

From: [REDACTED]
Sent: 13 October 2023 13:39
To: Planning Policy
Cc: Sarah Matile; Jacqueline Padbury; Dorothy Barratt
Subject: North Warwickshire Borough Council response to the Regulation 19 consultation on the Nuneaton and Bedworth Borough Plan Review.

Attachments: 05 Nuneaton and Bedworth Regulation 19 Borough Local Plan Consultation.DOCX; 05b Appendix B Nuneaton and Bedworth Local Plan Reg 19 NBBC 2023 Precis but not definitive list of changes.PDF; 05a Appendix A Response to NBBC Preferred Option Consultation July 2022.DOCX; NWBC Representations to N&BBC Regulation 19 Borough Plan review - Copy of Representation Form A - Personal details October 2023.DOCX; NWBC Representations to N&BBC Regulation 19 Borough Plan review - Copy of Representation Form B - ISSUE - Duty to Cooperate.DOCX; NWBC Representations to N&BBC Regulation 19 Borough Plan review - Copy of Representation Form B - ISSUE - Employment.docx; NWBC Representations to N&BBC Regulation 19 Borough Plan review - Copy of Representation Form B - ISSUE - Housing.docx

Follow Up Flag: Follow up
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Categories: Processed

To Planning Policy at Nuneaton and Bedworth Borough Council,
(For the attention of Sarah and Jacqui also in relation to arranging a future meeting)

In respect of the current Regulation 19 consultation on the Borough Plan review seeking responses by 16th October, please see the following the responses and report from North Warwickshire Borough Council to the Regulation 19 consultation on the Nuneaton and Bedworth Borough Plan Review.
A report on the Borough Plan Review was considered at the Planning and Development Board on the 9th October 2023 and I have attached a copy of the Board report and relevant appendices to this e-mail.

As noted in the report, North Warwickshire Borough originally objected or submitted representations to the earlier Regulation 18 consultation stage, addressing 5 main issues including; Duty to Cooperate, Scope, Housing, Employment and Transport.
Copies of the original representations are attached to the Report in Appendix A and, in addition a summary list of the changes in Appendix B.

The subsequent Planning and Development Board report on the Regulation 19 consultation notes and seeks to maintain three main outstanding issues including;

- 1 Duty to Cooperate
- 2 Housing
- 3 Employment

The Council seek to maintain these 3 representations (as part of those made at the earlier Regulation 18 stage, as noted above) and forward them on to the Regulation 19 stage, as highlighted in the Planning and Development Board Report on the 9th October 2023.

I have also attached updated copies of the personal details Form A and Representation Forms' B (reflecting the 3 issues maintained/raised) for the latest Regulation 19 Consultation Stage for your attention/information thanks. These attached documents form the formal submissions and representations from the North Warwickshire Borough Council to the Regulation 19 consultation on the Nuneaton and Bedworth Borough Plan Review.

In addition, as noted in the above Planning and Development Board Report, the North Warwickshire Borough Council are seeking and requesting that a member meeting is arranged to discuss the Local Plan and issues raised, and also address the details and information contained and covered by the draft Memorandum of Understanding, submitted to North Warwickshire Borough and seeking agreement/signing as part of the Duty to Cooperate for the Borough Plan review.

A revised Statement of Common Ground can then be agreed and drafted following that meeting.

Once a meeting has been arranged and discussions held, the North Warwickshire Borough Council would respectfully reserve the right to review the North Warwickshire representations to either amend, withdraw or maintain the representations as currently submitted.

I hope the above information is helpful and if you require any further details or clarification of the above please do not hesitate to contact the Forward Planning team thanks.

Regards,



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Agenda Item No 5

Local Development Framework Sub-Committee

9 October 2023

Report of the Chief Executive

Nuneaton and Bedworth Borough Local Plan Regulation 19 consultation

1 Summary

- 1.1 Nuneaton and Bedworth Borough Council are consulting on a Regulation 19 version of a new Local Plan.

Recommendation to the Sub-committee:

That a final response be delegated to the Chief Executive.

2 Consultation

- 2.1 Consultation has taken place with the relevant Members and any comments received will be reported at the meeting.

