Anca Seaton

From:	Mike O'Brien <[redacted]
Sent:	13 October 2023 14:28
To:	Planning Policy
Subject:	Borough Plan Review: Regulation 19 Consultation
Attachments:	Richborough - Form_A.pdf; Richborough - Representation_Form_B - Policy DS3.pdf; Richborough - Representation_Form_B - Policy DS7.pdf; Richborough - Representation_Form_B - Policy NE1.pdf; Richborough - Representation_Form_B - Policy NE4.pdf; Richborough - Representation_Form_B - Vision and Strategic Objectives.pdf; Richborough - Representation_Form_B - Policy BE3.pdf; Richborough - Representation_Form_B - Policy BE4.pdf; Regulation 19 Consultation - Higham Lane (final draft).pdf
Importance:	Low
Follow Up Flag:	Follow up
Flag Status:	Completed
Categories:	Processed

Dear Sir/Madam

Please see the attached completed representation form Part A and 10no. Part B forms submitted to the Borough Plan Review: Regulation 19 consultation, submitted on behalf of Richborough. I have also attached a copy of our full written representation document and associated appendices which should be read alongside the submitted forms.

Please confirm receipt of the representation at your earliest convenience and don't hesitate to contact me should you have any questions.

Thanks

Mike

Mike O'Brien
Director

PINNACLE
PINNACLE PLANNING LIMITED

500 Styal Road
Manchester
M22 5HQ
[redacted]

Nuneaton & Bedworth United to Achieve	**Borough Plan Review** Publication Stage Representation Form	**Ref:** **(For official use only)**

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	Mr	Mr
First name	Richard	Mike
Last name	Lomas	O'Brien
Job title (where relevant)		Director
Organisation (where relevant)	Richborough	Pinnacle Planning
House no. and street		500 Styal Road
Town		Manchester
Postcode		M22 5HQ
Telephone number		[redacted]
Email address (where relevant)		

Part B – Please use a separate sheet for each representation

Name or Organisation: Richborough

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

Paragraph	
Policy Policies Map	DS3 - Overall Development Needs

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	
No	

4.(2) Sound?

Yes	
No	X

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

Yes	
No	X

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.

Policy DS3 - Overall Development Needs

1.1 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.

1.2 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.

1.3 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 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.

1.4 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."

1.5 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 it's Vision.

1.6 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."

1.7 It is clear therefore that there are circumstances whereby a higher figure could be adopted over and above the standard method. The PPG provides further clarification on when it might it be appropriate to plan for a higher housing need figure and states[1]:

"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."

1.8 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.

1.9 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.

1.10 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 account.

1.11 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.

Affordable Housing

1.12 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*

[1] Paragraph ID: 2a-010-20201216, PPG

affordable housing is an important and pressing issue in the area... affordable housing delivery should be maximised where opportunities arise."

1.13 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.

1.14 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.

1.15 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.

1.16 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.

Duty to Cooperate

1.17 The Publication Draft includes a section titled "Duty to Cooperate" at Paragraph 1.11.

1.18 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 cooperate with each other on strategic matters that cross administrative boundaries[2] and identify relevant strategic matters that need to be addressed in their plans[3]. Paragraph 26 confirms that:

"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. 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."

1.19 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 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

[2] Paragraph 24, NPPF (2023)
[3] Paragraph 25, NPPF (2021)

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."

1.20 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[4].

1.21 NBBC form part of the Coventry and Warwickshire Sub-Region authorities[5] 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-regional Housing and Employment Development Needs Assessment (HEDNA), which was published in October 2022.

1.22 As set in Paragraph 5.18 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.

1.23 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).

1.24 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".

1.25 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.

1.26 CCC undertook an Issues and Options Regulation 18 consultation during summer 2023, concluding on 29 September.

1.27 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.

---

[4] Paragraph ID: 61-068-20190723, PPG

[5] Coventry, North Warwickshire, Rugby, Stratford-on-Avon, Warwick and Nuneaton and Bedworth

Table 1: summary of housing need alternative calculations

	Government default Standard Method (using the 2014 Population projections)	HEDNA method (using the 2021 Census data)	HEDNA method with 35% uplift removed
Dwellings per annum	3,188	1,964	1,455
Total need over the 20 year plan period 2021 - 2041	63,760	39,280	29,100

1.28 CCC's preferred scenario is number 3 and is of the view that this 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.

1.29 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.

1.30 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.

1.31 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.

1.32 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.

1.33 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 dwellings. This would be in addition to the requirement identified in Policy DS3.

1.34 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.

7.35 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.

Plan Period

7.36 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."

7.37 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.

7.38 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.

7.39 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.

7.40 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.

(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.

7.41 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.

7.42 Richborough is of the view that additional allocations are required so as to allow a sufficient buffer that will ensure the unmet needs arising in Coventry are addressed.

7.43 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.

(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	X

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

Richborough have a strong track record of promoting sites through the local plan system and believe they can assist the Inspector in exploring the issues with the most up to date information and therefore wish to participate orally in the EiP

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)	M. O'Brien
Date:	13/10/2023

Part B – Please use a separate sheet for each representation

Name or Organisation: Richborough

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

Paragraph	
Policy Policies Map	DS7 – Monitoring of Housing Delivery

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	
No	

4.(2) Sound?

Yes	
No	X

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

Yes	
No	

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.

Policy DS7 - Monitoring of Housing Delivery

7.1 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. 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.

7.2 The policy is currently worded as follows:

"The Council will monitor the delivery of housing and publish progress against the trajectory (as shown in Appendix B). Where it is apparent that delivery rates are falling short of what was anticipated, then the Council will take the necessary action to address any shortfall. Such action may include (but are not limited to):

- *Working with developers and site promoters, particularly of the two largest strategic sites, to review the requirements and phasing of infrastructure provision, where such re-phasing would assist with viability.*
- *Working with developers, site promoters and other interested parties to help unlock potential sources of funding for identified infrastructure, or;*
  - *considering the use of compulsory purchase powers to help address known land acquisition issues; or*
  - *bringing forward additional sites where it can be demonstrated that such sites will assist with delivery to address short-term needs.*

Where additional housing sites need to be brought forward, initial priority will be given to sustainable sites, including town centre redevelopment opportunities in Nuneaton and edge of settlement sites, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits."

7.3 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 MM29[1] in order to make the Plan 'sound' through formalising a positively prepared approach to monitoring housing delivery and stimulating action where necessary.

7.4 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.

7.5 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.

1.6 Despite good intentions by the Inspector to formalise a positively prepared approach, the final wording suggests greater weight will being 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

1.7 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 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.

1.8 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.

1.9 As currently drafted, Policy DS7 is not considered to be sound as it is not justified, effective, positively prepared or consistent with national policy.

(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.

1.10 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.

1.11 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

[1] Paragraph 194 of the Inspectors Report

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

7.12 As currently drafted, Policy DS7 is not considered to be sound as it is not justified, effective, positively prepared or consistent with national policy.

(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	X

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

Richborough have a strong track record of promoting sites through the local plan system and believe they can assist the Inspector in exploring the issues with the most up to date information and therefore wish to participate orally in the EiP

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)	M. O'Brien
Date:	13/10/2023

Part B – Please use a separate sheet for each representation

Name or Organisation: Richborough

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

Paragraph	
Policy Policies Map	NE1 – Green and Blue Infrastructure

4. Do you consider the Borough Plan is:

4.(´) Legally compliant?

Yes	
No	

4.(2) Sound?

Yes	
No	X

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

Yes	
No	

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.

Policy NE1 - Green and Blue Infrastructure

1.1 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. The adopted Borough Plan includes the requirement for an 8m easement to main rivers. Paragraph 5 of the draft Policy states:

"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."

1.2 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.

1.3 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. 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.

1.4 The wording of adopted Policy NE1 should be retained and reference to additional easements removed from the draft Policy. As currently drafted, Policy NE1 is not sound as it not justified or consistent with national policy.

(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.

7.5 The wording of adopted Policy NE1 should be retained and reference to additional easements removed from the draft Policy.

(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	X

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

Richborough have a strong track record of promoting sites through the local plan system and believe they can assist the Inspector in exploring the issues with the most up to date information and therefore wish to participate orally in the EiP

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)	M. O'Brien

Date:	13/10/2023

Part B – Please use a separate sheet for each representation

Name or Organisation: Richborough

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

Paragraph	
Policy Policies Map	NE4 - Managing Flood Risk and Water Quality

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	
No	

4.(2) Sound?

Yes	
No	X

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

Yes	
No	

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.

Policy NE4 - Managing Flood Risk and Water Quality

1.1 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.

1.2 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..."

1.3 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, when some below ground SUDs features may be necessary and appropriate.

1.4 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.

(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.

1.5 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.

(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	X

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

Richborough have a strong track record of promoting sites through the local plan system and believe they can assist the Inspector in exploring the issues with the most up to date information and therefore wish to participate orally in the EiP

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)	M. O'Brien
Date:	13/10/2023

Part B – Please use a separate sheet for each representation

Name or Organisation: Richborough

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

Paragraph	4.0 Vision and Strategic Objectives
Policy Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	
No	

4.(2) Sound?

Yes	
No	X

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

Yes	
No	

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.

Vision

1.1 The stated 'Vision' is set out at the beginning of chapter 4 of the Publication Draft and is provided as follows:

"By 2039, Nuneaton and Bedworth Borough will be a place of sustainable economic growth with diverse job prospects, offering quality housing to meet all our residents needs and supported by an integrated infrastructure network. People in the Borough will live in healthy, safe and inclusive communities which provide opportunities for people to be active and healthy.

Nuneaton and Bedworth Borough will be a place where businesses want to invest and people want to live, work and visit. The natural and built environment of the Borough will be improved through greater sustainable transport options, more accessible and higher quality open spaces and leisure facilities, increased tree planting and reduced pollution levels, whilst conserving and enhancing the historic environment. The Borough will have addressed the climate change emergency as far as possible through the planning process."

1.2 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".

1.3 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"*.

1.4 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.

1.5 As currently drafted, the Vision is not sound as it not justified, effective, positively prepared or consistent with national policy.

1.6 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.

1.7 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 dwellings[1]. 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).

1.8 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.

1.9 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.

1.10 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.

1.11 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 from 5.51 in 2013 to 8.09 in 2022[2]. 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 health[3]. It should be accepted that there is an urgent need to boost housing delivery within NBBC.

1.12 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.

Strategic Objectives

1.13 Objective 4, which is set out below the Vision relates to housing and aims:

"To provide a steady and adequate level of suitable housing which meets the needs of existing and new residents."

1.14 The equivalent objective included within the Borough Plan is provided in full and states:

"To provide the size, type and mix of housing that meets the specific needs of the borough. In particular:

- *Aspirational housing that will attract residents who can make a significant investment in the development of businesses in the area.*

---

[1] Authority Monitoring Report 2021-2021, NBBC
[2] House price to residence-based earnings ratio, ONS (2023)
[3] The impact of housing problems on mental health, Shelter (2017)

- *Affordable housing of different tenures to meet identified housing need.*
- *Housing options to meet the needs of the increasing number of older people in the borough.*
- *Providing smaller properties in Nuneaton, family housing in Bedworth and supporting the private rented sector across the borough.*
- *Continued regeneration and investment in areas where there is poor housing stock to improve energy efficiency, reduce fuel poverty and to bring empty properties back into use.*
- *Adequate provision to meet the identified needs of Gypsies and Travellers."*

1.15 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.

1.16 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.

(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.

1.17 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.

1.18 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.

(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	X

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

Richborough have a strong track record of promoting sites through the local plan system and believe they can assist the Inspector in exploring the issues with the most up to date information and therefore wish to participate orally in the EiP

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)	M. O'Brien
Date:	13/10/2023

Part B – Please use a separate sheet for each representation

Name or Organisation: Richborough

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

Paragraph	
Policy Policies Map	BE3 - Sustainable Design and Construction

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	
No	

4.(2) Sound?

Yes	
No	X

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

Yes	
No	

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.

Policy BE3 Sustainable Design and Construction

1.1 Policy BE3 seeks to secure additional design and building standards as part of any development proposals. The following points of compliance have been added to the parallel policy of the adopted Plan:

- the latest Nationally Described Space Standards (NDSS)
- Building for a Healthy Life
- Future Homes and Buildings Standard
- National Design Guide

1.2 The draft Policy also now includes reference to achieving net zero carbon emissions and providing homes that are adaptable/resilient to climate change.

1.3 Footnote 49 of the NPPF confirms:

"Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified."

1.4 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 a there is a transitional period to enable developers to factor the cost of space standards into future land acquisitions[1].

1.5 Richborough consider a modification to the Policy is neeced 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.

1.6 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.

1.7 As currently drafted, Policy BE3 is not sound as it is not justified, effective or consistent with national policy.

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

[1] Paragraph ID: 56-020-20150327, PPG

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.

7.8 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.

(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	X

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

Richborough have a strong track record of promoting sites through the local plan system and believe they can assist the Inspector in exploring the issues with the most up to date information and therefore wish to participate orally in the EiP

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)	M. O'Brien
Date:	13/10/2023

Part B – Please use a separate sheet for each representation

Name or Organisation: Richborough

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

Paragraph	
Policy Policies Map	BE4 – Valuing and Conserving our Historic Environment

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	
No	

4.(2) Sound?

Yes	
No	X

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

Yes	
No	

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.

Policy BE4 - Valuing and Conserving our Historic Environment

1.1 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."*

1.2 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. Outline planning applications typically aren't submitted by the end developer of a site and therefore will not usually undertake those 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.

1.3 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.

(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.

1.4 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.

(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	X

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

Richborough have a strong track record of promoting sites through the local plan system and believe they can assist the Inspector in exploring the issues with the most up to date information and therefore wish to participate orally in the EiP

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)	M. O'Brien
Date:	13/10/2023

Nuneaton and Bedworth BC Borough Plan Review (Regulation 19 Consultation)

Representations by Richborough Estates Limited

Land West of Higham Lane, Nuneaton

October 2023

PINNACLE

PINNACLE PLANNING LIMITED

Contents

Contact
Mike O'Brien
mike@pinnacleplanning.co.uk

Client
Richborough Estates

Our reference
PP0035

October 2023

1. Introduction

1.1 This representation is prepared by Pinnacle Planning on behalf of our client Richborough. It provides representations to Nuneaton and Bedworth Borough Council (NBBC) in respect of the Borough Plan Review - Regulation 19 consultation, which is the subject of public consultation until 16 October 2023.

