point is modified to read as follows: "If there is clear evidence that the Borough's local housing need or employment need or needs from elsewhere in the wider market area has changed significantly since the adoption of the plan."</p> <p>2. Include appropriate timescales or time limits for the publication of consultation documents in response to the triggers engaged for a review. An additional bullet point should be added, the suggested wording as follows: "publication of a Regulation 18 consultation on proposals, including proposed site allocations, will be issued within one year and submission of a plan review within three years"</p>	Yes
129.6		Infrastructure Delivery Plan	Para 1.10	Yes	No	Unanswered	<p>Lack of clarity on infrastructure provision following removal of site HSG7 in relation to certain schemes, for example contributions towards the Strategic Transport Assessment (NBBC/41), the IDS shows that the sums required are considerable (c. £1.5m).</p> <p>Similarly, there are other implications for infrastructure relating to in-combination provision supported by contributions from HSG7 and SHA5 (West of Bulkington), including the delivery of expanded community facilities in Bulkington village centre.</p>	<p>Allocate additional land to replaces sites removed at Bulkington, to ensure that the provision of infrastructure identified in the IDP and IDS and which is necessary to support the delivery of the Plan is delivered. Additional land should be allocated at Shilton Lane Bulkington (BUL-10) to ensure the Plan is soundly-based in this regard.</p>	

129.7		Borough Plan Review	DS4	Yes	No	Unanswered	<p>The site assessment process inconsistent with national policy and guidance</p> <p>The assessment process is biased towards existing allocated sites</p> <p>The assessment of BUL-10 is not based on proportionate evidence, and scores the site unfairly on that basis</p>	<p>Council should revisit the assessment process overall to ensure it is fair and consistent for all sites, no matter what their current policy designation is, to ensure it accords with national policy and guidance.</p> <p>Revisit the assessment of site BUL-10 to properly reflect and take into account the evidence submitted on behalf of the site promoter, Taylor Wimpey, as highlighted in this submission.</p> <p>The Council should allocate the site in the new NBLP as a suitable location to help address unmet housing need from elsewhere in the HMA, which RPS has highlighted as substantial in separate submissions (to Policy DS3) as part of this consultation.</p>	
129.8		Borough Plan Review	DS6	Yes	No	Unanswered	<p>RPS, nonetheless, does not agree with the Council's decision not to review the existing Green Belt given the wider development issues that are likely to impact on the next round of plan-making across the CWHMA authorities.</p> <p>The consideration of exceptional circumstances is not soundly based. RPS contends there are three clear exceptional circumstances to justify the release of Green Belt through the Regulation 19 Plan, these are:</p> <ul style="list-style-type: none"> • Addressing unmet needs from the wider-HMA up to 2039, which is discussed as part of separate representations to Policy DS3. • Addressing under-supply of housing at Bulkington since 2011 (discussed under representations to Policy DS2) • Releasing Land at Shilton Lane ('omission site') would not undermine wider Green Belt purposes (as discussed under representations to Policy DS4) <p>The appropriateness of releasing Land at Shilton Lane ('omission site') RPS has carried out its own specific Green Belt assessment of the omission site (included at Appendix 1 of submission).</p>	<p>RPS contend that Policy DS6 should be modified to acknowledge the following matters as highlighted in this representation, notably:</p> <ol style="list-style-type: none"> 1. That exceptional circumstances do exist to justify consideration for releasing Green Belt land, which relate to a need to address wider unmet need from elsewhere in the C&W HMA, and to plan positively for the persistent under-supply of housing at Bulkington since 2011. 2. Take forward through the modifications process proposals to release Land at Shilton Lane, Bulkington (BUL-10) from the Green Belt and allocate it for housing . 	

129.9		Sustainability Appraisal	Para 1.9	No	No	Unanswered	<p>Having reviewed the Council's overall approach to conducting the sustainability appraisal, RPS has two specific legal compliance and soundness concerns with the sustainability appraisal:</p> <p>Methodological changes to the SA framework undermine the credibility of the appraisal process and is not consistent with national policy:</p> <p>The SA process used to inform the local plan in Nuneaton & Bedworth has not applied a consistent set of SA Objectives throughout the various stages of the appraisal. The use of different SA Objectives to test different options at different stages undermines the fair and transparent comparison of the Plan alongside reasonable alternatives, which is a key requirement under the SEA regulations highlighted above.</p> <p>The consideration of reasonable alternatives is flawed:</p> <p>The SA process carried out up to the pre-submission stage has not considered any reasonable alternatives relating to the ongoing accommodation of any unmet need from other areas within the Coventry & Warwickshire HMA; notably Coventry.</p> <p>It has not established in either the SA or Regulation 19 Plan that all future development, including any potential unmet needs from elsewhere in the HMA, is capable of being accommodated solely on non-green belt land. That is a matter for the Local Plan review process to determine. Excluding sites on the basis they are simply designated as Green Belt has not been justified. This further points to the flawed approach to consideration of reasonable alternatives within the SA.</p> <p>Pre-submission SA also considers 'small SUEs' (sustainable urban extensions). RPS raises two matters of soundness here. Firstly, the SA does not define 'small SUE' and so it is difficult to understand on what basis the scores have been derived. And secondly, the appraisal excludes 'large' SUEs but provides no explanation as to why it would be unreasonable to include such an option.</p> <p>The SA should be revisited in order to address the legal and soundness concerns identified in this representation. The SA should be amended accordingly and reconsulted on prior to submission of the Plan.</p> <p>Proper consideration of larger site options would immediately raise the potential for directing a proportion of growth to sites within the Green Belt, as this is naturally where such sites can be found. This includes Land at Shilton Lane, Bulkington. To exclude such sites at such an early stage in the SA process also undermines the fairness and transparent treatment of reasonable alternatives.</p>	
129.10							Please refer to the representations for supporting evidence.	