3 Introduction

- 3.1 As Members will recall Nuneaton and Bedworth Borough Council (NBBC) adopted their Local Plan in 2019. NBBC took the decision to review their Local Plan and are currently at Regulation 19 stage which is the stage before submission to the Secretary of State.
- 3.2 A report was considered by Executive Board in July 2022 on their Preferred Options consultation. The detailed consultation responses by this Council are attached as Appendix A.

4 Regulation 19

- 4.1 NBBC are consulting on a Regulation 19 version of their Local Plan from Monday 4 September 2023 to Monday 16th October 2023. It is accompanied by a Sustainability Appraisal (SA) and a Habitats Regulations Audit (HRA).
- 4.2 The full Local Plan and documentation can be found on the [Consultations on planning policy | Planning Policy consultations | Nuneaton & Bedworth \(nuneatonandbedworth.gov.uk\)](#). Attached as Appendix B is a document setting out the main differences between the Preferred Option version and the current Regulation 19 version supplied by NBBC.

- 4.3 In addition to other evidence, including the Coventry and Warwickshire Housing and Economic Development Needs Assessment (HEDNA), NBBC commissioned a report called "*Towards a Housing Requirement for Nuneaton & Bedworth*". This document is intended to supplement and be read alongside the Coventry and Warwickshire Housing and Economic Development Needs Assessment.

5 Observations

- 5.1 As shown in Appendix A this Council made representations on five issues in relation to NBBC's Preferred Options consultation. These covered the following subject Duty to Co-operate, Scope, Housing, Employment and Transport. There are three main outstanding issues are outlined below:

Duty to Co-operate (DtC)

- 5.2 As Members know the Duty to Co-operate is a legal duty that must be complied with before formal submission of a local plan. If not done correctly it cannot be rectified retrospectively without the local plan being formally withdrawn or found to be unsound by the Local Planning Inspector. This Council raised concern that the DtC had not been adequately addressed.

- 5.3 Since last year NBBC has led on preparing a Draft Memorandum of Understanding. A draft of their document is attached as Appendix C. It is recommended that this is revised to reflect our adopted Local Plan as this Borough sits not only in the Coventry and Warwickshire Housing Market Area (CWHMA) but also the Greater Birmingham Housing Market Area (GBHMA). 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.

Housing

- 5.4 The document referred to in para 4.3 above seeks to justify more housing being delivered in Nuneaton and Bedworth above its local need. It is argued that this is required to ensure there is economic growth in the Borough. 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.

Employment

- 5.5 The employment allocations deal with the local employment need with one site being put forward as a strategic employment site of 19 hectares. 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. 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.

6 Next Steps

- 6.1 It is recommended that a member meeting is requested to discuss the Local Plan and a revised Statement of Common Ground be drafted following that meeting.
- 6.2 As this is a formal stage in the production of a local plan, Regulation 19, it is recommended the Borough Council objects to the NBBC Local Plan. However, this stance is reviewed following the joint meeting with the matter being brought back to Board to reconsider the objections.

7 Report Implications

7.1 Legal, Data Protection and Human Rights Implications

- 7.1.1 Regulation 19 is a formal part of the development of a Local Plan.

7.2 Environment, Sustainability and Health Implications

- 7.2.1 The NBBC Local Plan is accompanied by a Sustainability Appraisal.

7.3 Human Resources Implications

- 7.3.1 Working with other local authorities is a key part of the planning system through the Duty to Co-operate. It can be staff resource hungry but is an integral part of the planning system.

7.4 Risk Management Implications

- 7.4.1 The main risk of not engaging positively to this Council is that cross-border issues are missed; strategic issues are not effectively dealt with and may impact on the Duty to Co-operate. A Local Plan will not pass the test of soundness if this is the case.

The Contact Officer for this report is Dorothy Barratt (719250).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

Cabinet - 26th July 2023

Appendix B

Borough Plan Review

Precis, but not definitive list, of the differences between the Preferred Options and Publication version (July 2023)

Borough Plan Review – Publication draft – Committee July 2023

What does the document cover and what are the key changes since the Preferred Options consultation?