1.2 The Publication Draft version of the Borough Plan Review (2021-2039) (hereafter referred to as the "Publication Draft") is accompanied by several evidence base documents, including the following, which are referenced in this representation:

- NBBC Housing and Economic Development Needs Assessment (2022)
- Coventry & Warwickshire Housing & Economic Development Needs Assessment (2022)
- Towards a Housing Requirement for Nuneaton & Bedworth (2022)
- Housing and Economic Employment Land Availability Assessment (HELAA) (2023)
- Sustainability Appraisal (2023)
- Small Site Windfall Housing Study (2022)

1.3 This document should be read in conjunction with the Briefing Note prepared by Lichfields on behalf of a consortium of land promoters including Richborough, titled 'Distributing the Unmet Housing Needs of the Coventry and Warwickshire Housing Market Area'. A copy of the Briefing Note is provided at Appendix 1.

Background

1.4 Richborough is a privately owned land promotion company operating nationally. The business works in partnership with landowners, councils and stakeholders to secure residential planning permission on suitable sites, which are then delivered by an appropriate partner.

1.5 Richborough work with private individuals, companies, charities, trusts and estates departments at public sector bodies. They typically promote sites of 100 to 1,000 homes and have a pipeline of approximately 20,000 plots across the country. Richborough's role in promoting land through the planning system, with all its attendant complexities and risks, is an important step along the way to the delivery of much needed new homes. Land promoters like Richborough are responsible for 41% of homes secured through outline planning permission; providing an important source of 'oven ready' land with planning permission for housebuilders to acquire and build-out. Richborough has brought forward sites for 3,000 new homes, including over 700 affordable dwellings. Richborough is a strong advocate of a plan-led system and is committed to promoting land for residential development through local and neighbourhood plans.

Borough Plan Review

1.6 In June 2019, NBBC adopted the Nuneaton and Bedworth Borough Plan (Borough Plan). However, in July 2020 it was agreed to undertake a review of the Borough Plan principally in order to take account of changes to the NPPF, some of which relate to housing need, and in particular the introduction of the standard method for calculating housing need.

1.7 This is the third stage of consultation, following the Issues and Options consultation which closed in August 2021; and the Preferred Options consultation which closed in July 2022.

1.8 The Publication Draft of the emerging Local Plan seeks to establish that the plan period will run from 2021 to 2039 and includes strategic and development management policies that seek to quantify, address and aid the delivery of local employment and residential development needs, including through the provision of additional housing allocations, almost all of which are non-strategic.

1.9 The Publication Draft will be subject to an independent examination into its soundness and legal compliance. The tests of soundness are presented in paragraph 35 of the National Planning Policy Framework (NPPF). This notes that Local Plans are sound only if they are:

- *Positively prepared* - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

- *Justified* - an appropriate strategy taking into account reasonable alternatives, and based on proportionate evidence;

- *Effective* - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

- *Consistent with national policy* - enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.10 In this context, NBBC will be aware that Richborough has an interest in a parcel of land to the north of Nuneaton to the west of Higham Lane (hereafter referred to as "Land west of Higham Lane" or "the Site").

1.11 Richborough is promoting this land as a potential draft allocation and can demonstrate that the site is capable of sustainably delivering around 700 dwellings which will meet the needs and aspirations of the area. It will make an important contribution to meeting the needs of NBBC, as well as offering benefits to the area, including affordable homes, opportunities for leisure and recreation, and new highways infrastructure.

1.12 An outline application (Ref: 038602) for up to 700 dwellings with access to be taken from a new roundabout junction off the A5 was submitted in January 2022 and refused in May 2023. The Illustrative Layout includes for a significant area of open space and improved linkages across the A5, including to the MIRA Technology Park.

1.13 Richborough is keen to work collaboratively with NBBC, the local community and other stakeholders to explore, expand and refine the potential development opportunities.

1.14 Richborough previously promoted the land on the opposite side of Higham Lane which gained planning permission in 2018 and is now being built out successfully by Redrow Homes. The sale to Redrow Homes was achieved within eighteen months of Richborough first acquiring the site, which demonstrates a strong track record of delivery, and the majority of the policy compliant scheme for 200 dwellings is now developed. Richborough also secured outline permission on the allocated site at Hospital Lane, Bedworth in August 2023 and are in the process of selling the site.

Structure of Representations

1.15 Richborough's representations to the Preferred Options consultation are comprised of the following documents:

- Written Representation (this report)
- Distributing the Unmet Housing Needs of the Coventry and Warwickshire Housing Market Area (appended to this report)
- Illustrative Masterplan (appended to this report)
- Landscape Sequential Assessment (appended to this report)
- Consultation Response Form(s)

1.16 This report addresses the strategic and development management sections and Policies chronologically as presented in the consultation statement. This report is structured as follows:

- Chapter 2 Vision and Objectives
- Chapter 3 Strategic Policies
- Chapter 4 Development Management Policies
- Chapter 5 Land west of Higham Lane, Nuneaton
- Chapter 6 concludes this representation.

2. Vision and Strategic Objectives

Vision

2.1 The stated 'Vision' is set out at the beginning of chapter 4 of the Publication Draft and is provided as follows:

"By 2039, Nuneaton and Bedworth Borough will be a place of sustainable economic growth with diverse job prospects, offering quality housing to meet all our residents needs and supported by an integrated infrastructure network. People in the Borough will live in healthy, safe and inclusive communities which provide opportunities for people to be active and healthy.

Nuneaton and Bedworth Borough will be a place where businesses want to invest and people want to live, work and visit. The natural and built environment of the Borough will be improved through greater sustainable transport options, more accessible and higher quality open spaces and leisure facilities, increased tree planting and reduced pollution levels, whilst conserving and enhancing the historic environment. The Borough will have addressed the climate change emergency as far as possible through the planning process."

2.2 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".

2.3 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"*.

2.4 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.

2.5 As currently drafted, the Vision is not sound as it not justified, effective, positively prepared or consistent with national policy.

2.6 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.

2.7 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 dwellings[1]. 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).

[1] Authority Monitoring Report 2021-2021, NBBC

2.8 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.

2.9 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.

2.10 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.

2.11 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 from 5.51 in 2013 to 8.09 in 2022[2]. 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 health[3]. It should be accepted that there is an urgent need to boost housing delivery within NBBC.

2.12 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.

Strategic Objectives

2.13 Objective 4, which is set out below the Vision relates to housing and aims:

"To provide a steady and adequate level of suitable housing which meets the needs of existing and new residents."

2.14 The equivalent objective included within the Borough Plan is provided in full and states:

---

[2] House price to residence-based earnings ratio, ONS (2023)
[3] The impact of housing problems on mental health, Shelter (2017)

"To provide the size, type and mix of housing that meets the specific needs of the borough. In particular:

- *Aspirational housing that will attract residents who can make a significant investment in the development of businesses in the area.*
- *Affordable housing of different tenures to meet identified housing need.*
- *Housing options to meet the needs of the increasing number of older people in the borough.*
- *Providing smaller properties in Nuneaton, family housing in Bedworth and supporting the private rented sector across the borough.*
- *Continued regeneration and investment in areas where there is poor housing stock to improve energy efficiency, reduce fuel poverty and to bring empty properties back into use.*
- *Adequate provision to meet the identified needs of Gypsies and Travellers."*

2.15 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.

2.16 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.

3. Strategic Policies

Policy DS3 - Overall Development Needs

3.1 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.

3.2 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.

3.3 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 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.

3.4 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."

3.5 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 it's Vision.

3.6 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."

3.7 It is clear therefore that there are circumstances whereby a higher figure could be adopted over and above the standard method. The PPG provides further clarification on when it might it be appropriate to plan for a higher housing need figure and states[4]:

"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."

3.8 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.

3.9 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.

3.10 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 account.

3.11 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.

Affordable Housing

3.12 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*

[4] Paragraph ID: 2a-010-20201216, PPG

affordable housing is an important and pressing issue in the area... affordable housing delivery should be maximised where opportunities arise."

3.13 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.

3.14 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.

3.15 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.

3.16 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.

Duty to Cooperate

3.17 The Publication Draft includes a section titled "Duty to Cooperate" at Paragraph 1.11.

3.18 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 cooperate with each other on strategic matters that cross administrative boundaries[5] and identify relevant strategic matters that need to be addressed in their plans[6]. Paragraph 26 confirms that:

"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. 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."

3.19 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 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

[5] Paragraph 24, NPPF (2023)
[6] Paragraph 25, NPPF (2021)

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."

3.20 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[7].

3.21 NBBC form part of the Coventry and Warwickshire Sub-Region authorities[8] 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-regional Housing and Employment Development Needs Assessment (HEDNA), which was published in October 2022.

3.22 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.

3.23 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).

3.24 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".

3.25 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.

3.26 CCC undertook an Issues and Options Regulation 18 consultation during summer 2023, concluding on 29 September.

3.27 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.

---

[7] Paragraph ID: 61-068-20190723, PPG

[8] Coventry, North Warwickshire, Rugby, Stratford-on-Avon, Warwick and Nuneaton and Bedworth.

Table 1: summary of housing need alternative calculations

	Government default Standard Method (using the 2014 Population projections)	HEDNA method (using the 2021 Census data)	HEDNA method with 35% uplift removed
Dwellings per annum	3,188	1,964	1,455
Total need over the 20 year plan period 2021 - 2041	63,760	39,280	29,100

3.28 CCC's preferred scenario is number 3 and is of the view that this 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.

3.29 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.

3.30 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.

3.31 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.

3.32 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.

3.33 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 dwellings. This would be in addition to the requirement identified in Policy DS3.

3.34 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.

3.35 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.

Plan Period

3.36 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."

3.37 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.

3.38 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.

3.39 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.

3.40 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.

Strategic Policy DS4 - Residential Allocations

Strategic Sites

3.41 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.

3.42 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.

Figure 3.1: Adopted Housing Trajectory

Source: NBBC BP, NBBC (2019)

3.43 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 an accelerated rate.

3.44 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[9]. It is clear that the northern part of Nuneaton represents an area which viable to deliver new dwellings and is attractive the market.

3.45 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*

[9] Figure 8, AMR 21/22, NBBC

other costs incurred which have not been reflected by assumptions within the appraisals at this stage".

3.46 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.

Reasonable Alternatives

3.47 NBBC identified seven alternative strategies for the delivery of housing and tested these through the Sustainability Appraisal (SA).

3.48 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.

3.49 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".*

3.50 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. 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.

3.51 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.

3.52 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.

Housing Trajectory

3.53 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.

3.54 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 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.

3.55 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. 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.

Windfall

3.56 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:

"Where an allowance is to be made for windfall sites as part of anticipated supply, there 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."

3.57 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.

3.58 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.

3.59 Paragraph 6.5 of the Study highlights that the period where there was no adopted 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

[10] Glossary, NPPF (2019)

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 to be justified and considered sound.

3.60 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.

Non-Strategic Sites

3.61 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".

3.62 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).

3.63 The PPG provides further guidance on these aspects and the identification of sites, generally.

3.64 In regard to assessing the availability of a site, it is stated at paragraph: 019 Reference ID: 3-019-20190722 that:

"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".

3.65 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:

- *national policy;*
- *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.*

3.66 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 period[11]. Supporting evidence in regard to the viability of sites will therefore be required.

3.67 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.

3.68 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.

3.69 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 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.

3.70 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.

3.71 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

[11] Paragraph ID: 3-020-20190722, PPG

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.

3.72 NSRA10 - Land at Bermuda Road, Nuneaton (claimed supply of 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.

3.73 NSRA13 - Armson 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.

3.74 The contested sites have a total capacity of 181 dwellings, meaning the yield from Non-Strategic Sites should be reduced to 408.

Policy DS7 - Monitoring of Housing Delivery

3.75 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. 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.

3.76 The policy is currently worded as follows:

"The Council will monitor the delivery of housing and publish progress against the trajectory (as shown in Appendix B). Where it is apparent that delivery rates are falling short of what was anticipated, then the Council will take the necessary action to address any shortfall. Such action may include (but are not limited to):

- *Working with developers and site promoters, particularly of the two largest strategic sites, to review the requirements and phasing of infrastructure provision, where such re-phasing would assist with viability.*
- *Working with developers, site promoters and other interested parties to help unlock potential sources of funding for identified infrastructure, or;*

- *considering the use of compulsory purchase powers to help address known land acquisition issues; or*

- *bringing forward additional sites where it can be demonstrated that such sites will assist with delivery to address short-term needs.*

Where additional housing sites need to be brought forward, initial priority will be given to sustainable sites, including town centre redevelopment opportunities in Nuneaton and edge of settlement sites, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits."

3.77 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 MM29[12] in order to make the Plan 'sound' through formalising a positively prepared approach to monitoring housing delivery and stimulating action where necessary.

3.78 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.

3.79 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.

3.80 Despite good intentions by the Inspector to formalise a positively prepared approach, the final wording suggests greater weight will being 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.

3.81 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 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.

3.82 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

[12] Paragraph 194 of the Inspectors Report

deadline within the Policy. It is important for any under-delivery of housing to be addressed as soon as possible.

3.83 As currently drafted, Policy DS7 is not considered to be sound as it is not justified, effective, positively prepared or consistent with national policy.

Policy DS8 - Review

3.84 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:

- 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.

3.85 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.

3.86 Furthermore, additional detail is needed in regard to the triggers for the review as they are currently too vague to be effective.

3.87 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.

3.88 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.

3.89 As currently drafted, Policy DS8 is not considered to be sound as it is not justified, effective or consistent with national policy.

4. Development Management Policies

Policy SA1 - Development Principles on Strategic Sites

4.1 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.

4.2 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.

4.3 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."

4.4 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.

4.5 The PPG (Paragraph ID: 56-007-20150327) sets out the evidence necessary to justify a policy requirement for optional standards and includes:

- *"the likely future need for housing for older and disabled people (including wheelchair user dwellings).*
- *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."*

4.6 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 not justified or consistent with national policy.

Policy NE1 - Green and Blue Infrastructure

4.7 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. The adopted Borough Plan includes the requirement for an 8m easement to main rivers. Paragraph 5 of the draft Policy states:

"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."

4.8 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.

4.9 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. 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.

4.10 The wording of adopted Policy NE1 should be retained and reference to additional easements removed from the draft Policy. As currently drafted, Policy NE1 is not sound as it not justified or consistent with national policy.

Policy NE4 - Managing Flood Risk and Water Quality

4.11 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.

4.12 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..."

4.13 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, when some below ground SUDs features may be necessary and appropriate.

4.14 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.

Policy BE3 Sustainable Design and Construction

4.15 Policy BE3 seeks to secure additional design and building standards as part of any development proposals. The following points of compliance have been added to the parallel policy of the adopted Plan:

- the latest Nationally Described Space Standards (NDSS)
- Building for a Healthy Life
- Future Homes and Buildings Standard
- National Design Guide

4.16 The draft Policy also now includes reference to achieving net zero carbon emissions and providing homes that are adaptable/resilient to climate change.

4.17 Footnote 49 of the NPPF confirms:

"Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified."

4.18 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 a there is a transitional period to enable developers to factor the cost of space standards into future land acquisitions[13].