Agents and Developers

130.1	Rosconn Strategic Land	Borough Plan Review	DS2	Unanswered	Unanswered	Unanswered	<p>Draft Policy DS2 is a re-statement of the established spatial strategy in the adopted Local Plan. The Sustainability Appraisal states: "the Council seek to deliver a brownfield first approach." This is a change in approach to the spatial strategy in the adopted Borough Plan. We support the use of urban sites to meet development needs; Land at Willow Close, Nuneaton being such site. However, a more urban-focused approach is an important change that is not reflected within Policy DS2 which states that the Council will merely "encourage" development on brownfield sites which is different from "brownfield first" which would indicate sequential preference given to previously developed land over greenfield land.</p> <p>Whilst a more urban area focused strategy is not in and of itself an unsound approach, there is a lack of a link between the purported spatial strategy within Policy DS2 and the proposed allocations that will support delivery of that strategy and this link needs to be made clearer. In addition, we would note that the deleted allocations HSG4 (Woodlands) and HSG7 (East of Bulkington) are in the Borough's secondary and tertiary settlements (i.e. Bedworth and Bulkington) whereas many of the proposed non-strategic allocations are in and around Nuneaton. This would indicate a swing towards Nuneaton in terms of future growth. However, Bulkington should still experience a level of growth for the role of each settlement in accommodating development.</p>	<p>We would suggest for Plan soundness that Strategic Policy DS2 is redrafted to better clarify the chosen spatial strategy, the role and function of each settlement within the hierarchy and each settlement's role in accommodating growth. At present, it is a simple rehearsal of analogous policy within the adopted Borough Plan despite notable changes to the overall development strategy.</p>	Yes
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130.2			DS3	Unanswered	Unanswered	Unanswered	<p>The evidence base on housing needs has reduced over reiterations.. The figure of 545dpa is higher than the Local Housing Need figure calculated using the Standard Method which would result in a figure of 442dpa. That said, use of the Standard Method as opposed to a "trends-based" approach within Warwickshire would result in significant unmet need "spilling over" from Coventry needing to be accommodated within Nuneaton and Bedworth as per current plan period. Coventry City Council, has abandoned its 35% urban uplift. The soundness and legal compliance of that approach will need to be tested and if found unsound could have significant implications for the soundness and legal compliance of the BPR.</p> <p>The Planning Practice Guidance (PPG) is clear that the Standard Method produces a minimum annual housing need figure. It does not produce a housing requirement. As such, the bespoke report "Towards our Housing Requirement" by Iceni is generally a welcome document..</p> <p>Affordable Housing Need:</p> <p>"Towards our Housing Requirement" is derived from planned levels of economic growth. In respect of affordable housing need, Iceni estimates that 1,628dpa are required, this is dismissed as unrealistic. The housing requirement at 545dpa would not be dissimilar to the average rate of annual completions over the last five years, and which has resulted in the acute affordable housing. Therefore the deletion of existing housing allocations would actively undermine affordable housing delivery and cannot be a sound approach.</p> <p>Unmet Need from Neighbouring Areas:</p> <p>"Towards our Housing Requirement" only deals with potential unmet needs arising from other areas in a cursory way. Firstly, the statement that the minimum local housing need/Standard Method figure for Nuneaton and Bedworth amounts to 409dpa is factually incorrect. The local housing need figure for the Borough is 442dpa as referenced so there is materially less headroom than assumed by Iceni. Secondly, the level of headroom provided by an uplift to accommodate economic growth bears little if any relation to the levels of unmet need which may arise from surrounding areas such as Coventry. As such, the BPR housing requirement lacks critical flexibility to respond to changing circumstances.</p>	<p>The housing requirement figure of 545dpa has not been adequately set to reflect the need to secure affordable housing delivery and to provide a flexibility contingency to accommodate unmet need from surrounding areas. This renders the BPR unsound as it is not positively prepared to meet development needs or respond to changing circumstances. In respect of affordable housing, whilst it may not be possible to meet needs for it in full, existing capacity clearly exists within the Borough to provide more affordable housing that would otherwise be enabled by 545dpa. The evidence clearly shows that 545dpa will continue the trend of affordable housing under-delivery in the Borough. Given the acute affordable housing needs in the area, we would recommend that the LPA consider and incorporate a "capacity-led" uplift into the housing requirement to deliver a level of affordable housing that is closer to the amount that is needed as identified by the evidence base.</p>	
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130.3			DS4	Unanswered	Unanswered	Unanswered	<p>Rosconn Strategic Land is promoting Land off Leyland Road, Bulkington (part of strategic allocation site SHA5) and Land rear of Lilleburne Drive and Willow Close Nuneaton (NSRA8). Rosconn Strategic Land supports the retention of land West of Bulkington within the BPR and the allocation of Land at Willow Close, Nuneaton for residential development. We offer the following observations:</p> <p>Land off Leyland Road, Bulkington</p> <p>Land off Leyland Road, Bulkington forms part of existing strategic allocation HSG8 (West of Bulkington) which forms part of the adopted Borough Plan. HSG8 has made significant progress and has resolution to grant planning permission.</p> <p>The number of planning permissions and the rate at which they have come forward clearly underlines a commitment to bringing the allocation forward. It is therefore appropriate to "roll forward" West of Bulkington into the next plan period. Policy SHA5 articulates a number of key development principles there are several criteria upon which we wish to comment.</p> <p>Policy SHA5 states that West of Bulkington would be developed for a mix of residential and community uses. However, the proposed development is residential in nature.</p> <p>Criterion 1 of Draft Strategic Policy SHA5 specifies at least 348 dwellings. This is welcome, it is noted that planning permissions granted comes to 381 dwellings. It would be appropriate to reflect the planning status of the land for clarity to decision-takers.</p> <p>Criterion 25 states refers to the Concept Plan SPD. This should not be prescriptive but rather a framework. There some conflict with the HSG8 Concept Plan in respect of Rosconn Strategic Land off Leyland Road. We would propose that Criterion 26 is redrafted to</p>	<p>Given the forgoing we would recommend the following changes:</p> <p>Land off Leyland Road, Bulkington</p> <p>1. Amendment to Strategic Policy SHA5: "Strategic housing site SHA5 will be developed for residential uses" Necessary for precision and to provide clarity to decision-takers.</p> <p>2. Amendment to Strategic Policy SHA5, Criterion 1: "Provision of at approximately 381 dwellings in a mix of dwelling types and sizes." Necessary for precision and to reflect the planning status of the site to provide clarity to decision-takers.</p> <p>3. Amendment to Strategic Policy SH5, Criterion 26: "Development proposals should have regard to the extant HSG8 Concept Plan SPD..." To provide sufficient flexibility in delivery of the</p>	
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					<p>acknowledge an element of flexibility and to “have regard to it” rather than be in accordance with it.</p> <p>Land at Willow Close, Nuneaton</p> <p>The deliverability and suitability of Land at Willow Close is reflected as it has resolution to grant planning permission. However, the access lies within the North Warwickshire who have refused planning permission. Whilst WCC Highways raised no objection NWBC refusal relates to the impact of additional traffic movements to the health of existing residents at Willow Close. capacity as a housing manager for the properties along Willow Close. This has been appealed. BPR should be clear that the proposed access from Willow Close is acceptable in highway safety and capacity terms.</p> <p>Aside from access considerations, we note the Plan’s commentary in respect of the site on page 39 of the BPR Publication Draft and consider the relevant points below:</p> <p>Masterplanning</p> <p>The Publication Draft states that opportunities exist to set development back from Bar Pool Brook to protect its function as a wildlife corridor and to continue a sense of undeveloped character along the valley bottom. Bar Pool Brook is likely to be man-made or influenced and lacks value as a natural feature, as noted by the Preliminary Ecological Appraisal and is sluggish limiting potential for important species. As such, whilst Bar Pool Brook is a constraint to be addressed. The Plan states there is an opportunity to enhance the value of Bar Pool Brook but Willow Close is bound on three sides. As such, we do not consider it appropriate or accurate for the supporting text to refer to a sense of “undeveloped character.”</p> <p>Public Rights of Way</p> <p>The Publication Draft offers states a public right of way across the site should be retained. This should be some amended. Whilst there is a public right of way crossing the site, it does so in a manner that would make new development awkward. The outline scheme proposed diverting the public right of way and whilst this approach would still constitute “retention and integration,” the text should be amended so it not required to retain the right of way in situ.</p> <p>Flood Risk</p> <p>The Publication Draft comments on flood risk and refers to fluvial and surface water flood risk and that the site needs to deliver a safe access and egress. WCC Lead Local Flood Authority (LLFA) has no objection to the development and the flooding have already been addressed. The Sequential and Exceptions Test indicates that both tests are passed in respect of the site.</p>	<p>allocation and to provide appropriate guidance to decision-takers.</p> <p>Land at Willow Close, Nuneaton</p> <ol style="list-style-type: none"> 1. Amendment to supporting text for NSRA8: “The access to the site is located within the North Warwickshire Council boundary and has been found to be acceptable on highways grounds by Warwickshire County Council as the Local Highway Authority.” The proposed access is important to the delivery of the site for residential development and it should be acknowledged that it can be acceptably brought forward to provide clarity to decision-takers. 2. Amendment to supporting text for NSRA8 “Opportunities exist to set development back from Bar Pool Brook.” The ecological evidence indicates that Bar Pool Brook has limited ecological value. In addition, the site is located within the urban area bound on three sides by consolidated patterns of residential development. It is incorrect to attribute an “undeveloped character” to any part of the site. 3. Amendment to supporting Text for NSRA8 “The public right of way should be retained and integrated within any proposed development...” To provide flexibility, clarity to decision-takers and to reflect the approved development proposals given they are predicated on diverting the public right of way through the proposed public open space. 	
					<p>The Publication Draft offers states a public right of way across the site should be retained. This should be some amended. Whilst there is a public right of way crossing the site, it does so in a manner that would make new development awkward. The outline scheme proposed diverting the public right of way and whilst this approach would still constitute “retention and integration,” the text should be amended so it not required to retain the right of way in situ.</p> <p>Flood Risk</p> <p>The Publication Draft comments on flood risk and refers to fluvial and surface water flood risk and that the site needs to deliver a safe access and egress. WCC Lead Local Flood Authority (LLFA) has no objection to the development and the flooding have already been addressed. The Sequential and Exceptions Test indicates that both tests are passed in respect of the site.</p>	<p>The Publication Draft offers states a public right of way across the site should be retained. This should be some amended. Whilst there is a public right of way crossing the site, it does so in a manner that would make new development awkward. The outline scheme proposed diverting the public right of way and whilst this approach would still constitute “retention and integration,” the text should be amended so it not required to retain the right of way in situ.</p> <p>Flood Risk</p> <p>The Publication Draft comments on flood risk and refers to fluvial and surface water flood risk and that the site needs to deliver a safe access and egress. WCC Lead Local Flood Authority (LLFA) has no objection to the development and the flooding have already been addressed. The Sequential and Exceptions Test indicates that both tests are passed in respect of the site.</p>	

							4. Amendment to supporting text for NSRA8 "The Report concluded that both Sequential and Exception Tests are required for this site and these tests have been applied and passed." The sequential and exception tests have been passed in respect of the site as per the evidence base document "“Sequential and Exceptions Test 2023” and this should be reflected in the supporting text.		
130.4			General	Unanswered	Unanswered	Unanswered	In order to achieve plan soundness, the housing requirement should be reviewed to provide additional flexibility and capacity to deliver affordable housing within the plan period; the spatial strategy text should be revised to reflect the BPR's change of approach to the management of growth; and that several changes are necessary to Draft Strategic Policy SHA5 and NSRA8 for Plan soundness. As our client is seeking changes to address fundamental issues of Plan soundness, attendance of the hearing sessions into the soundness and legal compliance of the Plan is requested.		
131.1	Tilia Homes	Borough Plan Review	SHA6	Unanswered	Unanswered	Unanswered	SHA6 - Former Hawkesbury Golf Course strategic allocation The former Hawkesbury Golf Course site is a strategic allocation. Policies DS5 and HSG12 allocate the site for at least 380 dwellings. West part of Hawkesbury Golf Course strategic allocation Full planning for the west part has been granted. Vistry Partnerships acquired the west part and a S73 application was granted. East part of Hawkesbury Golf Course strategic allocation As outline planning application for the remaining part and outline planning permission was granted. Reserved matters application proposal Tilia Homes acquired the outline and submitted reserved matters which is under consideration. The outstanding reserved matter will be submitted following determination of the current application. Key principles Draft Policy SHA6 lists the key principles to be delivered at SHA6. Criteria 17 refers to no more than two storeys near the canal. Draft Policy SHA6 does not explain why. We request that this requirement is deleted. The current adopted Borough Plan Policy HSG12 lists the provision of a canal marina as a key principle. The outline permission agreed that the demand for this no longer exists. Consequently, we support the omission of a canal marina from the key principles of draft Policy SHA6.		Unanswered

Agents and Developers

131.2			Policies map	Unanswered	Unanswered	Unanswered	An extract of the draft Policies Map showing Strategic Housing Allocation SHA6 is provided. The northern area of SHA6 is shown as hatched with diagonal green lines but not shown on the Policies Map key. It is assumed that the hatched area denotes a community park. If the hatched area does denote a community park, it is shown in a different part of the site to the outline and reserved matters. We support the inclusion of a community park as a key principle in the draft Policy SHA6 but to avoid confusion we request that the community park is not identified on the Policies Map.		
131.3			H4	Unanswered	Unanswered	Unanswered	Draft Policy H4 states "All residential dwellings should comply with the NDSS..." This could affect viability of development and result in fewer homes. NBBC households may not desire housing to meet NDSS, due to higher rental and heating costs. We recommend that meeting the NDSS is not made mandatory unless it can be demonstrated that there is a clear need for such a standard in dwellings in Nuneaton and Bedworth.		
131.4			BE3	Unanswered	Unanswered	Unanswered	NBBC proposes to provide direction to enable the Borough to become carbon neutral by 2050. This could impact viability. Building requirements in the Borough should be reflective of Government requirements and not beyond without justification that accounts for viability and need.		

Agents and Developers

132.1	Tarmac Trading Ltd.	Borough Plan Review	General	Unanswered	No	No	<p>Reference is made to land off Lancing Road, Bulkington and follow representations made to the Issues and Options Consultation and Preferred Options.</p> <p>This representation maintains a strong objection to the removal of strategic housing allocation HSG7 for at least 196 dwellings to the east of Bulkington. The site should be rolled over and allocated in the emerging local plan to meet the needs of the Housing Market Area.</p> <p>Tarmac's Interest and Progress Up to Date</p> <p>Description and location plan provided of the site referred to. An outline has been granted and which amended the red line boundary</p> <p>Borough Plan Review: Preferred Options, Responses and Officer Comments (2023)</p> <p>At the Regulation 18 we raised several concerns:</p> <ul style="list-style-type: none"> • The SHLAA 2021 incorrectly stating that there are ransom strips. • The housing delivery policies should be based on up to date population projects to provide a stronger basis for calculating overall housing need. <p>NBBC responded to these comments. As the Outline was approved there no evidence to substantiate the existence of a ransom strip and no barriers to the connection. .</p> <p>Duty to Cooperate</p> <p>The Duty to Cooperate required NBBC to engage and work with neighbouring authorities and statutory bodies. The Duty to Cooperate confirms that, as part of the redistribution of housing, NBBC agreed to take 4,408 dwellings and has signed a Memorandum of Understanding which has subsequently been withdrawn. However, this is live until a new Local Plan is adopted by NBBC. The Borough Plan Review should not be adopted until the Statement of Common Ground has been updated to ensure cross-boundary matters have been fully addressed.</p> <p>There is lack of evidence to suggest that the Duty to Cooperate has been addressed which may result in the Plan Review being found unsound and the adoption delayed.</p> <p>NBBC should ensure that the Borough Plan Review contains sufficient flexibility in the longer term given that other plans across the HMA.</p> <p>Representations</p> <p>Representations to the Issues and Options confirmed that the delivery of HSG7 did not require a review.</p> <p>Lancing Road HSG7 would guarantee the delivery of much needed homes and there remains uncertainty regarding other proposed strategic allocations including Tuttle Hill SHA3.</p> <p>The grant of Outline demonstrates that there are no unresolved technical issues. As such a reassessment of allocation HSG7 should be carried out and re-inserted into the plan.</p> <p>The allocation of HSG7 East of Bulkington was removed due to a lack of delivery of the site. The NPPF (September 2023) confirms that, for sites to be considered deliverable, sites must be available now and in particular, where a site has outline planning permission for major</p>		Yes

Agents and Developers

							development or has been allocated in a development plan, "it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years." The removal of this allocation is therefore not considered justified. Tarmac support the allocation of strategic housing site HSG7 with the site providing the ability for early housing delivery to assist the Council in achieving sustainable growth.		
132.2							Please refer to the representations (appendices) for supporting evidence.		
133.1	A R Cartwright Ltd	Borough Plan Review	DS3	No	No	No	Cartwright Homes shares the concerns of NBBC "that this level of growth did not reflect the economic aspirations for the Borough over the plan period." Cartwright Homes agree that a higher housing provision is justified to support a higher provision of housing to assist the economy in performing stronger and align the Council's aims for the Borough's economy and planning for homes, jobs and infrastructure.		Yes
133.2			DS4	No	No	No	Provides details of the strategic and non-strategic sites being brought forwards including status and number of dwellings. Large reliance on two strategic sites one that doesn't have a current application and one that has just Outline and considers additional smaller site such as the Tunnel Road site should be within the Borough Plan to provide additional certainty for the delivery of homes the early stages of the plan period.		
133.3			H1	No	No	No	Cartwright Homes object to this policy. HEDNA gives analysis of market housing but states it is not prescriptive but guidance. It is suggested that the policy wording should be revised to allow flexibility depending on locational and macroeconomic factors.		
133.4			TC3	No	No	No	Notes that new Local Plan reduces walking distance. Refers to Sustrans data. It is therefore considered that 1.2 or 1.6km would be a more appropriate measure to include within policy. Then refers to the Local Centres identified. Cartwright Homes consider that there are clusters of facilities that have been omitted from inclusion as Local Centres.		