Plan Period

- The Publication draft for representations states that the Borough Plan, once adopted, will cover the plan period from 2021 to 2039. This has changed from the Preferred Options stage (2024 – 2039), as it is considered more appropriate to start the plan period from the year the Borough Plan Review commenced.

Strategic Development Strategy

- Additions have been made to Policies DS1 and DS3 highlighting the need for future development to be more sustainable and contribute to the national need to achieve net zero carbon emissions. Climate change has been threaded through the policies with a need for development to be adaptable/resilient to this, whilst providing environmental mitigation and enhancement and sustaining/enhancing the historic environment.
- The quantity of housing, that will be planned for and provided within Nuneaton and Bedworth, by 2039, has reduced from 646 dwellings per annum at the Preferred Options stage to 545 dwellings per annum (Policy DS4). This figure has been derived from the latest evidence on housing need, set out in the 'Towards a Housing Requirement for Nuneaton' report. Overall, given the plan period has been elongated, the total number of homes to be delivered between 2021 and 2039 is 9,810 as opposed to 9,690, consulted on at the Preferred Options stage for the plan period 2024 – 2039.
- Some of the non-strategic sites listed in Policy DS5 of the Preferred Options document have been removed from the Publication draft for representations. Detail on each of the remaining 15 non-strategic sites, in the Publication version, have been provided, alongside a location map, site area (ha), proposed quantity of dwellings and alternative site references.

Strategic allocations

- Some minor tweaks have been made to some of the policies in Section 7 through either slight wording/numerical changes or the addition of new parts to the policies. These primarily relate to where there is more up to date information available through the planning application process.
- The red line boundary of strategic allocation CEM1 – Land north of Marston Lane, Bedworth, has changed to include the playing pitch.

Housing

- Support for self-build and custom build homes has been added to Policy H1 of the Publication draft for representations. This section of the policy highlights that development proposals for self-build and custom build homes will be

supported where they are sustainably located and subject to compliance with the development plan policies as a whole.

- Policy H2 has expanded upon the tenure mix and First Homes required, alongside highlighting the exceptions.
- Policy H3 has been minimised due to policy requirements relating to Gypsies, Travellers and Showpersons being brought forward in the upcoming Gypsy and Traveller Site Allocation Development Plan Document, due to be adopted in 2023.
- Two new policies have been added to the Publication draft for representations, that were not present at the Preferred Options stage. These are important additions to ensure that any future housing development is suitable for the borough's ageing and changing population as well as the way people live their lives:
 - Policy H4 – Nationally Described Space Standards.
 - Policy H5 – Accessible and Adaptable Homes (The percentages for M4(2) and M4(3) Building Regulation standards have been included throughout the Borough Plan policies).

Employment

- The quantity of employment land for local industrial and distribution/warehousing development is now defined as 68.45ha (including 5.35ha for replacement provision) – Policy DS4.
- 19.4ha of employment land for strategic B8 warehousing and distribution development (indicative) is defined in Policy DS4.
- Sub-section 'Employment land', under Policy DS4, has been updated and 'Employment land supply', 'supply demand balance', 'further considerations' and 'employment trajectory' sub-sections have been added.
- Strategic employment allocations SEA1 - Faultlands Farm and SEA5 - Longford Road have been removed from the Publication draft for representations and the sizes of the remaining strategic employment allocations have been adjusted – Policy DS6 and section 7 – Strategic allocations.
- The status of each strategic housing/employment allocation has been added to the introduction of each site – section 7.
- Section 9 – Employment has been fully updated/reviewed.
- Part 9 of Policy HS2 has been added, alongside supporting text on the provision of lorry parking facilities.
- Under the 'commercial' section of Policy BE3, two points have been added specifying what applicants must submit with a planning application, in relation to BREEAM standards.
- Appendix I – Employment estates suitable for alternative uses, has been updated.

Healthy, safe and inclusive communities

- Policy H3 – Telecommunications and broadband connectivity, has been updated regarding telecommunications proposals to ensure the most positive

outcome can be reached, regarding the location, design and setting of telecommunications apparatus.

- Additional text has been added to Policy HS6 regarding the retention of existing local sports pitches and playing fields.