4.19 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.

4.20 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.

4.21 As currently drafted, Policy BE3 is not sound as it is not justified, effective or consistent with national policy.

Policy BE4 - Valuing and Conserving our Historic Environment

4.22 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."*

---

[13] Paragraph ID: 56-020-20150327, PPG

4.23 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. 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.

4.24 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.

5. Land West of Higham Lane

5.1 The land under Richborough's control is identified on the Illustrative Masterplan which is appended (**Appendix 2**) to these Representations and shows that the site is capable of accommodating around 700 dwellings. The site is owned by a single entity with a clean Title and comprises 42.7ha of land to the southwest of the A5 and to the west of Higham Lane. It occupies the area of land between the HSG1 Strategic Housing Allocation (currently subject to a live planning application) and the A5. The adopted Policies Map indicates that the site is not located in the Green Belt but classed as greenfield land.

5.2 An outline planning application (Ref: 038602) was submitted by Richborough and a summary of the proposals is provided below:

- Up to 700 residential dwellings (including 25% affordable housing delivered in accordance with current adopted planning policy - equivalent to 175 dwellings);
- Delivery of a new three-arm access roundabout junction off the A5, with a bus-only access from Higham Lane, the potential for a pedestrian/cycle/emergency access to Higham Lane, possibly inclusive of a bus gate-control to facilitate bus penetration of the site the potential for emergency access to the A5 in the north-west of the site;
- Structural landscape planting 19.18 ha of green infrastructure (excluding SUDS areas) including general greenspace, formal park, equipped play space, allotments and new woodland planting; and
- New access arrangements including footway/cycle links and improvements to public rights of way.

5.3 The application was refused on 30 May 2023 and included six reasons for refusal, which made reference to the following issues:

1. The proposals would result in additional housing being located outside of the defined settlement boundaries which would undermine the Council's strategic housing aims;
2. The application fails to demonstrate that the development would not have a detrimental impact on the safety, operation or capacity of the local highway network;
3. The findings set out within the submitted Noise Impact Assessment are considered to be inadequate and fail to assess the noise impacts arising as a result of the adjacent allocated site E4;
4. The application would result in a biodiversity net loss, and it has not been demonstrated that the biodiversity mitigation hierarchy has been followed and whether the potential to avoid, minimise and restore has been fully considered;
5. The application is not supported by an archaeological site evaluation which enables a proper and detailed assessment of the character and extent of any archaeological

deposits of importance likely to be threatened by the proposed development and possibly worthy of conservation in whole or in part or of being fully investigated and recorded; and

6. The application would result in the loss of Grade 2 Best and Most Versatile agricultural land which would amount to a 'large scale of impact' owing to the size of the site is question.

5.4 An appeal against the refusal of permission has now been submitted to the Planning Inspectorate (Ref: APP/W3710/W/23/3329913) and evidence is being prepared to address these points.

5.5 The site was also assessed within the Housing and Economic Employment Land Availability Assessment (HELAA) (2023) under reference WED-3. In the concluding on suitability the assessment states:

"The site is located to the north of Nuneaton and is on the periphery of the settlement, there are issues regarding access to local facilities. The site would also increase traffic on the busy A5 which may cause problems to the highway network. The other main constraint is the landscape sensitivity which has been assessed as high sensitivity."

5.6 The issues raised within the reasons for refusal and the HELAA are addressed below:

Highways, Sustainability and Access

5.7 The site is located in close proximity to numerous residential developments in various stages of planning or construction. These include a range of facilities including a local centre as well as primary and secondary schools at Top Farm (HSG1). An Outline application (Ref: 035279) was approved in November 2022 which included details of the local facilities which took the form of food retail, community hall/health facility/other services and a public house (combined floor area of 3,500m²) and are to be located in the northern area of the site, immediately adjacent to the boundary with the promoted site.

5.8 An application (Ref: 039440) to discharge the phasing of the development includes a Phasing Plan and Cover Letter which suggest the intention is to start development of the secondary school by the end of 2023 and the Local Centre by January 2025. Planning applications for the secondary school (Ref: 039665) and the link road (Ref: 039698) have been submitted and are pending determination.

5.9 To ensure ease of access to these facilities the development at the promoted site will promote active travel links to Weddington Walk and will also provide active travel links to the local facilities planned in the Top Farm development to the south.

5.10 It is noted that several residential developments in a similar location to that planned have been granted planning permission in recent years; notably development immediately to the east, accessed off Higham Lane. The sustainability of this location for development has therefore been established and likely to be improved with facilities delivered through other schemes in the immediate locality as well as improvements to bus services which will be facilitated through the appeal proposals.

5.11 The access roundabout has been designed to meet guidance set out in the Design Manual for Roads and Bridges (DMRB). The proposal for the primary access to the site includes the provision of an additional lane on the westbound approach to the roundabout, running between the A5/Higham Lane junction and the proposed roundabout. A Toucan crossing is also proposed on the western arm of the A5 on approach to the roundabout. This provides a link from the site to the existing footway/cycleway that runs along the northern side of the A5.

5.12 Through the appeal, it will be demonstrated that the development will meet acceptable levels of design and traffic impact on the strategic and local highway network with appropriate mitigation measures in place. A GG 104 Safety Risk Assessment has been undertaken for the proposed vehicle access at the request of National Highways and a Road Safety Audit brief and Stage 1 Road Safety audit will be submitted for the A5 access.

5.13 Traffic forecasts for the proposed site access have been undertaken using a validated traffic model prepared on behalf of Warwickshire County Council (WCC) and agreed as appropriate with National Highways. Detailed traffic modelling of the proposed site access has been undertaken for the proposed roundabout access resulting in a proposal for a signalled roundabout access to optimise capacity and safety.

5.14 The Transport Assessment (TA) submitted the application concluded that the additional level of traffic associated with the development will not result in an unacceptable impact on highway safety. As part of the evidence to be prepared for the appeal, it shall be demonstrated that not only will the proposed site access work in a safe and suitable manner but also that suitable mitigation can be provided to ensure that the nearby strategic road network can operate in a safe and suitable manner.

5.15 The proposals will not prejudice options which may be available for the A5 Hinckley to Tamworth Road Investment Strategy scheme (RIS3). A considerable offset from the built form of the development is provided from the A5 such that any widening scheme, including any improvement to the scale of the site access roundabout, can comfortably be accommodated. The land required for any RIS3 scheme can be secured as part of any planning permission on site, just as with the Padge Hall Farm proposal to the east of the appeal site.

Landscape

5.16 In landscape terms, the site is unremarkable within the landscape and does not form a prominent or important part of the appreciation of the wider open countryside. The intervisibility between the site and the wider urban settlement of the Nuneaton means there is a stronger relationship with the urban setting than the wider open countryside beyond the A5 Watling Street. The site's boundary with the A5 would be formally and informally landscaped with new planting. This would introduce a variety of native planting and valuable habitat creation which would positively contribute to the character of the area, as well as protect and integrate the development into its setting. Existing and new landscape fabric would be appropriately maintained for longevity to conserve and enhance the local landscape character and facilitate bio-diversity improvements.

5.17 The LVA for the submitted application highlights the significance of future development which is due to take place to the south and west of the application site. This includes the

HSG1 allocation to the south and a 42ha site on the opposite side of Weddington Walk. This forms part of an employment allocation within the recently adopted North Warwickshire Local Plan to extend the MIRA Technology Park south of the A5. In due course, the result will be that the application site will be sandwiched between existing and new residential, mixed use and employment built form. Consequently, the scheme would be experienced on the then expanded settlement edge of Nuneaton (with the full implementation of HSG1 adjoining the site to the south, and employment development west of Weddington Walk) with the scheme situated within an extensive landscape of green corridors, and swathes of green infrastructure and public open space like individual neighbourhoods across the development site area.

5.18 It is considered that the site is situated within the perceived built limits of Nuneaton and within the physical confines of the settlement and the robust physical element of the A5 main arterial route. Consequently, the development will be viewed within the context of the existing settlement, and not divorced from Nuneaton in the open countryside beyond. It will facilitate a logical infill development between allocated residential and employment land.

5.19 The proposal therefore comprises a logical urban extension reflecting the wider allocation to the existing built-up area of Nuneaton. The development represents an appropriately scaled feature, which is designed to be in keeping with the local landscape character and landscape setting. The development would result in a very limited number of material landscape or visual effects.

5.20 During the course of determining the application, NBBC sought an independent review of the submitted LVA, and instructed FPCR to undertake the assessment based on an agreed scope. The LVA review was provided on 16 August 2022 and concluded at Paragraph 3.11:

"Overall, the appraisal is adequate for the purpose of accompanying planning application of this nature and identifying the overall landscape and visual effects. The findings can feed through to a consideration of the planning balance."

5.21 The Officer Report confirms that it is not considered that the scheme could be resisted on landscape impact grounds and no refusal reason on this issue has been included.

5.22 The Officer Report highlights that Policy NE5 explicitly states that outside of the strategic sites and urban area, developers must show they have sequentially considered development opportunities in areas of least landscape value first, prior to any development proposals being permitted in higher value landscape character areas. However, the Officer Report goes on to acknowledge that the Council recognises that the Landscape Character Area has been subject to a significant amount of change since the character assessment work was undertaken with extensive new areas of development having taken place between Nuneaton and the A5, as well as the site to the west being allocated for commercial uses within the North Warwickshire Local Plan.

5.23 Nevertheless, the Appellant has undertaken a Sequential Appraisal of available land in the Borough, outside of the settlement boundary, in regard to suitability for residential development in landscape terms. The Appraisal, which is appended to these representations (Appendix 3) concludes that the subject site is sequentially preferable to

all of the open land beyond the settlements. The proposals would therefore be in full compliance with Policy NE5.

5.24 Richborough is therefore of the view that the HELAA assessment against landscape sensitivity is incorrect and not based on a detailed, site-specific LVIA that has been peer-reviewed and deemed robust. The site has not specifically been reviewed through the Nuneaton and Bedworth Landscape Sensitivity Study (2023), which is included in the evidence base, and the HELAA methodology (Table 2) for assessing the suitability of sites does not set out how the conclusions have been reached. Given that the submitted LVA has been independently assessed and a landscape refusal reason could not be substantiated, the scoring of the HELAA on this point should be reassessed.

Noise Impact

5.25 The Application was supported by a Noise Impact Assessment (NIA) dated February 2022. The NIA assessed existing noise impacts from the employment uses to the north of the site as well as traffic noise from nearby roads including the A5.

5.26 NBBC's Environmental Health Officer provided comments in March 2022 raising no objection to the proposed development, concluding that:

"road traffic is the dominant noise source in the area as identified in the Noise Assessment, the report has specified some mitigation and provided the housing is built in the location as specified on the plans and the proposed mitigation, I have no objections..."

5.27 The Officer Report raises concern with noise impacts from the employment allocation to the west of the site, which is within NWBC. An outline planning application was submitted in September 2022 for B2 and B8 uses on the 59ha site (NWBC application reference: PAP/2022/0423).

5.28 Since the application was determined, an updated NIA has been prepared which includes an assessment of the adjacent employment site and this was submitted with the recent appeal. The updated NIA confirms that the noise effects from the proposed employment site are unlikely to be noticeable due to the intervening distance and existing ambient noise levels. When noise from road traffic and noise associated with the employment site are assessed cumulatively, the noise level is predicted to increase by 1dB for a small number of dwellings on the western boundary. However, the NIA confirms that given the low noise levels, it is likely that windows could remain open and internal noise level criteria achieved.

Ecology

5.29 The Application was supported by an Ecological Impact Assessment (EcIA), which incorporated protected species surveys. Biodiversity Net Gain calculations were also provided in respect of the DEFRA 3.0 Metric and the Warwickshire Metric.

5.30 Contrary to the wording of the refusal reason, the EcIA highlights how biodiversity hierarchy has been considered through the design process. This includes identifying the high value receptors, including the hedgerows, the southern corridor and Weddington Walk, and detailing how they have been retained and enhanced through the provision of additional planting and inclusion within landscape buffer zones.

5.31 The EcIA outlines how the scheme allows for substantial terrestrial habitat enhancement; protection for roosting bats through the protection of all trees with roosting potential; and the inclusion of enhancement measures by incorporating a habitat buffer. The biodiversity enhancement strategy also includes additional wildflower planting; refuge areas to enhance reptile habitats; and the addition of bird boxes suitable for several bird breeds including swifts and swallows.

5.32 The Appellant has evidenced within the EcIA that the biodiversity hierarchy has been followed in preparing the application and this is also communicated through the Illustrative Layout, Landscape Strategy and Parameter Plan. The latter will form the basis of development parcels for a future reserved matters application.

5.33 In regard to the biodiversity net gain calculation, an updated baseline condition assessment has been compiled for the site against the updated condition assessment protocols, and the Biodiversity Impact Assessment (BIA) re-calculated within the DEFRA Metric 4.0. A version of the BIA has also been presented in the Warwickshire Metric, a predecessor to the DEFRA Metric. A BIA Technical Note in the form of a letter has also been prepared and was submitted with the appeal which presents the results of the two calculations as well as the necessary background to the methodologies.

5.34 Following input into the DEFRA Metric 4.0, it has been considered that there will be a quantified net gain in biodiversity of 11.79 habitat units (12.62%) and 4.72 linear units (13.14%) across the site. Furthermore, the trading rules within the DEFRA Metric 4.0 are also satisfied, following the implementation of the proposed habitat and hedgerow creation on site.

Archaeology

5.35 The Application was supported by a Heritage Assessment which incorporates an archaeological assessment at Section 6.

5.36 WCC Archaeology provided a consultation response in February 2022 that suggested site evaluation was required to *"define the character, extent, state of preservation and importance of any archaeological remains present and will also provide information useful for identifying potential options for minimising or avoiding damage to them."*

5.37 Following receipt of this consultation response and during the determination of the application, the Appellant sought agreement from the NBBC Case Officer that the site evaluation could be secured via a condition requiring the works to take place prior to submission of a reserved matters application. The application the subject of this appeal was determined before a conclusion could be reached.

5.38 Richborough's heritage consultant, BWB, has been in contact with the Archaeology Officer at WCC and prepared an updated Heritage Assessment which was submitted with this appeal. This confirms that the results of the 2022 Geophysical Survey have been used to agree a specification for trial trenching with the Officer. The Geophysical Survey and the specification are included within the updated Heritage Assessment. The results of this evaluation should be used to determine if any further archaeological mitigation such as strip, map and record excavation is required in consultation with the Archaeology Officer.

Agricultural Land Classification

5.39 An Agricultural Land Classification Report has been prepared in response to the reason for refusal and was submitted with the appeal. This concludes that all 38.9 hectares sit within subgrade 3b, due to wetness/workability constraints and means that none of the land is considered to be best and most versatile agricultural land, as defined by the glossary of the NPPF.