Agents and Developers

133.5		N/A	Land to the rear of 89-169 Tunnel Road, Nuneaton	N/A	N/A	N/A	<p>Land to the rear of 89-169 Tunnel Road, Nuneaton is able to accommodate up to 70 dwellings.</p> <p>Provides description of this proposed site and reason why it should be brought forwards. Reasons include Nuneaton being the primary settlement for development, site is not near Conservation areas, Schedule Monuments or valued landscape; area having local facilities and proximity to cycle network and on hourly bus service. Services and distances are set out in a table.</p> <p>NPPF para 69 states that small and medium sites should be included. Therefore, it is submitted that this site should be included within the Borough Plan Review as a non-strategic site to provide further certainty to housing delivery in the early stages of the plan period, given the heavy reliance on uncertain, large, strategic sites.</p> <p>Includes appendices of Sustrans – Walkable neighbourhoods, building in the right places to reduce car dependency, red line location plan, proposed masterplan.</p>		
133.6							<p>Please refer to the representations received (appendices) for supporting evidence.</p>		
134.1	A R Cartwright Ltd	Borough Plan Review	DS3	No	No	No	<p>Cartwright Homes shares the concerns of NBBC “that this level of growth did not reflect the economic aspirations for the Borough over the plan period.” Cartwright Homes agree that a higher housing provision is justified to support a higher provision of housing to assist the economy in performing stronger and align the Councils aims for the Borough’s economy and planning for homes, jobs and infrastructure.</p>		Yes
134.2			DS4	No	No	No	<p>Provides details of the strategic and non-strategic sites being brought forwards including status and number of dwellings. Large reliance on two strategic sites one that doesn’t have a current application and one that has just Outline and considers additional smaller site such as the Tunnel Road site should be considered to ensure supply delivery. Woodlands Lane, Bedworth, adjacent existing development at Dove Close, which will abut the existing allocation HSG4 Woodlands, contained within the adopted Borough Plan, which Cartwright Homes believe should be included within the Borough Plan to provide additional certainty for the delivery of homes the early stages of the plan period.</p>		
134.3			H1	No	No	No	<p>Cartwright Homes object to this policy. HEDNA gives analysis of market housing but states it is not prescriptive but guidance. It is suggested that the policy wording should be revised to allow flexibility depending on locational and macroeconomic factors.</p>		

Agents and Developers

134.4			TC3	No	No	No	Notes that new Local Plan reduces walking distance from adopted Local Plan. Response refers to Sustrans data. It is therefore considered that 1.2 or 1.6km would be a more appropriate measure to include within policy. Then refers to the Local Centres identified. Cartwright Homes consider that there are clusters of facilities that have been omitted from inclusion as Local Centres. Cartwright Homes consider that there are clusters of facilities that have been omitted from inclusion as Local Centres namely Woodlands Lane which provides a shop offering various services and also a GP surgery. It is submitted that Woodlands Lane should be considered a Local Centre, given the level of services available . It is also considered that Policy TC3 should take into account cycling distance.		
134.5		N/A	Land at Woodlands Lane, Bedworth	N/A	N/A	N/A	Land at Woodlands Lane, Bedworth is able to accommodate up to 29 dwellings. Provides description of this proposed site and reason why it should be brought forwards. Reasons include having a lit footpath for entire length, Flood Zone 1 although area of the Site located to the front of the Site is affected by surface, site is within cycle/pedestrian routes of every day facilities and services. Services and distances are set out in a table. Also bus stop 1.1km away. There are opportunities for sustainable travel proportionate, can provide the addition of the proposed extension of the footway on Woodlands Lane to extend to the Newton Road/Heath Road junction. Footways provided on both sides of Newton Road after the junction, which provides connectivity to Bedworth Town Centre. Network of Public Footpaths to the south of the site, which provide alternative pedestrian routes to the main desire lines. Car Parking can be provided on the site in accordance with WCC Car Parking standards and WCC has not objected to the Proposed development and have confirmed that a safe access can be achieved. It is considered that land at Woodlands Lane, Bedworth is in a suitable and sustainable location for residential development. NPPF para 69 states that small and medium sites should be included. Therefore, it is submitted that this site should be included within the Borough Plan Review as a non-strategic site to provide further certainty to housing delivery in the early stages of the plan period, given the heavy reliance on uncertain, large, strategic sites. Includes appendices of Sustrans – Walkable neighbourhoods, building in the right places to reduce car dependency, red line location plan and proposed site plan.		
134.6							Please refer to the representations received (appendices) for supporting evidence.		
135.1	A R Cartwright Ltd	Borough Plan Review	DS3	No	No	No	Cartwright Homes shares the concerns of NBBC "that this level of growth did not reflect the economic aspirations for the Borough over the plan period." Cartwright Homes agree that a higher housing provision is justified to support a higher provision of housing to assist the economy in performing stronger and align the Councils aims for		Yes

Agents and Developers

							the Borough's economy and planning for homes, jobs and infrastructure.		
135.2			DS4	No	No	No	Provides details of the strategic and non-strategic sites being brought forwards including status and number of dwellings. Large reliance on two strategic sites one that doesn't have a current application and one that has just Outline and considers additional smaller site such as the Gipsy Lane site should be considered to ensure healthy supply of homes earlier in the plan period.		
135.3			H1	No	No	No	Cartwright Homes object to this policy. HEDNA gives analysis of market housing but states it is not prescriptive but guidance. It is suggested that the policy wording should be revised to allow flexibility depending on locational and macroeconomic factors.		
135.4			TC3	No	No	No	Notes that new Local Plan reduces walking distance. Refers to Sustrans data. It is therefore considered that 1.2 or 1.6km would be a more appropriate measure to include within policy. Then refers to the Local Centres identified. Cartwright Homes consider that there are clusters of facilities that have been omitted from inclusion as Local Centres.		

Agents and Developers

135.5		N/A	Land south of Gipsy Lane, Nuneaton	N/A	N/A	N/A	<p>Land south of Gipsy Lane, Nuneaton is able to accommodate up to 175 dwellings.</p> <p>Provides description of this proposed site and reason why it should be brought forwards. Reasons include; Whitestone lies to the east of the site and contains a range of shops, schools and community facilities. There is also a doctor's surgery with good bus connections to Nuneaton and the wider area, Nuneaton being the primary settlement for development, it is considered a sustainable location including proximity to primary arterial roads into Nuneaton town centre and access to the M6 and Coventry, in proximity to bus stops 600m,300m and 400m away. Services and distances are set out in a table. It is considered that land south of Gipsy Lane, Nuneaton is in a suitable and sustainable location for residential development. The site is consistent with the identified Settlement Hierarchy, and as such, the release of this site from the Green Belt for development should be considered.</p> <p>However it is acknowledged site is within Green Belt, it is considered that the potential exclusion of the site from the Green Belt offers an opportunity for the existing defensible boundaries of the site to the south and west (the stream) to redefine the edge of the Green Belt, safeguarding the existing quality and openness of the remainder of the Green Belt in the longer term. This will allow the site through sensitive and appropriate development to contribute positively to the shaping of the urban edge of Nuneaton, whilst maintaining separation between the urban areas of Nuneaton, Bedworth and Bulkington.</p> <p>NPPF para 69 states that small and medium sites should be included. Therefore, it is submitted that this site should be included within the Borough Plan Review as a non-strategic site to provide further certainty to housing delivery in the early stages of the plan period, given the heavy reliance on uncertain, large, strategic sites. Therefore, it is submitted that this site should be included within the Borough Plan Review as a non-strategic site to provide further certainty to housing delivery in the early stages of the plan period, given the heavy reliance on uncertain, large, strategic sites.</p> <p>Includes appendices of Sustrans – Walkable neighbourhoods, building in the right places to reduce car dependency, red line location plan and masterplan.</p>		
135.6							<p>Please refer to the representations received (appendices) for supporting evidence.</p>		

Agents and Developers

136.1	Stoford Properties Ltd	Borough Plan Review	Vision	Unanswered	No	No	<p>Refers to the word in the Borough Plan for the vision. Agree with the spirit of the Vision, the Plan itself will fail to deliver 'a place of sustainable economic growth with diverse job prospects' It is therefore not sound, and will be ineffective.</p> <p>The reason for our position is taken with regard to the Employment Trajectory Appendix C of the Plan). This confirms that all Strategic Employment Allocations will be delivered by 2029. This leaves no new strategic employment land to be delivered between 2029 and 2037 (i.e. the end of the Plan period). The Publication Local Plan simply carries forward the same site allocations from the adopted Local Plan, despite all of these sites benefiting from consent already (or in the case of EMP4, an application is being prepared)</p> <p>The Borough will therefore not be able to deliver on the Vision that states 'it will be place that businesses want to invest', because there will be no opportunities for strategic employment development for the 8 years beyond the last Strategic Site being completed. This is not positive plan preparation and will not effectively deliver the Council's Economic Strategy.</p>	<p>A larger supply (and requirement) of strategic employment sites is required in order to rectify this.</p>	Yes
136.2			Strategic Objectives	Unanswered	No	No	<p>Refers to Strategic objective number 2</p> <p>The Plan fails to deliver this Objective, given the Plan's Strategic Allocations are not new, and do not introduce additional employment land supply beyond that which is already committed.</p> <p>Refers to Para 3.3 of the Plan</p> <p>Given this clear evidence is acknowledged by the Council, it is a serious omission to not provide for more opportunities, that could attract knowledge based industries, in addition to those in the sector such as industrial and logistics.</p> <p>Refers to the full Vision of the Plan</p> <p>Agree with the spirit of the Vision, the Plan will fail to deliver 'a place of sustainable economic growth with diverse job prospects' It is therefore not sound, and will be ineffective.</p> <p>The reason for our position is taken with regard to the Employment Trajectory Appendix C of the Plan). This confirms that all Strategic Employment Allocations will be delivered by 2029. This leaves no new strategic employment land to be delivered between 2029 and 2037 (i.e. the end of the Plan period). The Publication Local Plan simply carries forward the same site allocations from the adopted Local Plan, despite all of these sites benefiting from consent already (or in the case of EMP4, an application is being prepared)</p> <p>The Borough will therefore not be able to deliver on the Vision that states 'it will be a place that businesses want to invest', because there will be no opportunities for strategic employment development for the 8 years beyond the last Strategic Site being completed. This is not positive plan preparation and will not effectively deliver the Council's Economic Strategy.</p>	<p>A larger supply (and requirement) of strategic employment sites is required in order to rectify this.</p>	