Natural Environment


- Text relating to the zones and projects within the Green Infrastructure Plan has been removed from Policy NE1 of the Publication draft for representation, whilst further text regarding climate change has been added. For example, the installation of retro-fit sustainable drainage systems (SuDS) such as rain gardens, bio-retention and tree pits has been included in the policy.
- A requirement for all developments to submit a drainage strategy demonstrating how surface water will be managed in accordance with the drainage hierarchy and flood risk will not be increased downstream, has been added to Policy NE4. Furthermore, the SuDS and Water Quality sections of the policy have been expanded upon and further requirements added.

Built Environment

- Land instability has become a more prominent feature of Policy BE1.
- Policy BE2 now includes a paragraph on how the Council will balance conflicting objectives, such as the need to increase renewable energy uptake, against the need to protect attractive landscapes, heritage, nature conservation and local amenity, in regard to proposals for wind turbines.
- Parts of Policy BE3 have been tweaked with the removal and addition of some text.
- Policy BE4 – Valuing and conserving our historic environment, delves into the requirements surrounding the proposed partial or total loss of heritage assets alongside the requirements regarding change of use proposals in Nuneaton Town Centre Conservation Area.

Design, Climate Change and Biodiversity

- These three factors have become prominent features of the Borough Plan Review and have been recognised and considered throughout the Publication draft for representations.

 <p>Nuneaton & Bedworth United to Achieve</p>	<p>Borough Plan Review Preferred Options consultation draft Response Form</p>	<p>Ref:</p> <p>(For official use only)</p>
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	1. Personal details* * If an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent in 2.	2. Agent's details (if applicable)
Title		Mrs
First name		Dorothy
Last name		Barratt
Job title (where relevant)		Forward Planning & Economic Development Manager
Organisation (where relevant)	North Warwickshire Borough Council	North Warwickshire Borough Council
House no. and street	The Council House, South Street	
Town	Atherstone	
Post code	CV9 1DE	

Telephone number		01827 719250
Email address		planningpolicy@nrothwarks.gov.uk

3. How did you find out about this consultation? (please mark each box with an 'X' next to all answers that apply)

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Nuneaton News (website)	
Twitter/Facebook	
Other – please specify: Discussion at Officer meeting	

Part B - Please use a separate sheet for each representation

Name or Organisation: **North Warwickshire Borough Council**

4. To which part of the Borough Plan Review Preferred Options document does this response relate?

Paragraph	
Policy	Duty to Co-operate
Evidence base documentation (if applicable)	Coventry and Warwickshire Memorandum of Understanding

5. Please outline your response in the box below. It would be particularly helpful if you can say whether you consider the Borough Plan Review Preferred Options document to be 'sound' (as set out in the 2021 National Planning Policy Framework, which can be found at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>) i.e. whether the plan is positively prepared, justified, effective and consistent with national policy. Similarly, if you believe that the plan does not meet legal requirements, please set out the reasoning below.

The Consultation Statement that accompanies the Preferred Options of the Borough Plan Review (2019) as required by the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) is fairly limited in its reference to the wider consultation with stakeholders, including the adjoining Local Authorities. There are therefore some concerns that the statutory 'Duty to Co-operate' has not been adequately addressed and the wider sub-regional and regional development issues and implications for NBBC have not been fully considered or taken into account. The Duty to Co-operate is a statutory duty which lies at the soundness of a Local Plan. Although NBBC has been involved with officer

meetings, with the wider Warwickshire Local Authorities and Hinckley and Bosworth Borough, it is not considered the duty to cooperate has been fully dealt with. Although there is a proposal within the Levelling Up and Regeneration Bill to have this duty changed it is still in place and must be complied with.

It is noted that paragraph 1.9 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 appropriately, fully addressed.

Previously, NBBC were, and still are, signatories to a Memorandum of Understanding with Coventry and all other Warwickshire Local Authorities to jointly agree measures to help address cross border issues and sub-regional needs or potential shortfalls. However, arising from the Consultation on the earlier Issues and Options stage, the Preferred Option in Chapter 5 (*Outcome to the Issues and Options stage*) makes a specific commitment to revoke the Memorandum of Understanding with Coventry City Council (paragraph 5.6 point 2), once the emerging ONS/CENSUS figures are checked and the Housing and Employment Development Needs Assessment (HEDNA) is finalised and published.