Flood Risk, Drainage and Utilities

5.40 According to the Environment Agency Flood Map for Planning the site is located entirely in Flood Zone 1 (land at Low Probability of flooding from rivers or sea). The nearest extent of Flood Zones 2 and 3 (land at Medium and High Probability respectively) is approximately 850m southwest of the site boundary, where levels are approximately 4m lower than those at this site. The nearest Environment Agency Main River to the site is the River Anker, located approximately 1.2km south of the site.

5.41 There are two ordinary watercourses within the Site, excluded from the Flood Zone mapping; therefore, a hydraulic modelling exercise was undertaken which predicts that for all events there is to be an overland flow route through the centre of the site, adjacent to the drainage ditch. For all events, there is also a small area of encroachment at the southwest of the site upstream of the blocked culvert beneath the Weddington Walk (former railway line). Under the proposed scenario, with mitigatory measures accounted for, the site is shown to be at a low risk of fluvial flooding. However, it is recommended that the finished floor levels of any buildings should be raised to a minimum of 600mm above the nearest reported 1 in 100-year +22%CC flood level.

5.42 Aside from the risk associated with the overland flow through the centre of the site, there is a very low risk of surface water flooding. This flow path is to be managed through the proposed Surface Water Drainage Strategy that also accompanies the application.

5.43 It is proposed that the development will continue to discharge surface water to the local watercourse at the equivalent greenfield QBAR rate. Attenuated surface water storage will be provided with capacity for the 1 in 100-year storm with an allowance for climate change. It is proposed that foul water is drained separately from surface water.

5.44 The studies supporting the application have therefore confirmed that the site is suitable for residential development without being subject to significant flood risk. Moreover, the development will not increase flood risk to the wider catchment area subject to suitable management of surface water runoff discharging from the site. The proposals therefore accord with the relevant section of the NPPF.

5.45 A Utilities Assessment has also been prepared by BWB to support the application. After an enquiry was made to Severn Trent Water, they have confirmed that there are suitable connection points for foul water in the locality, although due to the size of this development sewer modelling may be required to determine the impact on the public network downstream.

5.46 However, through these discussions it has become apparent that there is a requirement for a new foul water trunk sewer to pass through the site with the aim of improving the sewer infrastructure in the local area. The subject proposals have therefore been

designed to accommodate a suitable route through the site with consideration given to long-term maintenance easements and accessibility for installation. The timescales for the sewer implementation are not confirmed at this stage but Richborough Estates will work together with Severn Trent/Fisher German to ensure the project is delivered efficiently.

5.47 Additional capacity supply responses have been procured by BWB for the electricity, gas and clean/wastewater networks, confirming capacity within the respective networks to supply the development subject to relevant upgrades, diversions and reinforcement.

Design Characteristics

5.48 Whilst the planning application is made in outline, the Illustrative Layout shows how the site could accommodate a scheme that would retain the local character of the area and existing residential properties. It will create an enhanced community for Nuneaton, supported by existing connectivity and transport routes, coupled with cross-site connectivity, linking spaces and places and integrating into the existing settlement.

5.49 This formation of linkages and routes along with the vehicular routes defines the development blocks provides clear links through the development. The continuity of the street pattern assists in defining the public realm, promotes an active street scene and helps to create a safe and attractive environment. This will help focus social activity and interaction in public spaces. The routes established within the masterplan will incorporate good lighting, overlooking from dwellings and the creation of level well designed crossing points.

5.50 The Illustrative Layout demonstrates how a hierarchy of streets can be used to define a legible movement framework within the site which contributes to the character of this new place. A series of street typologies are shown on the Illustrative Layout which seek to define a transition from primary, secondary to tertiary routes which contributes to the legibility of the place. Shared private driveways have also been shown at the edges of development zones.

5.51 Dwellings along the western and northern edges of the site will be set back from the boundary allowing for landscaped green buffers. The interface with the A5 seeks to provide a gateway to the site. Building heights in the eastern part of the site are restricted to a maximum of 2-storey, whilst buildings in the southern and western parts of the site are limited to 2.5-storeys. Hedgerows and trees will be retained and incorporated into the development where possible. The submitted Parameter Plan establishes the key principles and will provide a structured framework for securing the final design.

Availability

5.52 The HELAA assessment of the WED-3 site applies an 'amber' score under 'current use', 'intentions' and 'legal'.

5.53 As noted within these representations, Richborough have promoted the site through three stages of plan-making and submitted an outline application for development of the whole site. It is clearly the intention of the landowner to sell and develop the land and there is a party in place which is capable of ensuring the site is developed. There are also no

agricultural tenancies in place which would mean that the current use could affect the likelihood or the timescales for development.

5.54 Richborough previously promoted the land on the opposite side of Higham Lane. NBBC granted outline planning permission in 2018 and that site is now being built out by Redrow Homes. This area of the Borough is clearly viable for new housing development and the principle of sustainable location has already been established. The sale to Redrow Homes was achieved within eighteen months of Richborough acquiring the site, which demonstrates a strong track record of delivery, and it is understood that most of the site is now developed. Richborough also secured outline permission on the allocated site at Hospital Lane, Bedworth in August 2023 and are in the process of selling the site.

5.55 It is clear that the site should be scored 'green' for availability.

Summary

5.56 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.

5.57 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.

5.58 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.

6. Conclusion

6.1 NBBC is currently undertaking a review of the Borough Plan, and the current consultation comprises the Regulation 19 Publication Draft stage. This representation reviews the available consultation material and proposes modifications to the wording of draft Policies where appropriate as well as highlighting areas where the Publication Draft is not sound in approach.

6.2 The level of housing completions since the beginning of the Borough Plan period has been consistently well below the adopted requirement which has exacerbated issues in regard to affordability through the lack of supply and lower levels of affordable housing delivery. Richborough is of the view that NBBC should look to develop a Borough Plan which focuses on the deliverability of new housing and the benefits which flow from this including affordable housing and investment in local infrastructure.

6.3 It is almost certain that N&BBC will need to allocate additional residential sites to accommodate Coventry City Council's evidenced unmet need; the same duty to cooperate with neighbouring authorities applies now as it did when the Borough Plan was adopted.

6.4 In light of this, 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.

6.5 As set out in the preceding chapter, Richborough confirms that the land at Higham Lane is available for development, suitable, sustainably located and development is achievable with the scheme being completed well before the end of the plan period. The submission of an outline planning application demonstrates the deliverability of the site and Richborough's commitment to helping to meet the Borough's housing need. The Illustrative Masterplan has been prepared with a landscape-led approach and investigation work indicates that there are no technical constraints that would prevent development.

Appendix 1: Briefing Note: Distributing the Unmet Housing Needs of the Coventry and Warwickshire Housing Market Area

Distributing the unmet housing needs of the C&W HMA

Functional Housing Market Analysis

On behalf of Gladman Developments Ltd, St Philips Land Ltd, and Richborough

25 August 2023

LICHFIELDS

LICHFIELDS

Lichfields is the pre-eminent planning and development consultancy in the UK

We've been helping create great places for over 60 years.

lichfields.uk

65208/02/JK/MWS
26935785v1

Contents

Appendices

1.0 Introduction

1.1 This Report has been prepared by Lichfields, on behalf of a consortium of housebuilders and land promoters, comprising Gladman Developments Ltd ("Gladman"), St Philips Land Ltd ("St Philips") and Richborough (i.e., "the Consortium"), to consider how the unmet housing needs of the Coventry and Warwickshire Housing Market Area [HMA] ("C&W HMA") could be sustainably distributed amongst the constituent authorities based upon the functional relationships between the authorities.

1.2 The purpose of this Report is to consider the levels of unmet housing need arising in Coventry in light of the Council's objectively assessed housing needs [OAHN], set out in the 'Coventry & Warwickshire Housing & Economic Development Needs Assessment (November 2022)' [HEDNA] and the Consortium's alternative assessment of Coventry's projected household population and housing need, set out in their Housing Needs Assessment [HNA] (Appendix 2). This Report is not an 'OAHN' report. It has been prepared in support of each member of the Consortium's respective representations to Nuneaton and Bedworth Borough Council's ("the Council") forthcoming Publication Draft Plan ("the PDP") consultation on the Borough Plan Review.

1.3 It is important to note that the Consortium welcomed the Council's previous commitment to assisting in addressing the unmet housing needs of the C&W HMA through the Borough Plan 2011-2031 (adopted June 2019) ("the Borough Plan"), as agreed through the 2017 C&W HMA Memorandum of Understanding [MoU]. However, the purpose of this Report is to demonstrate to the Council that the currently proposed withdrawal from the MoU is inappropriate and would not accord with the National Planning Policy Framework's (2021) [NPPF] clear instructions that local planning authorities [LPAs] should work together to identify and meet (where it is sustainable to do so) housing needs across neighbouring areas, underpinned by adequate, relevant and up-to-date evidence now, rather than deferring these matters (Paras 11b, 31, 35a and 35c) – and is, therefore 'unsound'.

1.4 As such, the Consortium considers that there is a clear and cogent need for the Council to work alongside the other C&W HMA authorities to ensure that the HMA's existing unmet housing needs up to 2031 are addressed alongside the likely emerging unmet needs up to 2041 and beyond.

1.5 It should be noted that in Consortium's representations to the Council's Preferred Options [PO] consultation on the Borough Plan Review held between 13 June and 22 July 2022, the Consortium recommended that the Council considered undertaking analysis that considered the functional housing market relationship between the various local authority areas, taking account of: the degree of migration and commuting linkages within the C&W HMA, opportunities to capitalise on sustainable transport links and improve affordability, and the degree of environmental and physical constraints which might impede on an authority's ability to accommodate unmet housing needs.

1.6 In this regard, this Report seeks to further justify this approach and demonstrates how this analysis would, ultimately, illustrate the functional linkages between the authorities within the C&W HMA, the origins of the unmet housing need, and how Coventry's unmet housing needs could be sustainably distributed across the C&W HMA and within Nuneaton and Bedworth.

Structure

1.7 This Report Update is structured as follows:

- Section 2.0 – Sets out the Council's proposed approach to addressing the unmet housing needs of the C&W HMA through the emerging Borough Plan Review;
- Section 3.0 – Defines the extent of the C&W HMA;
- Section 4.0 – Sets out the current unmet housing need position across the C&W HMA, explores the genesis of, and the quantum of the need, and defines the potential scale of unmet housing needs within Coventry to be met up to 2041;
- Section 5.0 – Sets out the approaches taken by other authorities to distributing unmet housing needs, the need for an evidence-led approach, and Lichfields' approach to modelling the location of where Coventry's unmet housing needs should be addressed;
- Section 6.0 – Sets out Lichfields' step-by-step analysis of key indicators to conclude on how much of Coventry's unmet housing needs should be addressed within Nuneaton and Bedworth; and
- Section 7.0 – Provides Lichfields' conclusions on the quantum of unmet housing needs that the Council should be testing and planning to meet through its Borough Plan Review.

2.0 The Council's Current Approach

2.1 As the Council will be aware, as a part of the preparation of currently adopted Local Plans across the C&W HMA a series of Joint Strategic Housing Market Assessments [SHMAs] were produced between 2013 and 2015 for the C&W HMA, which assessed the housing needs of the C&W HMA over the 2011 – 2031 period.

2.2 Importantly, the 2015 Joint SHMA[1] underpinned the Coventry Local Plan and was endorsed by the Inspector at the Coventry City Local Plan Examination in Public [EiP]. For Coventry, the 2015 Joint SHMA identified an OAN for the 2011-2031 Local Plan period of 42,400 dwellings or 2,120 dwellings per annum [dpa]. However, Coventry's Strategic Housing Land Availability Assessment [SHLAA] only identified capacity for c.25,000 dwellings.

2.3 Consequently, Policy H1 (Housing Land Requirements) of Coventry City Council's 'Local Plan 2011-2031' ("the Local Plan") set out that provisions would be made for a minimum of 24,600 additional dwellings over the plan period (2011-2031) within the Council's administrative boundary, with the 17,800 dwellings shortfall to be met elsewhere within the C&W HMA.

2.4 To distribute Coventry's unmet housing needs up to 2031 and demonstrate the Duty to Cooperate [DtC], the C&W HMA authorities prepared and signed the 2017 MoU, which required each LPA to prepare a Local Plan that reflected the agreed distribution (Para 6) – the Council subsequently signed the 2017 MoU on 23 January 2018. For Nuneaton and Bedworth, the 2017 MoU identified that the Council should make provision for 4,020 dwellings up to 2031. To this end, consequently, the Council made provision for these needs within the 2019 Borough Local Plan.

2.5 However, the Council has expressed its 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 2031. As such, the Council has expressly stated that it intends to withdraw from the MoU and re-negotiate its contribution because of this.[2]

2.6 Notwithstanding this, although the Coventry Local Plan Review Issues and Options [IO] consultation indicates that the Council's OAHN is markedly lower than the Standard Method [SM] figure – discussed further below – it is considered that it is extremely likely that there will still be an acute level of unmet housing needs arising in Coventry in the future as the current round of plan-making extends plan periods beyond 2031 and up to 2050 in some instances.

2.7 Indeed, the Council's own 'Nuneaton & Bedworth Housing & Economic Development Needs Assessment (2022)' ("the Nuneaton HEDNA") clearly stated 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 Coventry"* may be *"an important consideration in considering overall housing provision within the Borough Plan Review"* (Para 10.7). Moreover, the HEDNA, although not explicitly stated, suggested

[1] Updated Assessment of Housing Need: Coventry-Warwickshire HMA (September 2015)
[2] https://edemocracy.coventry.gov.uk/mgAi.aspx?ID=34061

that some of the C&W HMA authorities would need to consider unmet needs arising from the C&W HMA (Para 15.8).