136.3			DS3	Yes	No	No	<p>Refers to wording in Policy DS3</p> <p>Object to this Policy and the amount to employment land stated.</p> <p>Consider this is insufficient to meet the Strategic Objectives of the Plan. The Publication Plan does not adequately reflect the evidence base, the sub regional HEDNA prepared by Iceni in November 2022. at Refers to table 2.1 of HEDNA 2022.</p> <p>The Publication Plan does not provide justification for only seeking to meet 19.4ha of strategic B8 land, when the sub regional total is significantly higher. This is contrary to the fact that Nuneaton and Bedworth is well located in terms of strategic highways – the M6, A5, A444 - and Iceni note this, as paragraph 6.32 of the Publication Plan advises 'Iceni's analysis indicates a very strong demand for industrial and warehouse/distribution premises in the Borough over the plan period.'</p> <p>It is appreciated that the strategic figure across Coventry and Warwickshire is yet to be formally disaggregated , however with Nuneaton and Bedworth opting to just meet 19.4ha of this need, there is a real concern that the strategic B8 needs will be overlooked. The area of Nuneaton and Bedworth is already heavily constrained by Green Belt, as are neighbouring Authorities. Therefore it is imperative that cross working is undertaken to ensure the Coventry and Warwickshire Authorities meet this Strategic B8 need, taking account of local circumstances – both constraints and opportunities.</p> <p>Paragraph 11.24 of the HEDNA 2022 suggests there are key corridors that could accommodate strategic B8, and lists locations that fall within the Borough. However rather than additional new sites, the Publication Plan only reallocate previous sites from the adopted Plan, despite the majority already being committed and offering little by way of new supply</p>		
136.4			DS5	Yes	No	No	<p>Table 5 of the Publication Plan lists the sources of supply to meet the employment land needed. We disagree with the intention to count the extant allocations (52.15ha) towards that supply. These allocations are being carried across from the adopted Local Plan and were intended to meet the requirements of that Plan Period, and not to be 'stretched' to cover an extent, new Period through to 2039. In addition, all allocations benefits from either a planning permission or are awaiting determination. As such, the sites will make little to no contribution towards the second half of the Plan period.</p> <p>We also object to the reference at para. 6.46 that suggests the existing allocation of Faultlands Farm will meet the strategic B8 need within the Borough, given that this allocation pre dates the evidence base that identified there was a Strategic Need. The role of Faultlands Farm was to meet identified needs arising from Nuneaton and Bedworth in the adopted Plan – the Inspectors Report (2017) refers to the role of that site as 'meeting the needs of the growing logistics sector'. In allocating Faultlands Farm in the adopted Plan, there was no reference to there being a role for that site, beyond the needs of</p>	<p>The Council should agree through a Statement of Common Ground, what proportion of the Strategic B8 quantum identified in the 2022 HEDNA, should be delivered through this Local Plan. It is not acceptable to take a reduced figure of 19.4ha and leave the residual Strategic B8 land to other LPAS to find, who are further behind in their preparation of Local Plans.</p> <p>Additional sites are required to provide choice and land for</p>	

Agents and Developers

							<p>Nuneaton and Bedworth. The decision to recount that same land for future needs, evidenced in the 2022 sub regional Assessment is not acceptable.</p> <p>meeting future employment land needs.</p>	
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Representation Reference	Organisation	Document Name	Section	Legally Compliant ?	Sound ?	Duty to Cooperate ?	Comments	Suggested Modifications	Participate at EIP?
201	Woodlands Action Group	Borough Plan Review	General	Yes	Yes	Yes	Duty to Cooperate has to be done with other authorities. The problem with Coventry City Council is that they have not yet reviewed their plan which has dumped 4020 dwellings on Nuneaton and Bedworth Borough Council on proven false population figures. Supports the Council's decision to remove/delete HSG4 from the reviewed plan. The Council have engaged fully with neighbouring authorities and statutory bodies.		Yes
202.1	CPRE Warwickshire (Campaign to Protect Rural England)	Borough Plan Review	DS2	Unanswered	No	Unanswered	The title does not indicate that it sets policy for the rural areas of the Borough. Fifth paragraph – general statement without containing any detailed policy. Yet it is to be relied on by the Council in arguing against returning to the Green Belt land which was allocated for housing in the adopted Local Plan but is not allocated in the new Plan. Green Belt policy includes detailed development control principles which this policy does not - yet it is to control development on land which was Green Belt or had been Proposed Green Belt and which will be under pressure from developers if left as unallocated land ('white land'). If the Local Plan is going to be adopted with these areas of countryside not returned to the Green Belt, a full and detailed separate policy is needed to make the Plan sound.	Expand the policy to include definition of the 'rural area' would make it complex and take it beyond its scope as defined by its title. A new additional policy is needed to define development control criteria for the rural land areas which are not Green Belt. Alternatively, expand policy DS6 (Green Belt) to include policy for the 'rural areas' which are not Green Belt. The policy should be essentially the same as for Green Belt. The most straightforward solution is to include these areas of rural land in the Green Belt by changing the Green Belt boundaries. That will bring them under Policy DS6 as written.	Yes

202.2			DS3	Unanswered	No	Unanswered	<p>These amounts of development are in excess of actual need and are too high.</p> <p>The figure in policy DS3 of a 'minimum' of 545 houses per year which the Plan should deliver is significantly too high. On the assessment done in 2023, the need is in the range 400-425 per year, or 20% less (strictly 409-424 from the tables in the Plan).</p> <p>Para 6.26 states that the housing supply (land available) in the new Plan will be 12,100 houses - 2,300 houses higher than even the Plan's projection of a requirement of 9,810 dwellings 2021-2039. The now calculated real requirement of 409-424 dw/yr means that there are allocations in the Plan which are not necessary and should be deleted. SHA2 is the most obvious unnecessary allocation to delete, in addition to HSG4 and HSG7 (deleted already).</p> <p>There is no need or justification to accept any housing requirement from Coventry.</p> <p>CCC's expected objections to the Plan, in which it seeks to argue for housing land to be supplied in NBBC's area to meet Coventry's needs, are unjustified.</p> <p>Responses to the City Council's Issues and Options stage of its Local Plan Review make clear that the City Council's projections of future population and household numbers, indicated in the I&O consultation paper, are too high and should be reduced.</p> <p>The employment land requirement set out in Policy DS3 is well in excess of the actual need.</p> <p>Warehousing provides few jobs per hectare and is an inefficient use of land.</p> <p>Point 6.46 states the warehousing need is covered by Faultands but table 6, p 25 shows there is surplus of 19ha because of the availability of industrial land now.</p>	<p>Policy DS3 needs to be amended to reduce the housing requirement for 545 dw/yr to 409-424 dw/year and the total for the Plan period 2021-2039 from 9,810 to 7,500-7,600 houses.</p> <p>Policy DS3 should be rewritten to make clear there is a surplus of employment land and should state that there is no requirement for any new allocation of employment land in the Plan period. The employment land requirement can be met by using existing land in employment or related uses.</p>	
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202.3			DS4	Unanswered	No	Unanswered	<p>These are mostly greenfield and some were Green Belt until the 2018 Local Plan was adopted.</p> <p>CPRE Warwickshire's objection made to Policy DS3 shows that the housing requirement is actually some 20% less than the Plan proposes, and also notes the supply of sites is well in excess of even the inflated annual requirement of 545 dw/yr.</p> <p>Some of the sites listed in the Table should be deleted:</p> <p>The parts of SHA1 (Top Farm) which do not have planning permission. SHA2 (Arbury) which is a damaging and unjustified allocation, has poor access which will require costly spending, requires complex legal agreements and which is not required to meet the real housing requirement of the Plan.</p> <p>SHA4 (Hospital Lane) which has a resolution to grant permission but no S106 Agreement or outline permission</p> <p>SEA6 (Bowling Green Lane – housing element) where there are outline planning applications but no permissions; this location has poor highway access and is close to the M6 and A444 so would be affected by noise.</p> <p>Deleting these large sites is all the more justified as the second part of Policy DS3 lists a significant number of small housing sites in the urban areas which would comply with the national policy to maximise use of brownfield land. These add up to a capacity of 689 houses.</p>	<p>Policy DS4 should be amended by deletion of the Sites SHA1 (Top Farm), SHA2 (Arbury), SHA4 (Hospital Lane) and the housing site at SEA6 (Bowling Green Lane). The allocated major sites table (p33) should be amended to omit these sites, totalling 3,700 houses. The table would then show a total supply from these greenfield sites reduced to 1,100 houses (from 4,769 in the table in the Published Local Plan).</p> <p>Policy DS4's Non-Strategic Residential Allocations (table p34) shows that 689 houses can be delivered on small urban and previously-developed sites. Priority should be given to development of these sites.</p>	
202.4			DS5	Unanswered	No	Unanswered	<p>See objection to policy DS3.</p> <p>There is a surplus in land supply for employment uses.</p> <p>There is no need for new employment land at locations on green field sites.</p>	Delete the table in policy DS5.	