NWBC is very disappointed that NBBC is withdrawing from the Coventry & Warwickshire MoU. Withdrawal from the MoU without consideration of a replacement MoU or agreed stance is not acceptable and does not deal with the wider than local issues.

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

6. Please set out what modification(s) you consider necessary. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.


This can be rectified by fully engaging and being part of the discussion in terms of needs from Coventry. Clearly setting out how NBBC is “positively engaging with all the relevant bodies during the plan making process” (see paragraph 1.9). It is noted that the brief, limited section on the Duty to Cooperate does not address how this engagement will occur, or how the legal requirement for the Duty to Cooperate will be appropriately, fully addressed.

A new Memorandum of Understanding is required to assist in complying with the legal Duty to Cooperate which will give confidence and re-assurance to other adjoining local authorities that measures to address cross border issues and sub-regional needs have or will be agreed.

(A meeting has now been arranged with officers from both local authorities)

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

Signature	<i>D M Barratt</i>
Date	22 July 2022

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Part B - Please use a separate sheet for each representation

Name or Organisation: **North Warwickshire Borough Council**

4. To which part of the Borough Plan Review Preferred Options document does this response relate?

Paragraph	
Policy	Employment
Evidence base documentation (if applicable)	HEDNA West Midlands Strategic Employment Sites Study

5. Please outline your response in the box below. It would be particularly helpful if you can say whether you consider the Borough Plan Review Preferred Options document to be 'sound' (as set out in the 2021 National Planning Policy Framework, which can be found at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>) i.e. whether the plan is positively prepared, justified, effective and consistent with national policy. Similarly, if you believe that the plan does not meet legal requirements, please set out the reasoning below.

The Borough Review is not sound as it has not been positively prepared to deal with a number of issues. The Borough Council notes and supports the N&BBC objectives to widen and diversify their employment base. But little reference is made to wider cross border issues and sub-regional pressures that are already impacting on N&BBC at sites such as Padgett Farm in adjoining Rugby Borough, alongside Nuneaton and the A5 Hinckley Island.

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


Appendix A

6. Please set out what modification(s) you consider necessary. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Suggested modifications to be discussed with officers from both local authorities.

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

Signature	<i>Dorothy Barratt</i>
Date	22 July 2022

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Part B - Please use a separate sheet for each representation

Name or Organisation: **North Warwickshire Borough Council**

4. To which part of the Borough Plan Review Preferred Options document does this response relate?

Paragraph	
Policy	Housing
Evidence base documentation (if applicable)	HEDNA

5. Please outline your response in the box below. It would be particularly helpful if you can say whether you consider the Borough Plan Review Preferred Options document to be 'sound' (as set out in the 2021 National Planning Policy Framework, which can be found at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>) i.e. whether the plan is positively prepared, justified, effective and consistent with national policy. Similarly, if you believe that the plan does not meet legal requirements, please set out the reasoning below.

The Borough Review is not sound as it has not been positively prepared to deal with a number of issues. It is noted that the Preferred Options Housing Section makes reference to the emerging findings of the HEDNA and is supported in so far as it seeks to provide "appropriate local housing options". However, the wider sub-regional needs implications are not noted or referred to in any significant way. In terms of the documents reference in the N&BBC Settlement hierarchy the preferred options do note the wider context in which the borough is located, with particular reference to the close proximity of other settlements outside the borough boundary such as Coventry, but provides no clear options to address

this issue, which as the closest neighbour to Coventry and having a close functional relationship with the Borough is unsatisfactory.

There are also significant concerns over the timing of the Preferred Option being published prior to the completion of the joint Warwickshire Authorities HEDNA, which is currently still in progress, addressing growth pressures/needs across the sub-region and intends to address the latest CENSUS Population data that is also currently being released over summer this year. The potential implications of both the emerging HEDNA and the CENSUS data may well result in further changes or work being necessary to the Plan and Preferred Options, as highlighted above in Strategic policy DS4 and Chapter 5, paragraph 5.6 dealing with the "Outcome to the Issues and Options stage".