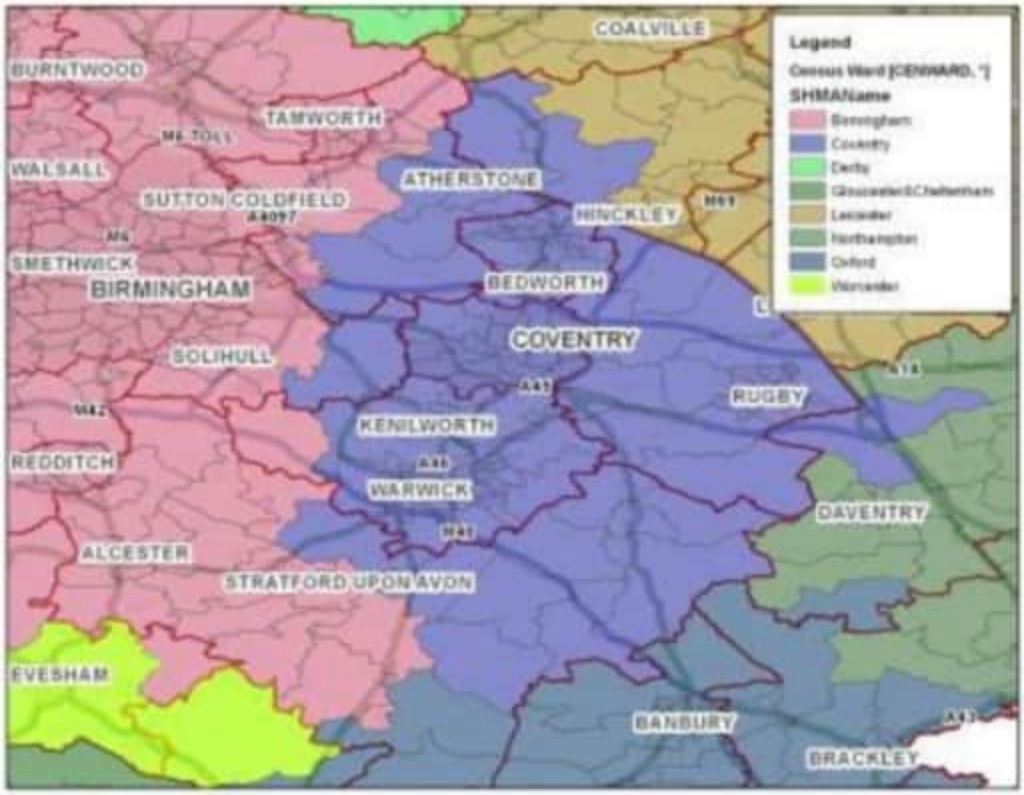
2.8 Despite this, the Council's previous PO consultation and PDP consultation make no commitment to a contribution towards the unmet needs of Coventry. Whist the PDP is silent on the matter, the PO stated that this was on the basis of uncertainties surrounding Coventry's housing need with regards to ongoing doubts regarding the 2014-based household projections for the city (Para 7.25). As such, the Council's emerging Borough Plan Review is not seeking to make provisions for the unmet housing needs of Coventry beyond 2031 – quantified and discussed further below.

3.0 The Housing Market Area

3.1 As indicated above, the Council falls within the C&W HMA. The extent of the HMA was first established in the joint Coventry and Warwickshire Strategic Housing Market Assessment in 2013 ("the 2013 Joint SHMA"), prepared by GL Hearn and Justin Gardner Consulting, which was commissioned jointly by the authorities for the functional housing market area. The purpose of the Joint SHMA was to (inter alia) bring together the evidence base necessary to make policy decisions on overall housing requirements within the HMA.

3.2 In defining the HMA, the 2013 Joint SHMA utilised a 'best fit' approach, which uses LPA boundaries, and concluded that the C&W HMA comprised 6 LPAs.[3] Notably, the C&W HMA is also contiguous with the Coventry and Warwickshire Local Enterprise Partnership [CWLEP].

Figure 3.1 CLG Strategic Housing Market Areas



Source: 2013 Joint SHMA (GL Hearn)

3.3 The 2013 Joint SHMA was subsequently updated in 2014 and again in 2015 to reflect the publication of new population and household projections since the publication of previous versions of the Joint SHMA. Nevertheless, the spatial extent of the C&W HMA remained unchanged throughout these subsequent updates. Although not explicitly, as set out in the Coventry's Local Plan and Stratford-on-Avon 'Core Strategy 2011-2031' ("the Core Strategy") Inspectors Reports, the Inspectors accepted the scope and extent of the C&W

[3] Coventry City Council, Nuneaton and Bedworth Borough Council, North Warwickshire Borough Council, Rugby Borough Council, Warwick District Council and Stratford-on-Avon District Council

[4] 2012-based Sub-National Population Projections & Economic Forecasts: Implications for Housing Need in Coventry & Warwickshire (September 2014)

HMA (IR 21 and IR13 respectively). In essence, the C&W HMA has been endorsed by Inspectors through the examinations and adoption of the currently adopted Local Plans across the HMA and therefore represents a long-established functional strategic HMA. Indeed, the HMA was adopted as the framework, and starting point, in the 2017 MoU for distributing Coventry's unmet housing needs and it is settled that the area comprises the geographic extent of 'neighbouring areas' from which the NPPF requires unmet needs be addressed. Moreover, it is considered that the C&W HMA remains an appropriate HMA geography, with the HEDNA reviewing the HMA and concluding that:

"Whilst functional geographies do not in reality precisely fit onto local authority boundaries, Coventry and Warwickshire remains an appropriate 'best fit' Housing Market Area (HMA) and Functional Economic Market Area (FEMA)." (Para 1.9)

4.0 The Origins and Scale of Unmet Housing Needs

4.1 As set out above, the Coventry's Local Plan confirmed an unmet housing need of 17,800 dwellings up to 2031. These needs were met within respective adopted Local Plans throughout the C&W HMA, as agreed through the 2017 MoU; albeit there are legitimate questions as to whether this need was fully addressed.

4.2 Indeed, the 2017 MoU agreed distribution of growth implied that c.3,800 dwellings of the shortfall had not been accounted for within the distribution, Warwick adopted a shorter plan period (2011-2029) resulting in a 664 dwelling lower contribution and Stratford-on-Avon deferred addressing these needs to a future Site Allocations Plan [SAP] which now does not propose to make any provision for the unmet housing needs of the C&W HMA. As such, on the face of it, there remains an unaccounted shortfall of 4,464 dwellings up to 2031.

4.3 Notwithstanding this, it is important to note that as authorities within the C&W HMA begin to review their Local Plans, these reviews will need to be undertaken in accordance with the revised NPPF and Planning Practice Guidance [PPG].

4.4 As the Council will be aware, Coventry's Local Plan Review should have regard to policy requirements set out in the revised NPPF, including calculating its local housing need [LHN] figure using the SM. Indeed, the NPPF is clear that LPAs should, as a minimum, provide for the OAHN of the area (Para 11b), which should be informed by the SM for calculating LHN (Para 61). However, Coventry has sought to demonstrate that 'exceptional circumstances' exist that would justify an alternative approach to the SM (i.e., Para 61 of the NPPF), which are set out in the HEDNA and Coventry IO.

4.5 Whilst this may be Coventry's position, the Consortium contends that Coventry's approach to calculating its OAHN would not accord with the NPPF, nor the Government's ambitions to significantly boost the supply of housing and focus development in the top 20 major urban areas of the country – and is, therefore 'unsound' – which is discussed further below. When taking the correct approach, and when coupled with the underbounded nature of Coventry, it is considered highly likely that Coventry will continue to face further significant land capacity and availability pressures (i.e., more unmet housing needs up to 2041), which the Council and other C&W HMA authorities will need to assist in meeting. In this regard, there are several housing need scenarios arising in Coventry which need to be considered when determining the likely level of unmet housing needs arising in Coventry:

1. The Standard Method

4.6 As the Council will be aware, on 24 July 2018, the Government published the revised NPPF, which amongst other things, introduced the new standardised methodology to assess LHN, which took immediate effect. As such, for the purposes of plan-making in the C&W HMA, the SM applies for the C&W HMA authorities, unless 'exceptional circumstances' justify an alternative approach.

4.7 Notably, and as the Council will be aware, the SM is calculated – for the vast majority of local authorities – based on the 2014-based household projections, uplifted where

appropriate to address the latest median workplace-based affordability ratios, and in certain instances, capped at a level 40% above the annual average housing requirement figure set out in existing up-to-date policies.[5]

4.8 However, following the consultations received in relation to the Government's proposed changes to the SM, as a part of the 'Changes to the current planning system' consultation, in December 2020 the Government revised the SM. The PPG[6] was revised to include a further stage within the SM which applied a 35% uplift for those urban local authorities in the top 20 cities and urban centres list; which includes Coventry.

4.9 As a consequence of the new SM, as of August 2023, Coventry's minimum annual housing requirement is 3,247 dpa ("**Scenario 1**"). This is markedly higher than the OAHN of 2,120 set out in the 2015 Joint SHMA Update, and previous LHN figures for Coventry. Ultimately, this is because in December 2022, the Coventry Local Plan became more than five years old, and as such, the 40% cap no longer applies to the Local Plan requirement. Instead, it applies to the household projections. This is important, as the 40% cap on the Local Plan requirement artificially lowered housing needs within Coventry by virtue of the Local Plan being unable to meet its housing needs. This is tacitly accepted in the PPG[7], which states that the "*cap reduces the minimum number generated by the standard method, but does not reduce housing need itself*".

4.10 Moreover, the current SM figure for Coventry includes the 35% uplift for those urban local authorities in the top 20 cities and urban centres list. Nevertheless, the above represents the NPPF's and PPG's starting position for Coventry's minimum housing requirement for the 2021-2041 Local Plan Review period.

2. The HEDNA's Approach

4.11 Given concerns regarding Coventry's population projections and mid-year population estimates with regards to perceived inaccuracies in respect of the impacts of the student population on the housing need figures – a point which the UK Statistics Authority has acknowledged[8] and ONS have indicated would be reviewed[9] – the HEDNA sought to deviate from the SM's use of the 2014-based household projections; as required by the PPG.[10] In particular, the HEDNA considered that there were two main considerations justifying a departure from the 2014-based projections, which comprised:

"• *Firstly that demographic data on which projections are based is demonstrably wrong and cannot realistically be used for trend-based projections on which the Standard Method is based; and*

[5] PPG ID: 2a-004: *"Where the relevant strategic policies for housing were adopted more than 5 years ago (at the point of making the calculation), the local housing need figure is capped at 40% above whichever is the higher of: a. the projected household growth for the area over the 10 year period identified in step 1; or*
1. the average annual housing requirement figure set out in the most recently adopted strategic policies (if a figure exists)."
[6] PPG ID: 2a-004
[7] PPG ID-2a-007
[8] Review of population estimates, and projections produced by the Office for National Statistics (May 2021), UKSA
[9] Available at: https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/articles/futureplansforresearchonpopulationestimatesandprojections/2021-07-29
[10] PPG ID: 2a-005

• *Secondly that demographic trends have changed so much that it is unrealistic to use a set of projections based on information in a trend period to 2014, which is now over 8-years old."* (Para 5.16).

4.12 On this basis, the purpose of the HEDNA was (*inter alia*) to consider the overall housing need within the C&W HMA between 2021 and 2041 and up to 2050, having regard to the SM, an interrogation of demographic trends and other relevant considerations including economic growth potential. It should also be noted that the HEDNA has also considered the demographic analysis and modelling of housing needs capturing initial Census data released on 28th June 2022.

4.13 When having regard to the PPG's guidance that an alternative approach to the SM can be taken in 'exceptional circumstances',[11] the HEDNA deviates away from the main SM's required use of the 2014-based projections and prepares its own 'trend-based projections'. In this regard, the HEDNA derives its own sub-national population projections based on several different datasets to reflect a 10-year migration trend. Namely, it has utilised the population/migration trends from the 2018 Sub-National Population Projections [SNPP] and applied adjustments to reflect the Mid-Year Estimates and 2021 Census on births/mortality and migration.

4.14 These projections are then applied to the households as of 2021 recorded in the Census, with the 2014-based Household Representative Rates, to derive a new household projection for each authority. The HEDNA then runs these baseline population projections through the SM framework (i.e., an uplift for the median affordability ratio), and, importantly, the 35% Urban Centres uplift is applied. Consequently, the HEDNA concludes on an OAHN of 1,964 dpa for Coventry ("**Scenario 2**") – which was 1,224 lower than the then 2014-based LHN (utilising the then 2021 Median Affordability Ratio) and is 1,283 lower than the current SM for Coventry.

3. The Consortium's Alternative Approach

4.15 The PPG states that an alternative approach to the SM can be take in 'exceptional circumstances', stating that:

"<u>If it is felt that circumstances warrant an alternative approach… authorities can expect this to be scrutinised more closely at examination</u>. There is an expectation that the standard method will be used and that any other method will be used only in <u>exceptional circumstances</u>."[12] (<u>Emphasis added</u>)

4.16 And goes on to state:

"<u>Where an alternative approach results in a lower housing need figure than that identified using the standard method</u>, the strategic policy-making authority will <u>need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination</u>.

[11] PPG ID: 2a-003
[12] PPG ID: 2a-003

Any method which relies on using household projections more recently published than the 2014-based household projections will not be considered to be following the standard method as set out in paragraph 60 of the National Planning Policy Framework. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method."[13] (Emphasis added)

4.17 It is therefore clear that the SM should be used for the purposes of calculating housing needs, unless 'exceptional circumstances' justify an alternative approach. In this regard, prior to the HEDNA being published, the Consortium commissioned the HNA (Appendix 2), prepared by Lichfields, to provide the Consortium's alternative assessment of Coventry's projected household population to be used as a basis for calculating the level of housing need arising from the city in the future.

4.18 As required by the PPG,[14] the SM still utilises the 2014-based household projections. However, the Consortium was acutely aware of the concerns expressed by the Council in respect of the challenges to Coventry's population projections and mid-year population estimates with regards to perceived inaccuracies. Therefore, as a part of the HNA, it was concluded that the principle of deviating from the 2014-based household projections, but utilising the SM framework was acceptable in principle – an approach the HEDNA subsequently took. As such, the Consortium accepts, in principle, the derivation of independent population projections and agrees with the HEDNA's approach of utilising the broad SM framework in calculating an OAHN for Coventry.

4.19 In this context, the HNA prepared its own alternative projections for Coventry, which had regard to the 2021 Census population and household data, published on 28 June 2022, and made adjustments to the official 2018-based projections to take account of the differences in migration over the 10-year intercensal period. As such, when the HNA's alternative population and household projections were run through the SM framework, including the 35% uplift, this resulted in a minimum LHN figure of 2,529 dpa ("**Scenario 3**").

4. Coventry's Approach

4.20 Coventry is currently consulting on the IO, which sets out Coventry's views on its housing requirement for the 2021 to 2041 plan period. Drawing on the HEDNA, the IO states that the Topic Paper has set out three housing needs options for the 2021-2041 plan period:

1. Scenario 1: SM for LHN - a total minimum need of 63,760 new homes – or 3,188 dpa;
2. Scenario 2: The HEDNA's 2021 Census 'trend-based projections' which are run through the SM's framework (Inc. 35% Urban Centres uplift applied) - a total of 39,280 new homes – or 1,964 dpa; and
3. Scenario 3: The HEDNA's 2021 Census 'trend-based projections' which are run through the SM's framework (Exc. 35% Urban Centres uplift applied) – a total of 29,100 new homes – or 1,455 dpa.