202.5			DS6	Unanswered	No	Unanswered	<p>The policy does not mention alterations to the Green Belt boundary but this is covered in a subsection (paras 6.68-6.71).</p> <p>The Green Belt Technical Report has examined whether land removed from the Green Belt can be justifiably returned to the Green Belt – The report has not been subject to public consultation and there was no opportunity to respond to it or to make representations to the Council about its content.</p> <p>The work undertaken on this important subject only examines to housing locations in the adopted Plan – HSG4 and HSG7. Similar appraisals should be given to the School Lane/Longford location which had been land in the Green Belt until the adoption of the present plan and for which policies HSG6/EMP6 are not being continued. Additionally policy HSG2, Arbury, now policy SHA2, Arbury, should have been examined for removal of allocation and return to the Green Belt.</p> <p>The assessment of HSG4, Woodlands, is particularly defective. The work by Arup assumes that the rest of the old Bedworth Woodlands allocation land, north and west of HSG4, which was allocated for housing in the Local Plan of the 1990s, would stay land outside the Green Belt. The whole of the Woodlands 'white island' that resulted from abandonment of the larger allocation after an Appeal decision by the Secretary of State in 2001 should have been assessed for inclusion in the Green Belt. It was all in the Proposed Green Belt until about 1975.</p> <p>The process of appraisal of all these areas of land whose allocations are proposed for deletion in the new Plan needs to be carried out fully and with public participation.</p> <p>CPRE Warwickshire objects to the detailed text supporting policy DS6 for these reasons.</p> <p>As stated in CPRE Warwickshire's objections to Policy DS3, Settlement Hierarchy and roles, the policy to protect these areas as 'rural land' or 'white land' is inadequate. Only Green Belt Status will protect them from encroachment.</p>	<p>The Policies/allocations in the adopted Plan which are to be deleted in the new Plan (Appendix A p206-208) are all supported for deletion: see list above.</p> <p>The land of what was housing allocation HSG4 (Bedworth Woodlands) and the agricultural land to its north and west (which were proposed as housing allocation in the 1990s Local Plan) should be included in the Green Belt.</p> <p>The land that was housing allocation HSG7 (North of Bulkington) should be included in the Green Belt.</p> <p>The land which is current housing allocation SHA2 (Arbury) (HSG2 in the adopted Local Plan) should be de-allocated and included in the Green Belt.</p> <p>The land that was housing allocation HSG7 (North of Bulkington) should be included in the Green Belt.</p> <p>The revision of Green Belt boundaries that would bring about these changes and restore these areas of land to the Green Belt should be undertaken with public participation (which was not the case with the recent Arup 'New Green Belt Technical Report'.</p> <p>As stated in CPRE Warwickshire's objections to Policy DS3, Settlement hierarchy and roles, the policy to protect these areas as 'rural land' (or white land') is inadequate. Only Green Belt status will protect them from encroachment.</p>	

202.6			SHA1	Unanswered	No	Unanswered	<p>The houses proposed are not now required due to the lower annual housing requirement for Nuneaton and Bedworth than is the basis of the adopted Local Plan.</p> <p>While there is an outline consent for most of the area of SHA1, the financial requirements of this, including a spine road, may mean that it is not delivered.</p> <p>The loss of countryside and farmland between Nuneaton and the A5 would be complete if SHA1 is allocated.</p>	Policy SHA1 should be deleted.	
202.7			SHA2	Unanswered	No	Unanswered	<p>This housing proposal is not necessary for the revised housing requirement.</p> <p>The policy has many requirements which are difficult to meet and has a serious cost requirement because its lack of road access.</p> <p>Significant new road construction is required and that if financed will not reduce, but rather increase, congestion on existing roads.</p> <p>Adopted Concept Plan SPD – there's been a public consultation but no planning application or timescale when the whole plan could be implemented.</p> <p>The lack of need for the housing, and the harm this proposed allocation will do to the environment, landscape and setting of Arbury Hall justifies removing the allocation and returning the land to the Green Belt.</p>	Delete the allocation SHA2 and return the land to the green belt.	
202.8			SHA4	Unanswered	No	Unanswered	<p>The site is not required as the housing requirement in the Plan is much lower than assumed in the adopted Local plan.</p> <p>While there is a resolution to grant permission, no S106 Agreement has been signed and it could be refused.</p>	Site SHA4 should be deleted from the Local Plan.	

Representation Reference	Organisation	Document Name	Section	Legally Compliant ?	Sound ?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
301.1		Borough Plan Review	Local context of the Borough 2.5	No	No	No	This paragraph fails as the borough has a massive shortage of employment. 30% work in 'routine' or 'semi-routine' occupations [2021 census] and the borough has a job density of 0.65, there are only 54,000 jobs in the borough. The 'Local context of the Borough' must include a paragraph that indicates the massive amount of net out commuting that takes place, mostly by car.	The level of out commuting needs addressing and plan revised to be more employment and sustainable transport focused. To be sound we need to be providing more of the sub-regional employment.	Yes
301.2			Vision for the Borough 4.0	No	No	No	These paragraphs look great but this vision is simply not possible with this plan. The higher land values and house price in the South of Warwickshire leads to higher quality homes being built there while a very high housing target leading to a push for quantity over sustainability in this borough. People in the borough live shorter lives and have seriously less opportunity than those in richer places. The vast majority of countryside in the borough would be built on under this plan and residents blighted with increased traffic.	The vision should be that "By 2039, Nuneaton and Bedworth Borough will be more sustainable with better health, education and access to diverse job prospects both in the borough and via better public transport to adjacent areas. The quality of housing should be equal to the best in the sub-region. The level of growth must not exceed the ability of the planning system to ensure that it is truly environmentally sustainable".	
301.3			DS1	No	No	No	Sadly the Borough council lets developers backtrack on plans to have walking and cycling route to developments from day 1. The best example is application 33926 for current plan HSG10. It is on far side of 40MPH Eastboro Way. The planned signalised junction and separate pedestrian crossing have both been delayed but the site is being occupied. The s106 funding for cycle route on Eastboro Way was far too low which means nothing will be provided to allow safe cycling. "Car-free neighbourhoods will be encouraged" is useless. We also have developments where the county council failed to provide a bus stop in one direction such as application 33758 (St James Gate)/Davidson's Church fields which has no Nuneaton bound bus stop.	Policy DS1 should include 'All development sites must provide safe walking and cycling routes from the site to local infrastructure such as schools and bus stops (in both directions) from the first day of occupation'.	
301.4			DS2	No	No	No	The vast majority of the housing delivered since 2011 has been in the North of Nuneaton. The vast majority of the local employment is to the south both within the borough and sub-region. For example 91% of housing in the 2021/22 AMR were in Nuneaton.	Remove housing from the hierarchy list in policy DS2.	

301.5			DS3	No	No	No	<p>The borough cannot build housing at the rate required and provide a suitable level of quality and sustainability. The rate of natural population change (births to deaths) is now close to zero and is likely to become negative under current government policies. Between 2011 and 2021 census we had population increase of 8,948 with massive housebuilding and the Government help to buy which drew in significant internal migration into the borough. The borough is building more homes than the rate of household formation. Empty homes have gone up to a record high – According to the monthly Council tax reports, in July 2023 there were 1741 properties empty in Nuneaton and Bedworth. Last year it was recorded that 1544 properties were empty in April 22. So there has been an increase of 197 more properties empty. The 'Toward a Housing Requirement for Nuneaton and Bedworth' is deeply flawed. The biggest mistake is in section 4.32 with the claim of a 'commuting ratio of 1.328'. Nuneaton and Bedworth have a massive shortage of employment and post 18 education with the Borough. The 2021 census shows we lose 8% of our population every day – it is one of the highest in England the opposite of Warwick. When we create 100 jobs in the borough many are taken by local population who would otherwise commute out. The population projections used to produce the local plans in Coventry and Warwickshire were out by roughly 32,000 at date of 2021 Census.</p>	<p>Replace requirement for 9,810 homes based on 545 dwellings per annum with a stepped target of 400 per year between 2024 and 2029, 350 a year between 2030 and 2034 and 300 a year after 2035. That is on line with reducing population growth as deaths exceed births.</p>	
301.6			DS4	No	No	No	<p>There is no capacity for the waste water coming from the excessive new developments in North East of Nuneaton. Plans to upgrade the 1970 Weddington pumping station have been paused. Likewise plans for a new station entrance on Weddington side of Nuneaton station are unfunded. That project looks like it will not happen. We do not need to develop Top Farm and that development cannot be sustainable as things stand. Please remove it from the plan. Likewise there is limited capacity for so much development on the Arbury site given the lack of public transport capacity. The borough and county council have scrapped Nuneaton flood alleviation project which makes NSRA14 Mill Street/Bridge Street, at extreme risk of flooding. To develop it by significantly rising floor levels and parking spaces would increase flood risks at other sites. Site NSRA4 hosts a locally important library building designed by Frederick Gibberd. It should be preserved and the rest of the site used for employment, education or recreational use.</p>	<p>Remove the allocation for Top Farm, remove NSRA14, remove NSRA4 and reduce requirement at Arbury to 525.</p>	

301.7			DS5	No	No	No	SEA4 has been wild land for many years and so some of the site should be used as a nature reserve. Some of the site is in a HSE blast zone which limits its use. There's a long standing plan to restore the Bermuda Branch of the Coventry Canal.	Revise SEA4 to reduce allocation, protect possible restoration of Canal branch and preserve some area for biodiversity.	
301.8			SHA1	No	No	No	The North of Nuneaton does not have the capacity to accept more development. The sewer network and 1970 pumping station are over capacity and already discharge overflow into the river Anker around 90 hours per year. Planned improvements to public transport such as a new station entrance and increased services to Coventry have stalled. If it is developed there is unlikely to be a need for a primary school as there are four primary schools close to the site which will have the capacity due to falling birth rates. The Lower Farm academy was built at twice the required capacity in the current plan and is under-used. The proposed site for the primary school is on site of foot and mouth burial pits. It is obvious that this masterplanning makes the school plot expensive to develop. Likewise part of the site is being saved for a council owned sport centre which will never be built. The whole area already has serious traffic queues in the morning period and there is still outstanding developments such as Calendar Farm phase 2. The county council has failed to progress cycle routes, provide some bus stops and is not likely to provide the promised new station entrance. Plans for a 2 train per hour service to Coventry has been cancelled.	Ideally remove SHA1 from the borough plan, failing that reduce the size of the allocation, remove the requirement for primary school, require waste water upgrade for Weddington and station entrance is provided before any occupation.	
301.9			SHA2	No	No	No	The county council has failed to progress cycle routes between Nuneaton and the boundary of Coventry via Bedworth. Plans for 2 trains per hour to Coventry have been cancelled. The development is highly dependent on cars for transport and there is a lack of capacity on the highway network. It is impossible for this development to have any modal shift unless we get massive investment.	Reduce capacity of site to 500 unless the cycle connections, bus service and rail frequency are improved. Permit no more than 500 homes without the 2 trains per hour between Nuneaton and Coventry at Bermuda Park.	
301.10			SHA3	No	No	No	The borough and county councils have scrapped a proposed Nuneaton flood alleviation project that was planned to stop a major flood event in the town centre from the over topping of the Coventry Canal. The main flow of water comes down from Galley Common and Camp Hill into the Canal that then overtops at several locations. Part of that flow will go down north side of SHA3 and add to flooding in Weddington. It is likely that extra surface water storage will be needed in future and the site plan should make provision for it to be more significant than model used for borough plan.	Provide extra surface water storage near north boundary of site for canal 1% APE event. Provide walking and cycling routes.	

							We also have no safe walking or cycling route on North side of Midland Road where it crosses the railway to Birmingham. The extremely narrow path on north side (right on picture) is less than half a metre.		
301.11			SHA5	No	No	No	The borough council has already given parts of this site permission with no requirement to provide cycle links between Bulkington and Bedworth. The issue with sewerage treatment capacity has also been ignored. As existing permission does not properly fund required infrastructure then the rest of the allocation should be removed unless extra secure funding can be provided.	Remove SHA5 unless lack of infrastructure can be overcome.	
301.12			H2	No	No	No	So many developers game the system by submitting applications just below thresholds such as the proposed 11 or 15 homes. It makes no sense to suddenly add 2 affordable homes at the 11th home. We also have a vast amount of housing in the borough that needs modernisation. Would be acceptable to request funding for empty homes refurbishment for small sites as alternative on small sites.	Remove step at 11 homes by requiring 1 affordable home for 7 to 10 homes but also permit the first 2 affordable homes be provided via refurbishments of off site existing empty properties.	