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

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Suggested modifications to be discussed with officers from both local authorities.

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Part B - Please use a separate sheet for each representation

Name or Organisation: **North Warwickshire Borough Council**

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Paragraph	
Policy	Scope of the Local Plan
Evidence base documentation (if applicable)	

5. Please outline your response in the box below. It would be particularly helpful if you can say whether you consider the Borough Plan Review Preferred Options document to be 'sound' (as set out in the 2021 National Planning Policy Framework, which can be found at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>) i.e. whether the plan is positively prepared, justified, effective and consistent with national policy. Similarly, if you believe that the plan does not meet legal requirements, please set out the reasoning below.

The Borough Review is not sound as it has not been positively prepared to deal with a number of issues. These includes the scope of the Preferred Options. The Preferred Options are considered to be too inward looking dealing primarily only with local needs, with insufficient account taken, or reference made, to wider development pressures and cross border issues. This concern was specifically raised by North Warwickshire at the Issues and Options Stage, (highlighted in N&BBC's Consultation statement appendix - summary of responses to the Issues and options) where the Borough Council noted;

“There are some significant concerns regarding the approach to the provision of housing and the strategic approach that is necessary to address wider housing needs and pressures. North Warwickshire Borough notes the concerns raised by the issues and options document but would urge Nuneaton & Bedworth Borough to acknowledge the need to potentially address wider than local housing need and reflect that in the assessment of housing requirement in the Plan and the relationships with and cross-boundary cooperation with adjoining Local Authorities and the wider sub-region, there may be the necessity and need to address cross border issues such as housing need through joint working partnerships”.

It is considered that these concerns have not been sufficiently addressed in the preferred options consultation, although it is noted that Strategic Policy DS4 states that strategic needs are ‘to be reviewed when the HEDNA 2022 is published’.


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

6. Please set out what modification(s) you consider necessary. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Suggested modifications to be discussed with officers from both local authorities.

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

Signature	<i>D M Barratt</i>
Date	22 July 2022

 <p>Nuneaton & Bedworth United to Achieve</p>	<p>Borough Plan Review Preferred Options consultation draft Response Form</p>	<p>Ref:</p> <p>(For official use only)</p>
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Please return to Nuneaton and Bedworth Borough Council by 22nd July 2022
via:

Email: planning.policy@nuneatonandbedworth.gov.uk or

Post: Town Hall, Coton Road, Nuneaton, CV11 5AA.

Data Protection

We will treat your data in accordance with our Privacy Notice:

www.nuneatonandbedworth.gov.uk/info/21004/access_to_information/410/privacy_notice/7.

Information will be used by Nuneaton and Bedworth Borough Council solely in relation to the Borough Plan review. Please note that all responses will be available for public inspection, and cannot be treated as confidential. Representations, including names, may be published on our website. By submitting this response form you are agreeing to these conditions. The Council is not allowed to automatically notify you of future consultations unless you 'opt-in'.

Do you wish to join the Planning Policy consultation database?

Yes

This form has two parts –

Part A – Personal details

Part B – Your response.

Part A

	1. Personal details* * If an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent in 2.	2. Agent's details (if applicable)
Title		Mrs
First name		Dorothy
Last name		Barratt
Job title (where relevant)		Forward Planning & Economic Development Manager
Organisation (where relevant)	North Warwickshire Borough Council	North Warwickshire Borough Council
House no. and street	The Council House, South Street	
Town	Atherstone	
Post code	CV9 1DE	

Telephone number		01827 719250
Email address		planningpolicy@nrothwarks.gov.uk

3. How did you find out about this consultation? (please mark each box with an 'X' next to all answers that apply)

Community Forum notification	
Notification directly from the Council's Planning Policy team	x
Nuneaton and Bedworth Borough Council website	
Nuneaton News (paper)	
Nuneaton News (website)	
Twitter/Facebook	
Other – please specify: Discussion at Officer meeting	