4.21 Ultimately, the IO concludes *that "Scenario 3 represents the true need for Coventry, as it is based on the best available evidence. The Council, therefore, considers that this is the figure that we should deliver and is seeking views on this approach."* In particular, the IO

[13] PPG ID: 2a-015
[14] PPG ID: 2a-005

states that the Council disagrees with the implementation of the SM's 35% Uplift, stating that *"the figure is not justified and appears entirely arbitrary, having no relevance to addressing local need."* Fundamentally, whilst the Consortium accepts that it is appropriate to deviate from the 2014-based household projections in this instance, the Consortium considers that Coventry's proposed approach would not accord with the NPPF, nor the Government's ambitions to significantly boost the supply of housing and focus development in the top 20 major urban areas of the country – and is, therefore 'unsound'. To this end, the Consortium has made representations to the IO which set out the Consortium's concerns with this approach. As such, the Council's IO approach should be disregarded at this time.

Available Land Supply

4.22 As a part of the Coventry Local Plan Review, Coventry has now updated its evidence base, and prepared a 'Housing and Economic Land Availability Assessment' (2023) [HELAA]. It is understood that the HELAA was prepared within the context of the jointly prepared Housing and Economic Land Availability Assessment Methodology in September 2021.[15] Crucially the HELAA updates the Council's information in respect of available housing land supply and sets out the projected delivery of new housing between 2021/22 and 2040/41. The purported housing land supply comprises several components, including:

Figure 4.1 Coventry's components of housing land supply

Housing land supply	Number of Homes
Past net completions	3,818 (2021 /22 monitoring year)
	1,620 (2022 / 23 monitoring year)
Call for brownfield sites	1,200 (approx.)
Sites with planning permission (includes those under construction but not completed)	11,914
Local Plan allocations – remaining capacity	3,151
City Centre Area Action Plan Remaining Allocations	455
Windfall	3,000 (2026 onwards)*
Total	**25,158****

Source: Table 5, Coventry IO Consultation

4.23 As such, as of 31st March 2023, Coventry has confirmed a supply of 25,158 dwellings. As is shown above, a large proportion of this supply is already permitted; albeit, a large majority of this existing permitted land supply relates to flatted PBSA or flatted schemes on previously developed land.

4.24 The HELAA supply also indicates that c.3,000 windfalls would occur between 2026 and 2041, equating to an annual rate of 200 dpa. This is, of course, an optimistic position, which assumes that existing trends will continue beyond 2031. For example, it may become apparent that there is a lack of windfall sites suitable for redevelopment in the future because brownfield land is, by its nature, diminishing in supply, which would consequently impact the likely Local Plan windfall completions. Notwithstanding this, at present, the

[15] Coventry and Warwickshire Sub-Regional Joint Method Statement Housing and Economic Land Availability Assessment – Methodology September 2021

above supply represents a reasonable starting point for considering the likely unmet housing need in Coventry up to 2041.

Coventry's likely level of Unmet Housing Need

4.25 Table 4.1 demonstrates the likely range of Coventry's shortfall across the 2021-2041 period.

Table 4.1 Likely Housing Shortfall for Coventry up to 2041

	2021-2041		
	Scenario 1	Scenario 2	Scenario 3
Minimum Annual Need (p.a)	3,247	1,964	2,529
	(based on 2014-based LHN figures and including 35% Urban Centre Uplift)	*(based on 2018-based HEDNA adjusted LHN figure* and including 35% Urban Centre Uplift*)*	*(based on 2018-based Lichfields adjusted LHN figure* and including 35% Urban Centre Uplift*)*
Minimum Housing Need over Plan Period 2021-2041	64,940	39,280	50,580
Total Supply (2021-2041)	25,158		
Minimum Shortfall	-39,782	-14,122	-25,422

Source: Lichfields' analysis

4.26 The above suggests that, based on the SM, there would be a minimum shortfall of c.39,782 dwellings over the 2021-2041 period. This would markedly reduce if the HEDNA OAHN was utilised, falling to c.14,122, which is still an acute level of unmet housing need within the C&W HMA. However, if an alternative approach was utilised, which draws on the 2018-based household projections adjusted to reflect 10-year intercensal migration trends and re-run through the SM calculation, there would be a minimum shortfall of c.25,422 dwellings over the 2021-2041 period.

4.27 It is important to note that the NPPF and PPG are clear that the LHN figure generated by the SM is the minimum starting point (i.e., a 'policy-off' housing need) and it very well may be that Coventry needs to explore further uplifts to these minimum figures. Therefore, these shortfalls should be seen as the minimum level of unmet housing need, which does not take into consideration whether higher levels of growth would be required.

4.28 On this basis, a key hurdle for the Council, and indeed all authorities in the C&W HMA, will be the need to once again strategically and collaboratively grapple with how these unmet housing needs can be addressed through the raft of emerging Local Plan reviews to ensure that the Council and HMA can demonstrate that it has complied with the DtC. In this regard, the Consortium strongly contends that the Council, alongside other C&W HMA authorities, should work together to identify and meet (where it is sustainable to do so) the housing needs of the C&W HMA, underpinned by adequate, relevant, and up-to-date evidence now, rather than deferring these matters.

5.0 Distributing Unmet Housing Needs

5.1 The NPPF is clear 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 11b) (Emphasis added)

5.2 It goes on to state that:

"The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals." (paragraph 31) (Emphasis added)

5.3 It is also clear that Local Plans should be:

"based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground" (paragraph 35c) (Emphasis added)

5.4 In essence, the NPPF is clear that local planning authorities [LPAs] are required to work together to identify and meet (where it is sustainable to do so) the housing needs of the relevant HMA, underpinned by adequate, relevant and up-to-date evidence.

The Need for an Evidence-led and Functional Housing Market Relationship Approach

5.5 At present, due to a slow-down in plan-making, it is unclear whether any of the C&W HMA authorities will work together to address the likely unmet housing needs arising from Coventry up to 2041. This is despite, as noted above, the Council's Nuneaton HEDNA and the HEDNA recognising 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 Coventry"* maybe *"an important consideration in considering overall housing provision within the Borough Plan Review"* (Para 10.7, Nuneaton HEDNA). It is considered that Coventry's approach to determining its OAHN, set out in the IO, is fundamentally inappropriate. As such, even if, subject to exceptional circumstances, Coventry seeks to use alternative projections rather than the SM (i.e., Scenarios 2 and 3), Coventry's own evidence base on land supply indicates that there is likely to be unmet housing needs arising from Coventry.

5.6 On this basis, as required by the NPPF, the Council will need to work alongside other C&W HMA authorities to address these needs – per the DtC. In this context, whilst the NPPF is clear that LPAs should meet their own housing needs and the unmet needs of other authorities where they cannot be met (Para 11b) based on up-to-date evidence (Para 31) and cross-boundary joint working (Para 35), it does not explicitly set out a single, or definitive, approach to distributing this unmet need. How, therefore, should the C&W HMA authorities seek to address the unmet housing needs of Coventry within the HMA and how much (and what proportion) of those unmet needs should that location seek to plan for?

5.7 It is clear that, for many HMAs, a 'fair share' approach would not work as some authorities may be nearly as constrained as the origin of the unmet housing needs in the first place, albeit in respect of Footnote 7 constraints rather than administrative boundaries. Such an approach is also unlikely to be supported by evidence (i.e., Para 31). Indeed, this was an issue faced by North Warwickshire, who initially utilised a 10% figure for their contribution towards the GBBCHMAs unmet need, with the Inspector stating that:

"28. Although establishing housing needs is not an exact science, LP paragraph 7.39 explains that NWBC has tested delivering 10% of that residual (3,970 homes), which is referred to in the LP as an 'aspiration'. Whilst that aspiration is significant in pro-rata terms given the number of authorities within the Greater Birmingham Housing Market Area ('GBHMA'), the justification for a figure of 10% is not readily apparent." (Inspector's Preliminary Note Ref: INSP1) (Emphasis added)

5.8 Furthermore, there is little point looking beyond the C&W HMA, as there are likely to be few socio-economic linkages between the origin of the unmet housing needs and the respective authority. Again, an Inspector at the Stratford-on-Avon Core Strategy EiP stated, "there is no point trying to meet the unmet needs of Birmingham in Glasgow because the socio-economic links would be lost." (IR61, Inspectors Report). Moreover, given the wider West Midlands' unmet housing need issues, it is unlikely that many authorities beyond the C&W HMA would be in a position to offer much assistance in any event.

5.9 In this regard, as the Council will be aware, at the very heart of the approach adopted by the C&W HMA authorities to distribute Coventry's unmet housing needs through the 2017 MoU was a functional relationship (e.g., migration and commuting) that also attributed economic uplifts to individual authorities. It should be noted that the Consortium, and development industry more widely across the West Midlands, has long supported the C&W HMA authorities' approach to dealing with this matter in this way. The preparation of the 2017 MoU, based on a joint evidence base, enabled a consistent approach to plan-making and addressing these needs quickly across the HMA which dealt with, rather than deferred, this important and strategic cross-boundary matter. Crucially, the Inspectors at the EiPs endorsed this approach too – see for example the Stratford-on-Avon Core Strategy (2017) Inspector's Report.[16]

5.10 Notably, other authorities have drawn on the HMA's Functional Relationship approach. Indeed, to help address the unmet housing needs of GBBCHMA, North Warwickshire considered the proximity, connectivity, and strength of functional inter-relationships with Birmingham in determining its contribution towards addressing the unmet housing needs of the GBBCHMA. This was naturally similar to the approach taken by C&W HMA and, again, was an approach that the Inspector supported.[17] More recently, in considering how the unmet housing needs of Leicester – another city subject to the 35% urban centres uplift – could be addressed throughout the Leicester and Leicestershire Housing Market Area [LLHMA] a similar functional relationship approach was utilised. Albeit this approach differed slightly and drew on considerations of economic alignment and market capacity.

5.11 Whilst the NPPF and PPG provide no formal mechanism to undertake this task, it is clear that the initial functional relationship approach taken by the C&W HMA authorities, which was endorsed by Inspectors, has now been utilised elsewhere within the country as a critical

[16] IR63, Inspectors Report
[17] IR120, Inspectors Report

mechanism for evidencing the apportionment of unmet housing needs. As such, the Consortium contends that there is a clear and cogent need to explore distributing the unmet housing needs of Coventry based upon the functional relationships between the authorities to provide an evidence-led approach to addressing this matter now. In the absence of this, there is a very real risk that Coventry's housing needs may not be fully met, that the DtC cannot be sufficiently evidenced and that the Borough Plan Review may be found 'unsound'.

6.0 Lichfields Methodology

6.1 The NPPF requires housing needs to be met, it does not explicitly set out a single, or definitive, approach to distributing this unmet need. Whilst the Consortium welcomes the proactive approach taken to date by the C&W HMA authorities (e.g., the 2017 MoU), it nevertheless is clear that this issue will once again be at the fore of DtC discussions as the C&W HMA authorities review their adopted Local Plans under the current NPPF.

6.2 The key question, therefore, is where outside of Coventry will those needs arise and how much (and what proportion) of those unmet needs should that location seek to plan for? To this end, Lichfields has developed a three-stage 'Functional Relationship and Gravity Model', which builds on the foundations of the functional relationship approaches taken by the C&W HMA and LLHMA, which is as follows:

1. **Stage 1: Quantifying Linkages** – It is important to begin by identifying and analysing the functional linkages between the C&W HMA. This draws on an analysis of out-migration and in-commuting flows,[18] which are then converted into a percentage of the total flows into and out of Coventry. A blended average is then taken. This then represents a baseline degree of housing market linkage ("baseline share") that an area has with Coventry and forms the starting position;
2. **Stage 2: Sustainability and Market Signals Adjustments** – There is a need to consider how, and whether, additional factors might influence the proportion of the baseline share that an authority has. Stage 2 includes adjustments for:
   a. **Sustainable rail links:** Authorities that benefit from good public transport links to Coventry can enable the promotion of sustainable commuting patterns. This is particularly important as the NPPF is clear that plans should actively manage patterns of development to support sustainable transportation.[19] The adjustment utilises the quickest train travel times from a station within the District to Coventry;
   b. **Sustainable bus links:** As per the above, this adjustment utilises the percentage of a district within 45 minutes travel time, at peak times, from a District to Coventry; and
   c. **Affordability pressures:** Higher affordability ratios are a core indicator of a worsening housing market. It is necessary to consider how some areas (i.e., with greater affordability pressures) should be expected to do more than their 'share', as pressures are more pronounced. Doing so could reasonably be expected to improve affordability and ensure that housing needs are met. This adjustment utilises the ONS median workplace-based affordability ratios (i.e., the 2022 ratios[20]) and the SM's affordability adjustment.[21]
3. **Stage 3: Environmental, Policy and Physical Constraints** – The NPPF is clear that strategic policies should, as a minimum, provide for objectively assessed needs for housing and any unmet housing needs, unless it is not sustainable to do so.[22] There is a

[18] PPG ID: 61-018
[19] Paras 104 and 105, NPPF (2021)
[20] Published in March 2023
[21] PPG ID: 2a-004
[22] Para 11b, NPPF (2021)

need to consider whether environmental and physical constraints could prevent development. The Stage 3 analysis includes adjustments for:

a **Fundamental environmental constraints:** The analysis maps fundamental constraints (e.g., NPPF footnote 7 environmental constraints) and considers the proportion of the district's area that is fundamentally constrained; however, this excludes Green Belt;

b **Policy constraints:** The analysis maps Green Belt and considers the proportion of the District's area that is covered by Green Belt designations; and

c **Under-bounded authorities:** Some authorities' urban areas have grown to the extent of their administrative boundaries and have limited available land to accommodate the pressure for further expansion. These authorities are considered 'under-bounded' and are unable to accommodate significant further growth.

6.3 A summary of the Stage 2-3 adjustments is shown in Table 6.1 below. As a part of Stage 3, authorities that are under-bounded are excluded from the analysis; accordingly, a -100% adjustment factor is applied to these authorities. In addition, the final stage accounts for existing/emerging commitments in Local Plans and includes the application of a cap that limits the increases any one individual local authority can face up to 25% and rebalances the proportions accordingly. However, in instances where the HMA only comprises a small number of authorities, a 25% cap may not be appropriate as the implications of applying a 'cap' could unreasonably and unjustifiably shift higher contributions on to authorities with much weaker social-economic links. The model then summarises the proportion of the overall sub-HMAs unmet housing needs that each of the C&W HMA authorities and others should seek to meet through their Local Plan Reviews.

Table 6.1 Stage 2-3 adjustments applied to each district's base share of unmet needs

Adjustment	Stage 2			Stage 3	
	Time from Station in District to Coventry (Minutes)	% of District within 45 minutes peak travel time from District to Coventry	Standard Method Theoretical Uplift	Footnote 7 Constraints (% of Districts Available Land)	Green Belt (% of Districts Available Land)
+20%	<10 mins	>20%	>20%	<10%	<25%
+10%	10-20 mins	15-20%	15-20%	10-20%	25-50%
0%	20-30 mins	10-15%	10-15%	20-30%	50-70%
-10%	30-40 mins	5-10%	5-10%	20-40%	70-90%
-20%	>40 mins	0-5%	<5%	>40%	>90%

6.4 Importantly, Lichfields' model reflects the key choices people make in respect of where they live and work and utilises this to demonstrate how far, and the degree to which, this impacts on the authorities within the HMA and beyond. Fundamentally, the model is weighted towards locations and communities that can accommodate greater levels of growth across the region, but it also ensures that each authority would still take a 'fair share' and would not be disproportionately impacted by the outcomes of the model.