301.13			HS2	No	No	No	Development needs to provide access to active travel from the day of first occupation. The borough and county council has allowed developers delay pedestrian access and cycle lanes far too often. The best example in Crest Nicolson development on Eastboro Way. This has no crossing of 40mph road, no cycle route and no pavement on east side of very busy road. Not a single major development has any positive modal shift. Remove reference to Parkway as it is on the A5 in location which can only be accessed by cars. A parkway station could reduce services stopping at Nuneaton Station. It is not sustainable and no evidence has been provided to justify it.	Development needs to provide access to active travel from the day of first occupation. No homes should be occupied until bus stops are installed. Development cannot assume 15% modal shift will happen without really good infrastructure. Modal shift must be measured every 12 months from first occupation and increased funding/measures provided until the point 15% modal shift is obtained. Remove reference to Parkway and replace with requirement for new stations in West of Nuneaton and south of Bedworth plus new Weddington access to Nuneaton station. Require that developments support increase frequency of rail service to Coventry, Birmingham and Hinckley.	
301.14			HS6	No	No	No	The borough population has poor life expectancy and poor average health.	Ensure all developments have access to walking, running and cycling off road. Larger strategic sites should have running routes and measured miles.	
301.15			NE1/NE4	No	No	No	The borough will have major problems with flooding due to combination of climate change, over development and clay soils. We need catchment area plans for holding water back as high in the catchment as possible and we need all developments to mitigate for the problems over the wider area. We need more room for water courses to expand by widening the area of flow above the normal water line and adding areas that can flood when needed. We need to reduce the amount of steep sided banks and remove or reduce weirs. We need more green roofs and use porous surfaces in large hard areas such as car parks.	Modify to add the comments.	

301.16			BE2	No	No	No	<p>It is unreasonable and illogical to apply restrictions on wind technology which are not also applied to things like 'biomass'. Need restrictions on biomass in relation to fuel supply and emissions. Should support hydro-power. We have significant rivers and quarries which could be used to generate and potentially store energy. Given its low cost we should have every practical area of roof used for solar generation. Our standards should match Warwick.</p>	<p>Add support for hydro-power. Add restriction on Biomass with respect to fuel source and emissions (both direct and transport related). Remove excessive restrictions on Wind Power. Every practical area of suitable roof must be used for solar generation. The standards for Nuneaton and Bedworth must be the same as proposed in Warwick.</p>	
301.17			BE3	No	No	No	<p>The standards for Nuneaton and Bedworth must be the same as proposed in Warwick. Heritage assets should be permitted to have solar panels added if done so in a sensitive way. The borough has some historic buildings which would be at risk due to rising energy costs. We should have the same Excellent rating as better off areas.</p>	<p>Major non-domestic (commercial) development proposals must meet the Building Research Establishment's Environmental Assessment Method (BREEAM) Excellent rating.</p>	
301.18			Appendix D	No	No	No	<p>Bedworth Police station and Health centre have zero conservation value. Bedworth Civic Hall has hosted many world class artists including Ken Dodd and Pavarotti.</p>	<p>Remove Bedworth Police station and Health centre from the conservation area and add in Bedworth Civic Hall.</p>	
301.19							<p>Please refer to additional emails, from the representative, containing supporting/background evidence, alongside the individual representations received.</p>		

Representation Reference	Organisation	Document Name	Section	Legally Compliant ?	Sound?	Duty to Cooperate?	Comments	Suggested Modifications	Participate at EIP?
401	N/A	Borough Plan Review	SEA6	Unanswered	Unanswered	Unanswered	<p>Previously told there are plans to build 93 dwellings plus a care home and 60,000 sq. m. of industrial floorspace.</p> <p>The planned industrial development is viewed as 'totally inappropriate' for a largely residential area.</p> <p>One main concern relates to the traffic that will be generated. All HGVs from the industrial site will be routed via School lane in Exhall – not suitable for such traffic.</p> <p>School Lane is used by students twice a day as a pedestrian and cycle route to Ash Green School.</p> <p>The junction where School Lane meets Coventry Road and Bayton Road industrial estate is already very congested.</p> <p>The scale of the industrial floorspace and associated parking bays suggests a large quantity of lorries coming and going which is a safety risk for pedestrians and will cause traffic issues.</p> <p>Has an up to date traffic survey been carried out on School Lane that includes the number of vehicles using the Coventry Road junction during the evening rush hour?</p> <p>Roadworks in August/September caused traffic problems.</p> <p>Notes that the area marked for industrial usage (SEA6) now extends as far as the old Pedley's caravan storage site on Goodyers End Lane.</p> <p>Entrance/exit to the industrial site is totally inappropriate – bend in the road in effect causes a blind corner and cannot cope with a large number of vehicles</p> <p>Fairly recently a student from Ash Green School was knocked down on that corner.</p> <p>The pavements are quite narrow here and the traffic swerves around the corner without being able to see what is coming.</p>		Unanswered

Individuals

402	N/A	Borough Plan Review	SHA4 and SEA6	Unanswered	Unanswered	Unanswered	<p>Cannot believe that Highways state that there will be no problems with traffic in these areas – already issues on a daily basis.</p> <p>Local councillors have stated publicly that they, themselves, experience problems accessing local roads morning and night. Daily queues to Nuneaton and Bedworth.</p> <p>No consideration of cumulative effect of all the cars from new developments adding to roads that are already overloaded.</p> <p>New buildings will put too much pressure on the area when added together.</p> <p>The M6 in Bedworth frequently has delays and closures and traffic is diverted onto Goodyers End Lane and Heath Road.</p> <p>Hospital Lane area was removed from Green Belt with little consultation with locals. Publishing in the local paper is unsatisfactory as most people won't see it.</p> <p>Plans for Hospital Lane take no account of the nature of the road – several points of entry to the new development along the lane which is not capable of coping with the amount of traffic – already busy with cars parked in the road outside the residential/nursing home.</p> <p>The erection of industrial units in a residential area behind houses is not in keeping with the nature of the area.</p> <p>Access onto Goodyers End Lane from the Renault Garage area would be on a dangerous bend with restricted views. Already accidents happening.</p>		Unanswered
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Individuals

403.1	N/A		SEA6 / HEA-2 (pg 54)	No	No	No	<p>This policy made a broad statement of plans to commercialise land next to an ancient monument as 'unlikely to affect it'. This is fundamentally wrong.</p> <p>In the Borough Plan the site has been listed as 'largely lost'. This is wrong as most of the moat remains intact and waterfilled on all sides. The land is protected and undisturbed.</p> <p>The document repeats this over and over and is completely incorrect. The site is protected by law and does not have any lesser legal protection because of its appearance or lack of visible historical architectural footings. They are present under the lawn. The moat is still 100% present, visible and functional with the river.</p> <p>The biome of the moat is also protected and this proposed development and its associated stated pollution and PM2.5 particles and noise pollution from lorry traffic volume will irrevocably harm the protected site and its protected endangered ecosystem.</p> <p>The stated pollution from the estimated 100-200 lorries per hour at peak times would destroy the habitat of these creatures as the connected River Sowe, which fees the moat, would become polluted from the ambient traffic emissions and run off.</p> <p>The purpose of this plan states that conserving the areas most valuable environmental assets is one of the main policies. Please adhere to this.</p> <p>HEA-2 goes on to foresee damage to the scheduled ancient monument from the designation as commercial. The Council is in control of whether this damage can take place. Under Section 61(9) of the Ancient Monuments Act 1979, the Secretary of State should, by law, be notified of foreseen intent to damage the Scheduled Ancient Monument.</p>	<p>The Bowling Green Lane site mapped as SEA6 block in purple designated as commercial land should be redesignated as residential, agricultural or conservation. Any developer should be made to leave a large buffer zone for the ecological preservation of the Scheduled Ancient Monument.</p> <p>The Borough Plan should also include remedial plans for the growing pollution from lorry traffic in the area due to other sites designated locally as commercial. These should not simply allow developers to make payments to DEFRA which doesn't help the pollution and impact locally but make a serious tangible enforceable plan to reduce impact on local wildlife and monuments such as the M6 and A444 sound and pollution barriers.</p> <p>Banning of lorry traffic through residential areas such as School Lane.</p> <p>Use a sound barrier next to the motorway to allow residential development.</p>	Yes
							<p>Commercial has been planned due to the motorway but it is not suitable for commercial traffic to come through a residential area. Do not wilfully damage a Scheduled Ancient Monument and its unique ecosystem.</p> <p>Please redesignate the land as residential, agricultural or conservation.</p>		

Individuals

403.2			SEA6	Yes	No	Yes	<p>Flooding in River Sowe has been noted to be increasing in recent years – flooded almost all homes at the junction of Bowling Green Lane and School Lane in Feb 2020.</p> <p>The proposed commercial designation puts nearby properties to SEA6 and the Scheduled Ancient Monument – Exhall Hall Moat at further risk of flooding.</p> <p>The flood risk will damage the wildlife, standing structures and also risk damage to the structure and earthworks of the monument itself.</p> <p>The River Sowe runs through the moat. Not beside it. The sluice brings flow of the river through and around the monument before depositing it back through the outgoing sluice. There is no feasible way to adequately defend against flooding as residents and therefore town policy will dictate flood destruction due to developments increasing run off into the river. Particularly the commercial site proposed.</p> <p>The huge amount of covered land for lorry parking would cause massive amounts of run off during storms as groundwater absorption of a vast area will be covered. Even if drainage is put into local drain systems these could easily overflow into the river causing damage and pollution.</p>	<p>Re-designate land at the junction of Bowling Green Lane and School Lane as residential, agricultural or conservation.</p>	
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Individuals

403.3			SEA6	No	No	No	<p>The commercial designation and proposed commercial development of the sit eat junction SEA6 is cause for several traffic concerns – listed as such in paragraph 7.23 yet the designation of this land for further commercial use in a residential area will compound an issue that is already listed in the borough plan documents as severe. This is unsound. The junction cannot tolerate any further traffic at peak times and schoolchildren walk through this junction.</p> <p>The increase in traffic of HGVs through a residential road to a single commercially designated field is ridiculous.</p> <p>The River Sowe at this junction runs through the Scheduled Ancient Monument at Exhall Hall Moat and back into the river – all traffic pollution into the river from the commercial designation and pollution from run off will run into the moat.</p> <p>The borough plan was modelled on previous traffic data. Traffic has greatly increased in the area and so further development adjoining the monument and its ecosystem could push PM2.5 above the UK law maximum. Definitely be above the upper limits set out in the new Environment Act 2021 for 2040. New traffic modelling is required.</p> <p>Also a huge amount of noise pollution in the area from current traffic from the A444 and M6. Residents at their limit for noise pollution and this should not be compounded when it can be easily avoided.</p> <p>Noise pollution will be caused at night and in the early hours of the morning to offload and onload their cargo.</p> <p>Highways England should also be notified and brought into the conversation about all of these developments as it would be interesting to see how they will replan or upkeep small residential roads with the proposed amount of traffic. Believe this would be a failure of the Duty to Cooperate.</p> <p>Parked traffic on School Lane prevents even standard sized cars from going through quite often. Lorries struggle to get through and take a long time to navigate the parked cars. This designation would leave the area at a permanent standstill.</p> <p>Widening the road won't solve any problems as the cars will still park and the pollution and noise will increase.</p> <p>Believe there has been a total failure in duty to cooperate with local schools on traffic due to be create at this site.</p> <p>School children cross this junction every day and there will be nowhere safe to cross after this land is developed. A bridge for schoolchildren and railings would have to be installed to prevent injury and death at the very least.</p> <p>Lorries have poor visibility in blind spots and schoolchildren are prone to crossing the road at inopportune moments. The only way to prevent lorries causing injury to the children in this area is to try and keep them in separate zones.</p>	<p>Please re-designated the land at SEA6 as residential, agricultural or conservation. If there's concerns that the land will become useless there is always a need for housing. Modern energy efficient housing with lots of green space buffer zones along Bowling Green Lane and alongside the M6. Or it can be designated as agricultural only. It is currently used as such. With the cost of food, local farming is necessary. Please reconsider the designation of this land from commercial to something safer.</p>	