Part B - Please use a separate sheet for each representation

Name or Organisation: **North Warwickshire Borough Council**

4. To which part of the Borough Plan Review Preferred Options document does this response relate?

Paragraph	
Policy	Transport
Evidence base documentation (if applicable)	Strategic Transport Assessment for North Warwickshire Local Plan 2018 Strategic Transport Assessment for NBBC – yet to be published

5. Please outline your response in the box below. It would be particularly helpful if you can say whether you consider the Borough Plan Review Preferred Options document to be 'sound' (as set out in the 2021 National Planning Policy Framework, which can be found at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>) i.e. whether the plan is positively prepared, justified, effective and consistent with national policy. Similarly, if you believe that the plan does not meet legal requirements, please set out the reasoning below.

The Borough Review is not sound as it has not been positively prepared to deal with a number of issues. This includes cross border transport.

One of the main cross border issues impacting on all development proposed is the highway infrastructure, network capacity and traffic levels. This is noted in Chapter 5 again, dealing with the Issues and Options responses (see Point 4 in Paragraph 5.6), and in paragraphs 7.7 and 8.13 to 8.16 of the document. Any development in Nuneaton and Bedworth will potentially impact on the transport system and infrastructure in North

Warwickshire. As NBBC grows these impacts are escalating and need to be considered when sites are both allocated or brought forward outside of the Local Plan process.

A strategic transport assessment must consider the cross-border issues. NWBC is not aware that this is yet available and seeks to be informed as soon as it becomes available and then be party to the discussion as to the items for inclusion in the IDP.

There are particular highway issues the Borough Council would like to draw NBBC's attention to:

1 Any major development in Nuneaton & Bedworth should seek S106 monies to deal with cross border issues. The money should then be spent on dealing with that cross-border issue even if the impacted infrastructure lies within North Warwickshire.

2 Where other transport infrastructure network capacity constraints are impacted by development within Nuneaton, such as noted in criterion 9 of Strategic housing allocation SHA-2, and criterion 10 of Strategic housing allocation SHA-4, these should also be highlighted as needing to address the infrastructure needs of the Borough and adjoining authorities through CIL and S106 funding. These transport infrastructure points/allocation criteria would benefit from greater stress and identification, where known, of the network constraints and issues that will be directly impacted by the strategic development allocations, or specific inclusion in a supporting Infrastructure Delivery Plan.

For example, S106 monies should be secured on any further planning permissions to the north of Nuneaton to assist in the improvements to the A5. The A5 is a major constraint to future growth along its whole corridor from junction 10 M42 to junction 3 of the M69. Given the current transport issues impacting the A5, it is considered that the Preferred Options should note that any development along the A5 or to the north of Nuneaton should seek S106 monies for highways improvements.

3 The junction of Plough Hill Road and Camphill Road is a major constraint to growth in North Warwickshire especially in the Hartshill, Ansley Common and Ansley areas as well as any future growth in and around Galley Common. Junction improvements or a relief road to the west to avoid the junction should be part and parcel of any IDP/STA requirements.

4 Further consideration of a northern relief road to address traffic and road infrastructure constraints in Nuneaton and linking to the development along the A5, such as Strategic housing site SHA-1, should also be considered/included. and work needs to be done to develop a relief road to address traffic and road infrastructure constraints in the whole of the northern Nuneaton area.

5 The reference to a new distributor link road through Strategic housing site SHA-1, to include primary access points from Higham Lane through to Weddington Road is not considered sufficient to address and accommodate the wider network constraints and traffic growth as well as impacts on and flows through Nuneaton Town Centre.

6 Rat running is a problem in North Warwickshire caused by lack of infrastructure investment especially on new or improved highways as a result of growth in NBBC. The issue needs to be investigated and solutions discussed / drawn up to avoid and mitigate these impacts.

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


Appendix A

6. Please set out what modification(s) you consider necessary. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Suggested modifications to be discussed with officers from both local authorities.