7.0 Nuneaton and Bedworth's Functional Relationship

Stage 1: A baseline degree of Linkage

7.1 As a result of some residents being unable to find appropriate housing in Coventry, this will place additional pressures on those areas that are linked in housing market terms to the city. This is because, compared to past trends, this will result in either more migration out of these areas (as people move to seek a home) or less migration into these areas as people cannot find a home to move to and therefore choose a different location but commute to a place of work. As such, areas that are strongly related to Coventry will face greater pressures from the unmet needs. Identifying how inter-dependent a location is within the C&W HMA is a function of movement, both to live (migration) and to work (commuting).

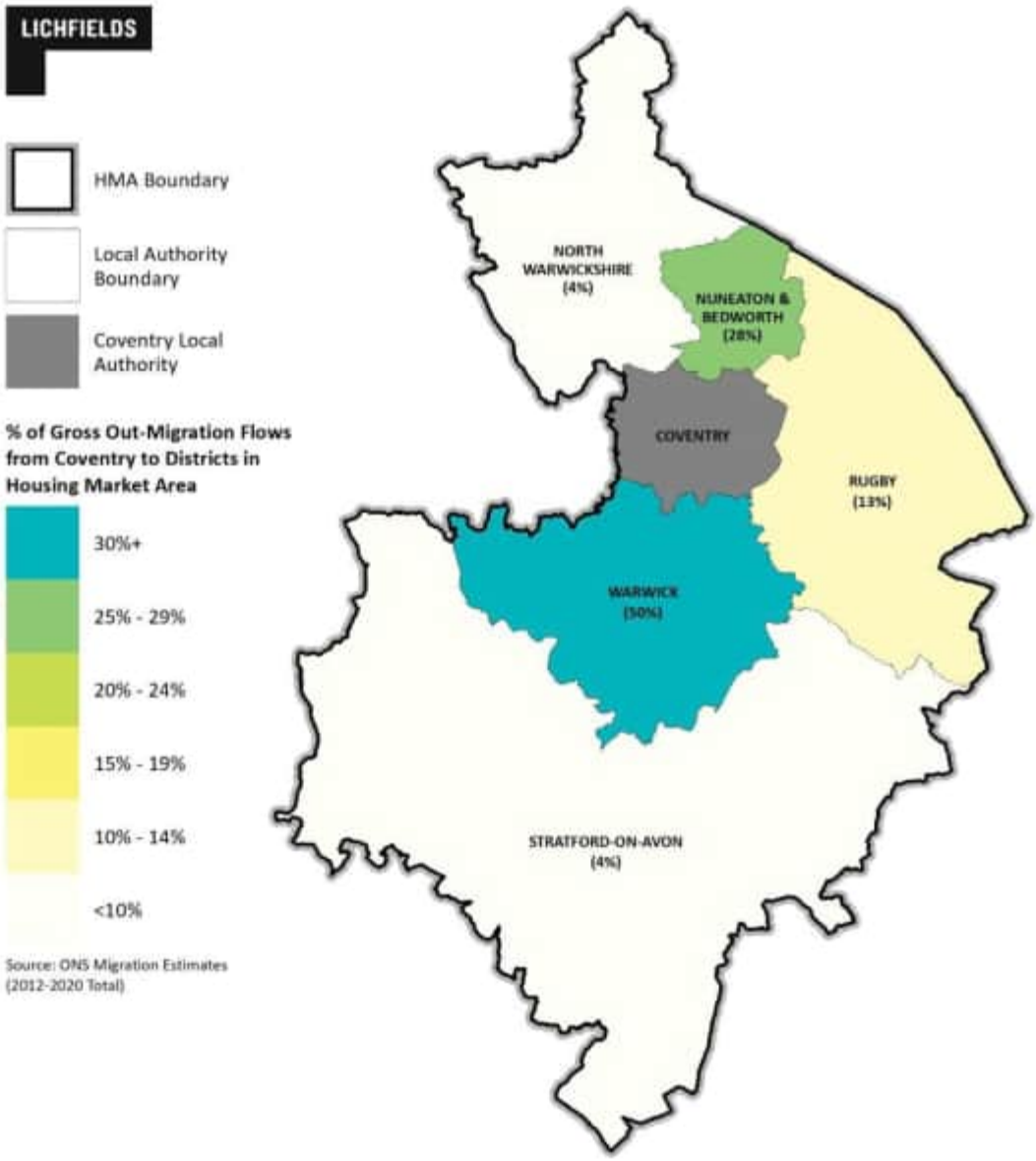
1. Migration

7.2 In respect of migration patterns for the C&W HMA, Lichfields' analysis of migration flows between 2012 and 2020 show that whilst Coventry is a major inward migration destination, it also sees significant levels of outward migration to neighbouring authorities reflecting different stages of life and living preferences. In particular, just over half of all of the city's outward migration into the C&W HMA is into Warwick (c.50%), with a majority of the remaining people migrating to Nuneaton and Bedworth (c.27%).

7.3 It is therefore clear that Coventry exerts a significant migration pressure on these areas, to a much greater extent than it does the other areas such as Rugby (c.13%), Stratford-upon-Avon (c.4%) and North Warwickshire (c.4%). This may be the result of both Districts having large towns in close proximity to the city, such as Kenilworth in Warwick, and Bedworth in Nuneaton and Bedworth. Moreover, it may have been the result of Coventry to Nuneaton and Coventry to Leamington Spa Railway Lines, which provide direct access from these areas to Coventry that were upgraded in 2016 and 2019.

7.4 Importantly, this gross outward migration flow over the 2012 to 2020 period provides an indicator of the spatial extent of the geography that Coventry's unmet housing need might impact. As shown in Figure 7.1, it is clear that Coventry exerts significant housing pressures on the Warwick and Nuneaton and Bedworth authorities collectively.

Figure 7.1 Gross out-migration (from Coventry)



Source: Lichfields analysis based on ONS Migration Estimates (2012-2020 Total)

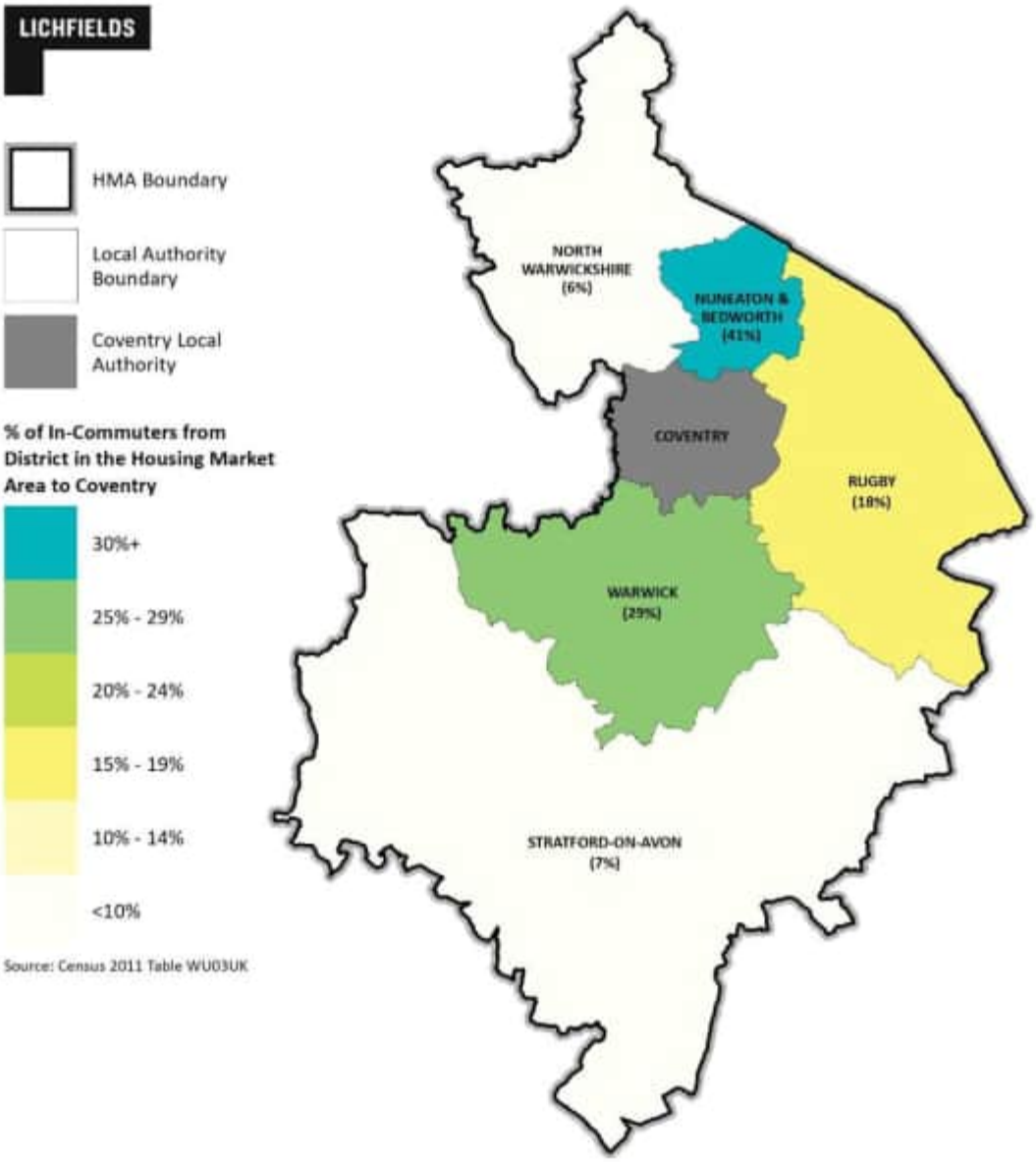
2. Travel to Work

7.5 With regards to the travel to work patterns, Lichfields' analysis demonstrates that Coventry's economy is relatively wide-reaching across the C&W HMA and beyond into Birmingham and parts of Leicestershire, with a gross inflow of c.10,800 commuters into Coventry every day. As a result, the city's economic opportunities in education, manufacturing, retail and healthcare are placing pressure on local housing markets in areas where there is good commuter access.

7.6 In this regard, Lichfields' analysis shows that, in general, the travel inflows within the C&W HMA tend to correlate with the above-mentioned migration patterns. However, the 2011

Census showed that the strongest travel inflow from within the C&W HMA into Coventry arises from Nuneaton and Bedworth (c.41%), rather than Warwick (c.29%), with most of the remaining people commuting in from Rugby (c.18%). Conversely, as was seen in migration flows, more rural areas, such as North Warwickshire (c.6%) and Stratford-upon-Avon (c.7%) see significantly weaker inflows of residents commuting into the city daily.

Figure 7.2 In-commuters (to Coventry)



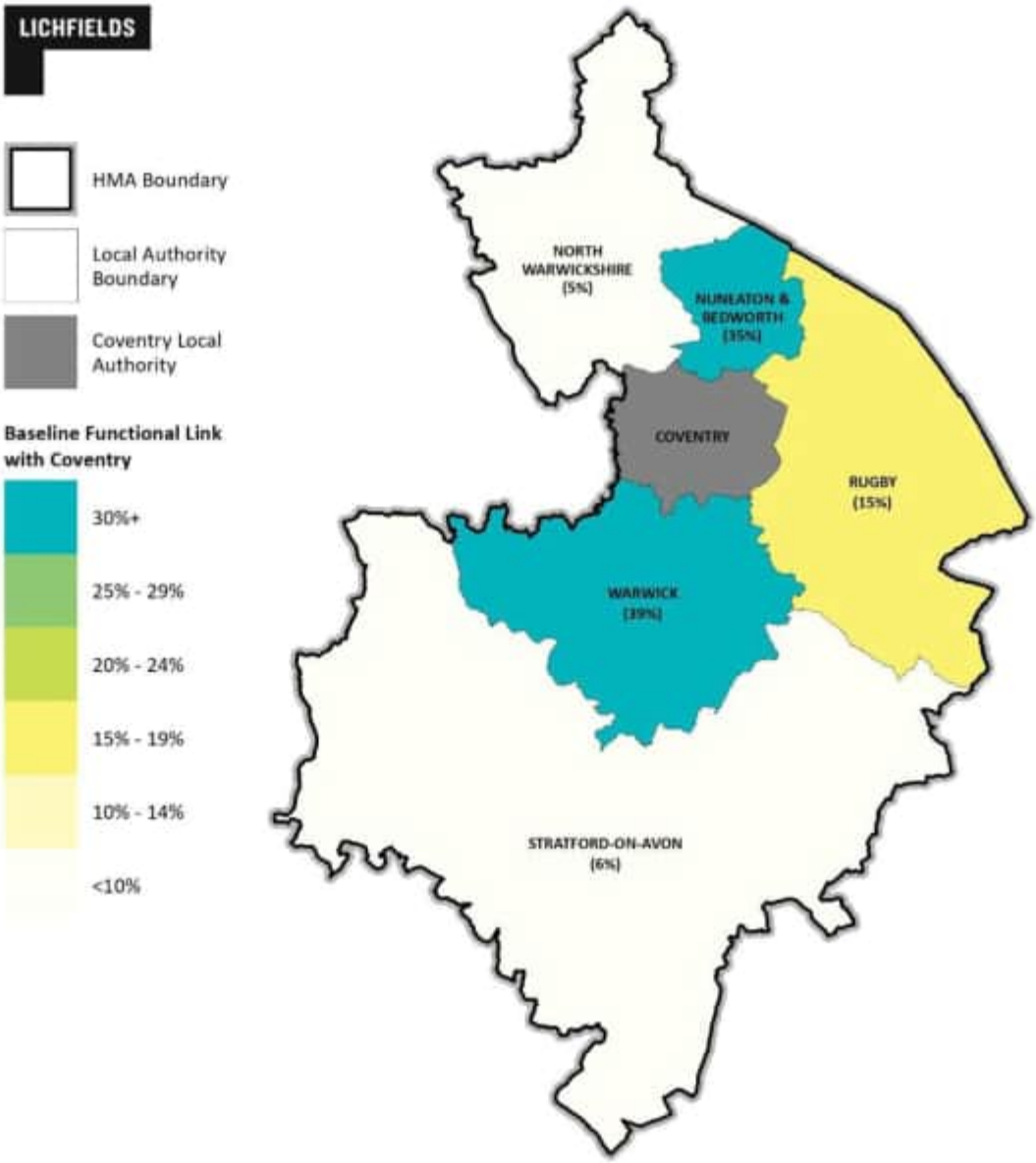
Source: Lichfields analysis based on 2011 Table WU03UK

Baseline degree of linkage

7.7 Drawing on the analysis of out-migration and in-commuting flows into and out of Coventry, which is converted into a simple percentage and then averaged out, we can determine a percentage for each District (adding up to 100% for the whole of the C&W HMA). This

percentage represents the baseline degree of housing market linkage an area has with Coventry and therefore represents its starting share of their unmet needs that will need to be met. For Nuneaton and Bedworth, Lichfields' analysis results in a baseline starting point share of **c.34.5%**, which the Stage 2 and 3 adjustments will be applied to.