Individuals

403.4							Please refer to each representation (403.1 - 403.3) for supporting evidence.		
404.1	N/A		General	No	No	Yes/No	The policies are not being applied to all applications rigorously enough and we are getting sub-standard developments. The mechanisms for monitoring outcomes appear rather weak, with no means of rectifying the issues if policy is not effective e.g. TC2f – increase the number of national retailers present in the town centres. Surely this is just down to market forces and none of the policies can make that happen? <i>Mention of Crows Nest Pub development – district/local centres.</i>		Yes
404.2			HS1				Whilst the words of the HS1 policy are ok, they are very vague and non-specific. There should be mention of linking the railway station, bus station and Town centre in Nuneaton and the train station and town centre/bus stops in Bedworth. Only by having specific policies to encourage this can we possibly get people out of their cars and onto public transport and walking and cycling and achieve the 15% modal shift that the Plan requires. If these things are not in the Borough Plan, getting money from developers toward their cost will not be possible and we have no hope of getting 15% modal shift. There should be specific mention of an entrance on the Weddington side of the existing Nuneaton station and Stockingford station (feasibility study already carried out by WCC). No mention of this study in the Plan evidence base – therefore unsound.		
404.3			HS2				Concerned about the monitoring. What are the penalties for not conforming to the various policies and SPD? Appear to be none. E.g. The Crow's Nest supermarket does not conform to the SPD regarding the cycle parking and there are no consequences except a poor development that the residents are stuck with.		
404.4			SA1				Point 13 – New developments should be built in line with water resource efficient design standards (110 litres/person/day) – The Plan is missing key points in section BE2 that would make this happen. This is not sound.		
404.5			BE2				Nothing to say that new homes/developments should have solar panels, ground or air source heat pumps etc. In the current climate, this is not sound. Any claims that a development will be carbon natural is not possible unless these things are mandated for new developments.		

Individuals

404.6			13.18				The figures are not ambitious enough – things like solar panels need to be mandatory not an optional extra. I don't believe the plan is sound for achieving carbon neutrality by 2050.		
405	N/A		EMP7	Unanswered	Unanswered	Unanswered	<p>Attended the Public Inquiry on the Borough Plan in 2019 where Warwickshire Highways representatives objected to the proposal because of the severe impact it would have on the local road system but later the same day they unaccountably changed their minds and found it acceptable. In the time since many more homes have been built, EMP6 is under construction and EMP2 has just been approved on appeal.</p> <p>All of these developments will have a massive impact on the already severe traffic problems on School Lane, Pickards Way and M6 Junction 3, and many surrounding residential roads, which are already frequently used as alternative routes.</p> <p>No road improvements to cope with these problems and EMP7 will cause even more.</p> <p>Para 5.37 mentions the site's proximity to the M6 but that is only relevant if access to and from the motorway is easy – new slip roads needed but this is not likely to be financially viable.</p>	EMP7 should be removed from the Borough Plan Review.	Unanswered
406	N/A		General	Unanswered	Unanswered	Unanswered	<p>Around every corner you turn mature trees have been destroyed and hedgerows removed and replaced by twigs that never grow as they are never looked after.</p> <p>All green fields are gone – covered by development – there is no where left to go for a nice walk and wildlife habitat insects and wildflowers have been destroyed forever.</p> <p>Traffic is bumper to bumper – no infrastructure.</p> <p>Not enough hospital beds, no schools.</p> <p>Food being imported, water shortages.</p> <p>Not enough energy sources.</p> <p>Don't know when the environment is not going to be destroyed.</p>		Unanswered
407	N/A		SEA4	Unanswered	Unanswered	Unanswered	<p>Not in favour of the proposed plans for this site.</p> <p>The area already has a high percentage of industrial premises compared to other areas of Nuneaton – north Nuneaton would make a better site especially with the proposed upgrade to the A5 and the massive housing projects ongoing.</p> <p>Work opportunities will be much needed.</p> <p>SEA4 is an old landfill site and in my experience not ideal for building due to future subsidence.</p> <p>The site has been left to nature for almost 40 years and has become home to many animals.</p> <p>The proposed access to the site at Griff Hollows will need</p>	Proposes an eco friendly outdoor activity site should be implemented instead.	Unanswered

Individuals

						major improvements to allow HGVs access and exit the site safely.			
408	N/A		SEA6 (para 7.123)	Unanswered	No	Unanswered	<p>Key Development Principle 3 – agreeing a routing strategy for HGVs.</p> <p>The developer's outline planning app 039611 and its supporting infrastructure delivery plan appears to indicate that their strategy is based around erecting signage directing HGV drivers to use School Lane to approach and leave the site.</p> <p>Trusting drivers to follow such signage cannot be policed or enforced so there will be nothing to stop HGVs using the surrounding local roads as alternative routes when there is congestion at the School Lane junction.</p> <p>Both alternative approaches pass schools – unacceptable elevated risk of accidents and potential risk to life.</p>	<p>The allocation should be removed from the Plan.</p>	No

409.1	N/A		Multiple - refer to the representation	No	No	No	<p>Until a SoCG is available for the public to view, between CCC and NBBC, it must be assumed that the Borough Plan is not legally compliant under the Localism Act.</p> <p>Without the evidence of an SoCG, it is difficult to ascertain the effectiveness of joint working on cross-boundary matters such as flood risk, the use of the land for flood storage within the River Severn Basin District (along the courses of the River Sowe and Breach Brook) and water quality. Therefore, it must be assumed the Borough Plan is unsound and does not comply with the Duty to Cooperate.</p> <p>Within the Strategic Policy SEA2 – Wilsons Lane, it states “The Environment Agency, WCC Flood Risk Storage within the site”.</p> <p>This addition to the policy is supported and provides evidence that there has at least been some joint working but it needs to be strengthened by explaining the context of this requirement. It is essential that flooding history within Coventry, such as the events in Rowley's Green Lane, is acknowledged.</p> <p>It is of particular concern that the flooding history section of the summary table for SEA2 states “The Environment Agency's historic flooding and recorded flood outline datasets do not have a record or any flooding on or surrounding the site”.</p> <p>It also must be questioned why the culverting of the River Sowe beneath Silverstone Drive has been identified as a residual risk but the issue with blockages as Bassford Bridge on Rowley's Green Lane has not been.</p> <p>What impacts could piling and the use of basements have on groundwater?</p> <p>Should the policy not include a specific reference to the issues with access/egress and groundwater levels?</p> <p>The inconsistencies between the summary table and the strategic policy for SEA2 need to be addressed.</p> <p>There also appears to be an existing issue with ponding on the site and the presence of marginal pond plants such as Yellow Flag is an indicator of this.</p> <p>The flood storage capacity of the site could be reduced through the removal of ditches etc. Therefore, the removal of these features should be avoided and only be allowed under the most exceptional of circumstances.</p> <p>SEA6 – “Provision of enhanced buffer in the south-eastern corner to protect the setting of Exhall... the importance of the listed buildings”.</p> <p>Although this is supported, this section also needs to refer to the protection of Exhall Hall's Medieval moat in terms of impacts from changes in river level or pollution.</p> <p>All strategic sites located near the A444 or M6 should include measures to reduce the impacts of pollution from surface</p>	<p>A SOCG with Coventry City Council needs to be made publicly available and should outline how the local planning authorities are working jointly on cross-boundary matters such as flood risk, flood storage, mitigating and adapting to climate change, water quality and biodiversity within the River Severn Basin District.</p> <p>The Strategic Policy SEA2 – Wilsons Lane needs to include a reference to restoring the functional floodplain of the River Sowe and reinstating the natural meandering river channel which was lost during construction of the A444 extension.</p> <p>Needs to show how space for physical protective measures will be used to ensure the future resilience of Longford's and Exhall's communities and infrastructure to climate change impacts.</p> <p>The removal of ditches, hedgerows etc should only occur under the most exceptional of circumstances as they play an important role in flood storage within the site.</p> <p>Preventative measures again a new distributor road through the southwest corner of the site to the A444 using Silverstone Drive – impact on water quality and flood risk of a distributor road at this location.</p> <p>Hydraulic model needs updating.</p> <p>SEA6 – Measures to protect Exhall Hall's Medieval moat should be specifically</p>	No

Individuals

						<p>water run off from road surfaces. The strategic road network is one of the major contributors to the River Sowe's poor water quality and every opportunity should be taken to rectify past failures to protect the river from harm. This should also include any new planned roadworks such as the M6 J3 Interim Scheme and Coventry North Package.</p> <p>Within the SFRA Level 2 Appendix B – Modelling Technical Notes, it states "Flows from the 3.3% AEP event... may become a more complex and expensive undertaking". "In the absence of detailed hydraulic modelling... for Breach Brook". Does this mean that there is no hydraulic model for Breach Brook? Surely, all hydrology models should be available and kept up to date to inform local plans. What are the risks of using old data and models (from 2011?) to save on costs? What impacts could this have on Woodshire's Green?</p>	<p>referenced.</p> <p>SEA6 and SEA2 – Measures to reduce the impacts of existing and future surface water run-off from the SRN on water quality should be included along with the protective measures required within the sites to prevent pollution from entering the river from parking areas, loading bay areas and fuel storage.</p> <p>With the possibilities for piled foundations and/or basements there should also be a section within the policies which outlines a requirement for a hydrogeological study.</p>	
409.2		Multiple - refer to the representation	No	No	No	<p>At the time of writing this representation, an SoCG with CCC was not available for public viewing – BP is not legally complaint under the Localism Act 2011. Without the evidence of an SoCG, it is difficult to ascertain the effectiveness of joint-working on cross-boundary matters such as biodiversity net gain and nature recovery.</p> <p>Within the strategic policies, there appears to be inconsistencies between the terminology used and weight given to enhancing wildlife corridors/ ecological networks. Surely the importance of the River Sowe in providing habitat connectivity, as a green corridor which promotes species movement and its potential to enable nature recovery should be highlighted.</p> <p>There should be protections put in place to ensure that there is 10% biodiversity net gain delivered within the SEA2 site as it forms part of an important wider ecological network.</p> <p>Only under exceptional circumstances, such as the building of nationally important infrastructure, should net loss be allowed within the site and, even then, it is important that all of the biodiversity offsite offsetting should be located within Longford or Exhall along the course of the River Sowe and/or one of its tributaries.</p> <p>Surprising that the opportunity for increasing the extent of the Bassford Bridge Meadow LWS was not identified within the strategic policy for SEA2 Wilsons Lane.</p> <p>The allocation of use classes within the SEA2 site, particularly the scale of B8, should be questions – a different mix of land uses would provide more opportunities to protect, extend</p>	<p>There appears to be no section on biodiversity within the strategic policy for SEA2 Wilsons Lane. For the policy to be sound, a section on biodiversity (which includes zones of influence such as the adjacent local wildlife site) is required which refers to the importance of the River Sowe as an ecological corridor.</p> <p>There should be a requirement for 10% onsite biodiversity net gain and financial contributions towards delivering wider biodiversity enhancements along River Sowe and its tributaries within Longford and Exhall.</p> <p>It is also important that the SEA2 policy refers to the River Sowe as a tributary of the Warwickshire River Avon and that it is hydrologically linked to the Severn Estuary Special Area of Conservation.</p> <p>Protections should also be put</p>	