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

Signature	<i>D M Barratt</i>
Date	22 July 2022

 <p>Nuneaton & Bedworth United to Achieve</p>	<p>Borough Plan Review Publication Stage Representation Form</p>	<p>Ref:</p> <p>(For official use only)</p>
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Name of the Local Plan to which this representation relates:

Borough Plan Review Publication Stage

Please return to Nuneaton and Bedworth Borough Council by 16th October 2023 via:

Email: planning.policy@nuneatonandbedworth.gov.uk

Post: Planning Policy, Nuneaton and Bedworth Borough Council, Town Hall, Coton Road, NUNEATON, CV11 5AA

This form has two parts –

Part A – Personal details.

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

Part A

	1. Personal details* * If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.	2. Agent's details (if applicable)
Title		Mrs
First name		Dorothy
Last name		Barratt
Job title (where relevant)		Forward Planning & Economic Development Manager
Organisation (where relevant)	North Warwickshire Borough Council	North Warwickshire Borough Council
House no. and street	The Council House,	
Town	South Street	
Postcode	Atherstone	
Telephone number		01827 719250
Email address (where relevant)		planningpolicy@nrothwarks.gov.uk

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	N/A
Policy	
Policies	N/A
Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(2) Sound?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

Issue 1. - The Duty to Co-operate

The Duty to Co-operate is a legal duty that must be complied with before formal submission of a local plan. If not done correctly it cannot be rectified retrospectively without the local plan being formally withdrawn or found to be unsound by the Local Planning Inspector. This Council (North Warwickshire Borough) raised concern that the DtC had not been adequately addressed.

Since last year NBBC has led on preparing a Draft Memorandum of Understanding. A draft of their document was considered by North Warwickshire at the Planning and Development Board on the 9th October 2023. 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. 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.

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 N&BBC Plan review reaches examination stage.

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

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Revise 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.

Arrange appropriate meetings to discuss the emerging Local plan and Borough Plan review and address issues and concerns to be addressed before the N&BBC Plan review reaches examination stage.

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

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

opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination	
Yes, I wish to participate at the oral examination	

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

--

Please note the Inspector will determine the most appropriate procedure to adopt, to hear those who have indicated that they wish to participate at the oral part of the examination.

9.

Signature: (Please sign the box if you are filling in a paper copy. If you are filling in an electronic copy, the box can be left blank)	<i>D M Barratt</i>
Date:	09/10/2023

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	Chapter 6.0 Development strategy & paras 6.30 to 6.48 & Chapter 9.0
Policy	Policy E1 – Nature of employment growth & Strategic Policy DS5 – Employment allocations
Policies Map	Employment Allocations

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(2) Sound?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

Issue 2. - Employment

The employment allocations deal with the local employment need with one site being put forward as a strategic employment site of 19 hectares. 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. 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.

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

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To seek discussion with and clarification from Nuneaton and Bedworth Borough 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.

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

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

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No , I do not wish to participate at the oral examination	
--	--

Yes , I wish to participate at the oral examination	
--	--

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

--

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Please note the Inspector will determine the most appropriate procedure to adopt, to hear those who have indicated that they wish to participate at the oral part of the examination.

9.

Signature: (Please sign the box if you are filling in a paper copy. If you are filling in an electronic copy, the box can be left blank)	<i>D M Barratt</i>
Date:	09/10/2023

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	Chapter 6.0 Development strategy & paras 6.14 to 6.35.
Policy	Housing need, numbers and delivery implications & Strategic Policy DS4 – Residential allocations
Policies Map	N/A

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(2) Sound?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

Issue 2. - Housing

The evidence base documents referred to in para 4.3 of the Planning and Development Board Report on the 9th October 2023, including the Coventry and Warwickshire Housing and Economic Development Needs Assessment (HEDNA) and the NBBC commissioned report called "Towards a Housing Requirement for Nuneaton & Bedworth" seek to justify more housing being delivered in Nuneaton and Bedworth above its local need.

It is argued that this is required to ensure there is economic growth in the Borough.

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.

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

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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.

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

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

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No , I do not wish to participate at the oral examination	
Yes , I wish to participate at the oral examination	

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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Please note the Inspector will determine the most appropriate procedure to adopt, to hear those who have indicated that they wish to participate at the oral part of the examination.

9.

Signature: (Please sign the box if you are filling in a paper copy. If you are filling in an electronic copy, the box can be left blank)	<i>D M Barratt</i>
Date:	09/10/2023