					<p>and enhance the existing green infrastructure within the area. It would appear as if the proposed use of SEA2 as a large distribution centre has overly influenced the concept for the site.</p> <p>Many aspects of the policy are written in such a way that elements of it can be overridden or are open to interpretation.</p> <p>Why is there no reference to the important of the River Sowe in terms of protected species such as water vole etc? Should there not be an equivalent section within SEA2 requiring regular surveys (every two years) of the site itself and the adjacent local wildlife sites following Natural England's standing advice on protected species and Biodiversity code of practice for planning and development.</p> <p>In a recent outline planning application for the SEA2 site there were no wild bird surveys undertaken even when evidence of red listed and amber listed birds were provided – it must be questioned whether the Borough Plan can be legally compliant if it enables Government standing advice which references the Natural Environment and Rural Communities Act 2006 and the Wildlife and Countryside Act 1981 to be ignored.</p> <p>The strategic policy for SEA2 Wilsons Lane should reference requirements for wild bird surveys (for the site itself and Bassford Bridge Meadow LWS) and bird boxes/bricks designed specifically for swifts, swallows and house martins.</p> <p>Sections of the site should ensure that there are sufficient feeding grounds not only to support existing populations of protected/important species to enable a recovery in numbers. Ecologists are employed by CCC but there will be significant gaps within the City's records especially in locations based within the north of Coventry. For this reason, the role of surveys is even more important.</p> <p>The northern fringe of Coventry has been under recorded, so it is even more important for surveys to be carried out in this area on a regular basis.</p>	<p>in place within SEA2, SEA6, NE3 and other strategic policies associated with the River Sowe or its tributaries, to prevent biodiversity net loss within the Severn River Basin District being used to benefit nature recovery within another river basin district.</p> <p>There should be a section within the SEA6 policy requiring surveys for protected species which may be associated with the medieval moat at Exhall Hall.</p> <p>There should also be a statement on how the biodiversity found within this important site will be protected and enhanced. Due to its great age and condition, there should be further surveys – it is possible that this site has harboured species which may now be rare or extinct elsewhere within the vice county of Warwickshire.</p> <p>SEA2 policy there should also be a specific requirement for wild bird surveys and bird boxes/bricks for the following species. Feeding grounds and suitable sites for roosting/nesting for birds</p>	
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							reviewed for the SEA2 Wilsons Lane policy. The concept of having a large generic distribution centre is unsustainable at this location and so the policy in its current form is unsound as it does not sufficiently protect against this. SEA2 Wilsons Lane site is part of a wider ecological network yet, so far, there has been very little evidence of effective cross-boundary working with CCC on improving nature recovery within the northern fringe of Coventry. At least part of the SEA2 site should be used to extend Bassford Bridge Meadows LWS and be identified as a biodiversity offsetting receptor location. This should be one of the key development principles of the site. NE3 should refer to how it works with the WMCA, CCC, WCC, Severn Trent, National Highways and the Environment Agency to create opportunities through the M6 Interim Scheme and Coventry North Package, to improve habitat connectivity and nature recovery within the northern fringe of Coventry.	
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409.3			Multiple - refer to the representation	No	No	No	<p>No SoCG with CCC available to view.</p> <p>Within the strategic policies, there appears to be inconsistencies between the extent of the protection for existing residential amenity. In particular the use of landscape buffers, restrictions on building heights/form and use of landscape screening.</p> <p>Several omissions, with the SEA2 Wilsons Lane policy, of elements which would have an impact on residents' health and mental wellbeing such as the location of loading bays and playing pitch facilities etc.</p> <p>Many aspects of SEA2 Wilsons Lane strategic policy are written in such a way that elements could be overridden or be open to interpretation.</p> <p>SEA3 and SEA4 are much more specific and avoid phrases such as 'where possible', 'seek to retain' or 'a financial contribution towards'.</p> <p>Throughout the consultation process there have been requests (including petitions) for the building height of units to be restricted near to existing dwellings on the east of the site and for a landscape buffer to be provided.</p> <p>Yet time and again, no specific height or distance has been used within the various draft SEA2 policies or within the site's concept plan.</p> <p>It has been argued that the Bassford Bridge Meadow LWS or Sowe Meadows should be extended and it has also been suggested that the illustrative concept landscape sections for Plot K Prologis Park would be a best practice example to base this on.</p>	<p>For the Borough Plan to be sound, the phrase 'demonstrate that there would be no material detrimental impact caused' should be removed from the SEA2 policy and replaced by requirements which are both specific and measurable. Specific restricts on building heights.</p> <p>The positioning of certain elements within the site, which are likely to create a nuisance to residents in terms of noise, light or odour, need to be referenced to ensure that minimum distances are applied and to prevent them facing onto residential properties. Distances incase of fires as well.</p> <p>Overnight lorry parking facilities within the policy – should be for SEA6 as well.</p> <p>For the Borough Plan to be sound, the wording 'or developer contribution to</p>	
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No	No	No	A SoCG with CCC is not publicly available – Duty to Cooperate issues. The Borough Plan is unsound because it is not effectively taking the cumulative impact of traffic levels, generated from its strategic policies, within Coventry's local road network into account. Neither does it take an infrastructure first approach and, in doing so, fails to manage the risks from schemes such as the M6 J3 Interim Scheme and the Coventry North Package being delivered late or not at all. There are some sections within NBBC's Strategic Transport Assessment that to the non-expert are of concern. The first is the section on model stability. References to issues such as 'Paramics batch failures', 'unusually high number of vehicles', 'network is effectively 'grid-locked' and 'limitation of the modelling software' do not inspire confidence. Is this occurring because there is a possibility of severe impact at least some of the time? Is it safe to assume that the issues identified are only due to a limitation of the software and not because of severe impact? After all, drivers as individuals do not always act rationally or react in the same way each time so is this software just demonstrating an element of that? If there are so many issues with the software (or the parameters being used) can it be trusted either way? Unfortunately, I do not have the expertise to answer these questions but feel that it needs to be highlighted. Another section of concern is the reference to delivery of the M6 J3 Interim Scheme. Understandably the Strategic Transport Assessment focuses on responding to National Highways concerns and protecting the M6 Mainline. However, should there not be an equivalent consideration for the impacts of the M6 Mainline on the local road network? Trains between Leamington Spa and Nuneaton are often cancelled. Replacement buses get caught up in traffic. A developer has recently submitted an HGV Routing Strategy for the Hall Farm planning application at Bowling Green Lane (SEA6) which includes Coventry's section of the B4113 as an 'alternative local route'. If there is an intention for HGVs from SEA6 Bowling Green Lane to use Coventry's section of the B4113 as an 'alternative local route', is it not logical to assume that HGVs from SEA2 will as well? With the left-in left-out junction off Pickard's Way, it is more than likely that HGVs and employees travelling north along the A444 will turn off at the Blue Ribbon Roundabout to avoid M6 J3 and having to travel the length of Pickard's Way and around the Longford Roundabout before being able to access	To make the Borough Plan sound, it must take an infrastructure first approach from now on. It cannot just hope for the best and rely on promises of infrastructure in the future. There should be restrictions put in place on the construction, scale, occupation and operation of sites until the infrastructure is in place to support them and to mitigate the impacts of 'growth'. Protective measures need to be put in place to reduce impacts on Coventry's arterial roads particularly the B4113. All transport assessments associated with strategic allocations within (or in the surrounding areas of) Bedworth and Bulkington should be required to include Coventry Northeast's arterial roads and junctions and sites with elements of B2/B8 should be required to provide HGV routing strategies. Developers should be required to provide financial contributions towards an automatic number plate recognition (ANPR) system for Coventry's section of the B4113 to prevent HGV through traffic using this road and its residential side streets such as Wilson's Lane and Windmill Road. Operation on SEA2 and SEA6 sites should be restricted until an ANPR system and associated weight limits are in place. National Highways, WMCA, WCC, NBBC (and other Borough/District Councils)
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Individuals

						<p>the site.</p> <p>There is already plenty of evidence to show that HGVs ignore road signs and weight limits so more robust measures need to be put into place to protect residential areas from HGVs through traffic and bridge strikes.</p>	<p>and CCC should all be working together to produce a regional policy for distribution centres, overnight lorry parking facilities, designated HGV routes, prevention of bridge strike etc.</p>	
409.5		Multiple - refer to the representation	No	No	No	<p>No SoCG with CCC is publicly available – non compliant with the Duty to Cooperate.</p> <p>The Borough Plan is unsound because it does not effectively consider the cumulative impacts of its strategic policies on Coventry's AQMA or school walk routes.</p> <p>The air quality assessment does not appear to reference or use air quality monitoring sites along Coventry's section of the B4113 within its modelling.</p> <p>In Figure 2 and Figure 4, Grange 2 and Grange 3 appear on the maps but not LR1-3.</p> <p>It is possible that Grange 2 and Grange 3 have been used to understand the impacts from increased levels of traffic on the M6 Mainline.</p> <p>It is difficult to understand why monitoring sites located along a major arterial road leading into the City would not be considered relevant.</p> <p>Is it not important to understand cumulative impacts within Coventry Northeast and the City's AQMA?</p> <p>Point from above about 'alternative local route'.</p> <p>The B4113 within Coventry is used as a school walk route. Should children living within Coventry Northeast not be protected from high levels of HGV traffic and poor air quality as well? Surely, there should be the same standards for protecting children's health and safety whether they live within Bedworth or Coventry.</p>	<p>Financial contributions towards providing further weight limits and an ANPR system for Coventry's section of the B4113 to prevent GV through traffic from using this road and its residential side streets such as Wilson's Lane and Windmill Road.</p> <p>This should be explained within the context of these sites being near Coventry's AQMA within a separate section on air quality.</p> <p>There should also be requirement for an HGV routing strategy for SEA2 Wilsons Lane so that impacts on Coventry's AQMA can be fully understood and for transport assessments and air quality assessments to include Coventry's section of the B4113, its junctions and Coventry's AQMA (including monitoring sites and sensitive receptors), from the railway bridge on the administrative border to the Blue Ribbon Roundabout as a minimum.</p> <p>However, considering that the B4114 is a hotspot for poor air quality, it could be argued that the entire length of the B4113 within Coventry should be included.</p>	

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409.6							<p>Please refer to each representation (409.1 - 409.5) for supporting evidence.</p>		
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