Figure 7.3 Base share of Coventry's unmet needs



Source: Lichfields analysis

Stage 2: Uplift and Restraint Factors

7.8 When accounting for the Stage 2 adjustments, the Borough's baseline share for the C&W HMA would increase to **48.3%**. The detailed analysis for the Stage 2 adjustments is set out below in more detail:

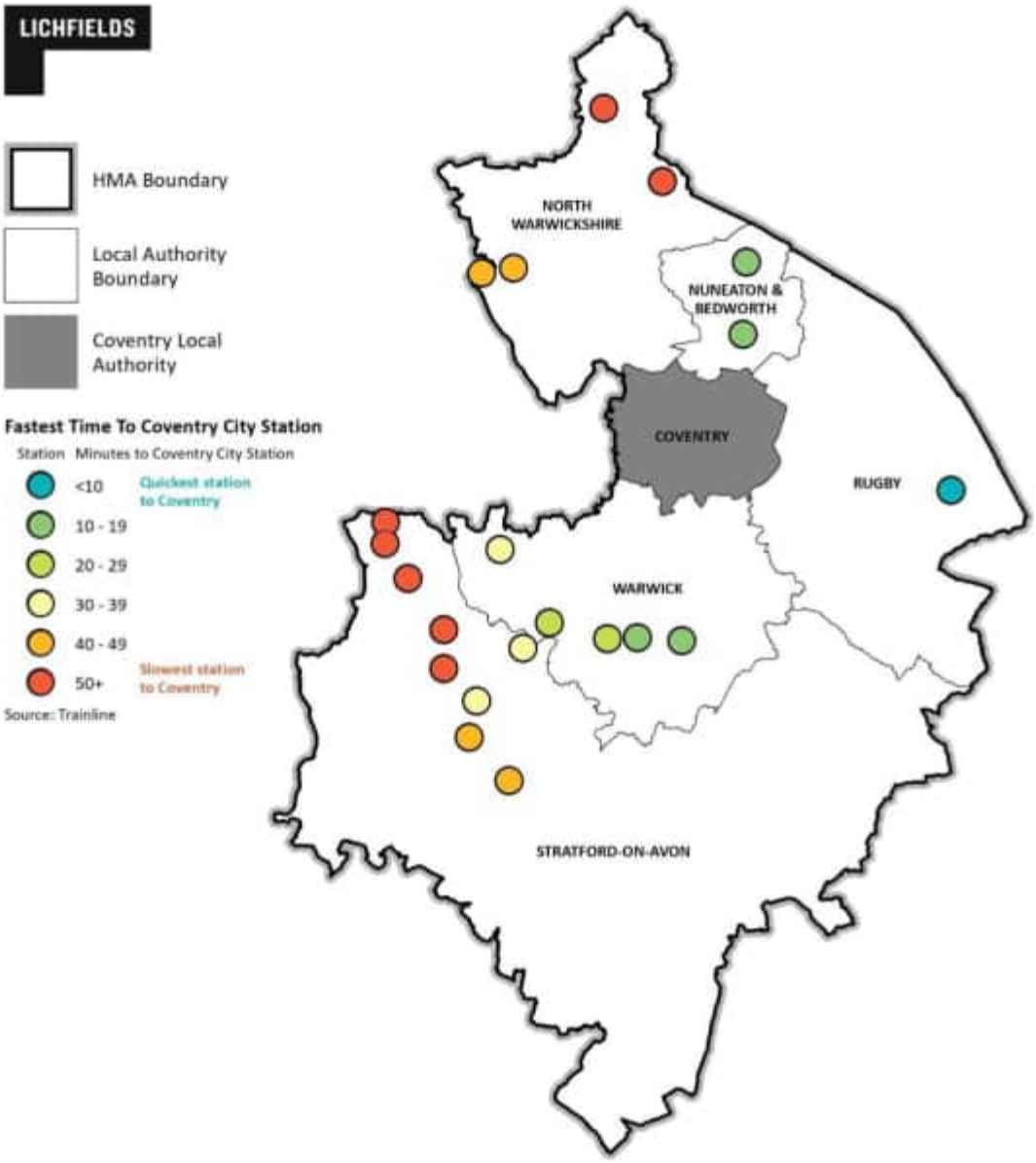
1. Sustainable Rail Links

7.9 The NPPF sets out an approach to sustainable development patterns that specifically identifies support for patterns of development that facilitate the use of sustainable modes of transport. In this regard, it is noted that the HMA benefits from a regional railway network.

7.10 In this context, Lichfields has reviewed the fastest train times between all stations within the HMA and Coventry (as shown in Figure 7.4). Notably, although only having two stations, the Borough does provide rapid access to Coventry within 12 minutes. Although there are some authorities within the HMA that offer faster rail access to Coventry, such as Rugby and Warwick, the Borough is one of the most accessible authorities for access to Coventry.

7.11 Accordingly, Lichfields' model has ascribed a **10%** uplift to the baseline degree of linkage as the fastest commuting times is between 10 and 20 minutes. Other authorities across the C&W HMA offer much slower commuting times to Coventry, which aligns with some of the other more rural authorities in the C&W HMA, such as Stratford-upon-Avon and North Warwickshire, as these authorities have a slower commuting times and multiple changes. As such, the Borough's rail-links with the city are stronger than both of these authorities (ascribed a -10% and -20% adjustment respectively). Conversely, and logically, those authorities closer to the city, such as Rugby and Warwick, have faster access to the city and are therefore ascribed a 10% or 20% uplift.

Figure 7.4 Fastest Train Times to Coventry



Source: Lichfields based on the Train Line

2. Sustainable Bus Links

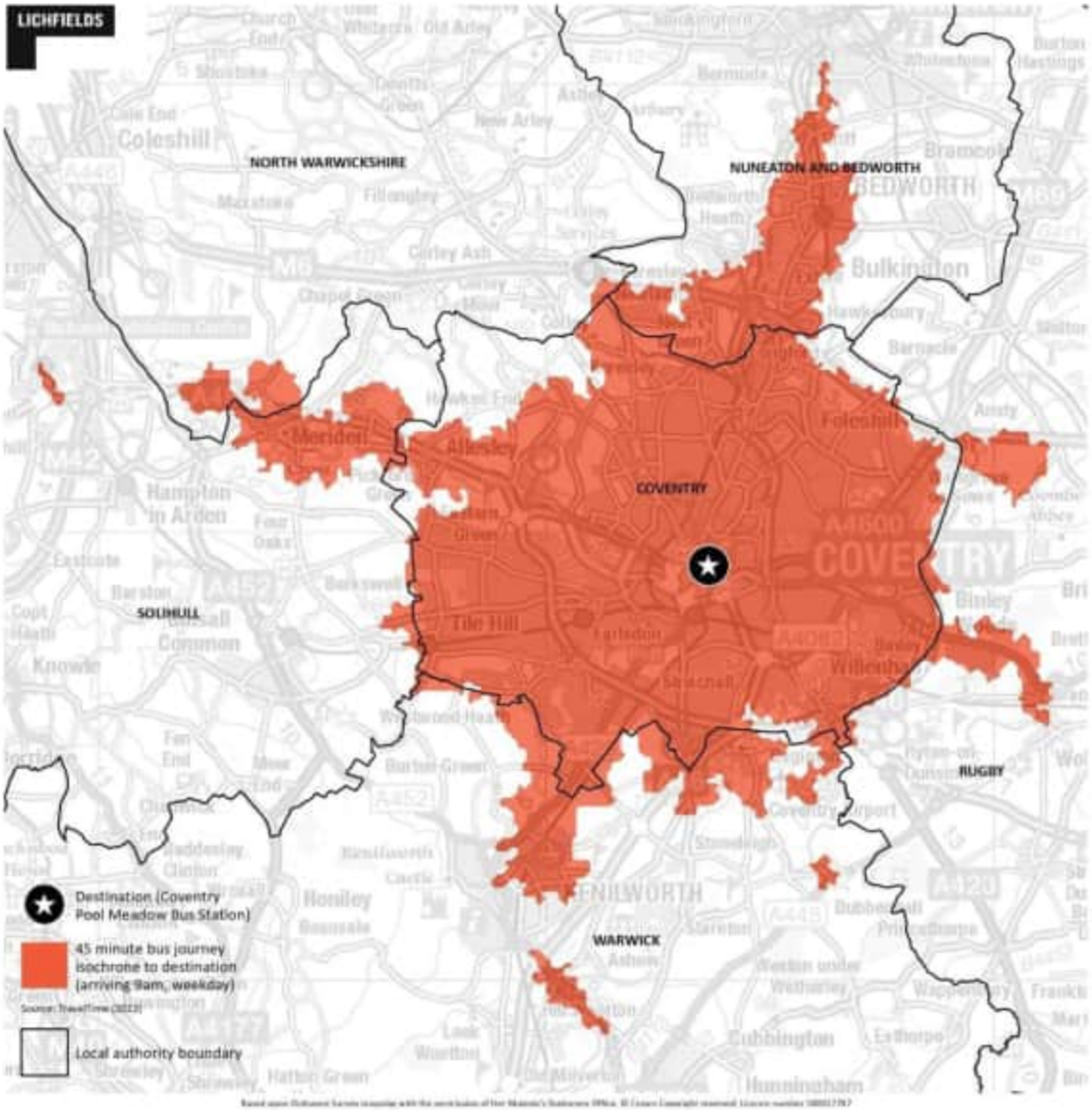
7.12 Whilst the HMA does benefit from a rail network, the rail network has a particularly strong emphasis on connections with Birmingham, rather than to and from Coventry. By way of example, areas such as Stratford-upon-Avon and North Warwickshire do not benefit from direct trains to Coventry, despite having several stations throughout the District. As such, there is a need to change up to two times to enable travel to Coventry. There are similar issues throughout the HMA, whereby authorities have some stations that offer direct access, but others that don't – such as Warwick.

7.13 However, the HMA also benefits from relatively strong access to the strategic road network [SRN] (e.g., the M1, M6, and A5) and a regional bus network. Indeed, the National Express Coventry operates 48 Bus routes in the West Midlands with 1,328 bus stops. As set out above, the NPPF encourages support for patterns of development that facilitate the use of sustainable modes of transport, which includes buses. Moreover, where Green Belt release is considered necessary, plans should give first consideration to land that has been previously developed and/or is well-served by public transport.[4] To this end, Lichfields has mapped out the percentage of an authority that is within 45 minutes bus travel, at peak commuting times, to Coventry city centre.

7.14 As shown in Figure 7.5, the bus network covers a majority of the city and extends out to some parts of Warwick, Rugby and Nuneaton and Bedworth. Notably, whilst much of the HMA is not able to reach Coventry by bus, logically parts of those authorities closer to the city, such as Bedworth and Kenilworth do. Indeed, of all of the HMA authorities, at least 15% of the Borough's area can access Coventry by bus in under 45 minutes, compared to c.4% of Warwick and c.2% of Rugby. By virtue of Bedworth's proximity to the city, Nuneaton and Bedworth is considered the most accessible authority within the HMA for access to Coventry by bus and is therefore ascribed a 10% uplift.

[4] Paragraph 138

Figure 7.5 Areas within a 45 minute bus journey to Coventry at peak times

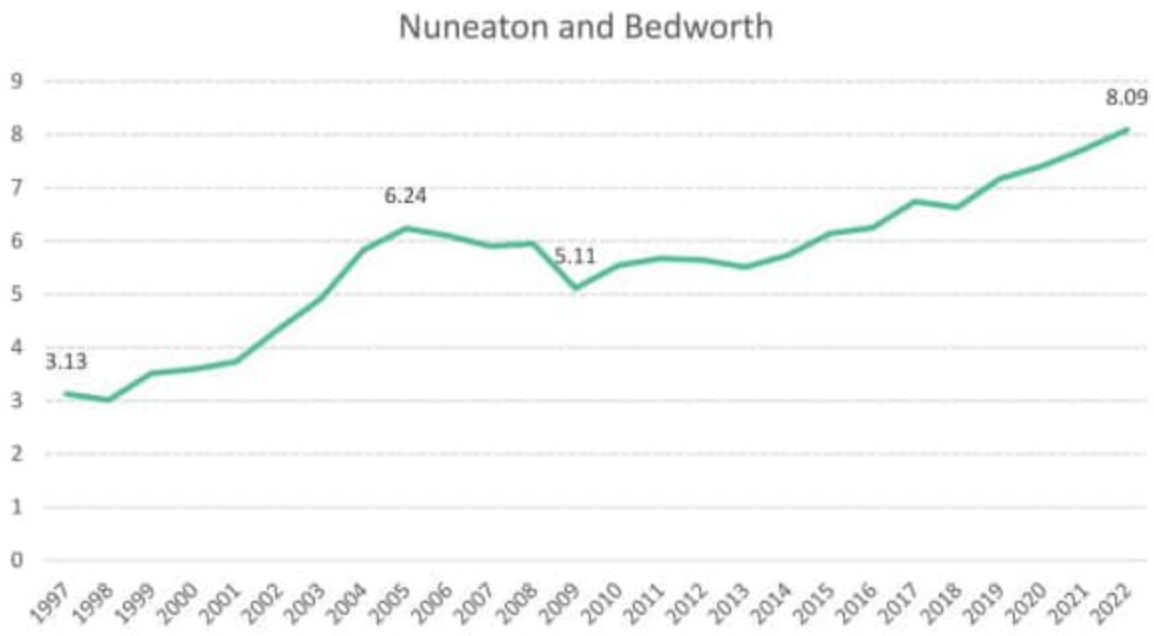


Source: Lichfields based on Travel Time

3. Adjusting for Affordability

7.15 Higher affordability ratios are a core indicator of worsening housing market pressures. In this regard, the 2022 median workplace-based affordability ratio for the Borough is 8.09, which is the highest ratio to-date. Following the worsening, and doubling, of the Borough's affordability between 1997 and 2005 – from 3.13 to 6.24 – the Borough's ratio did begin to see an improvement following 2005, with a 4-year downward trend up to 2009 (5.11). Despite this, it has subsequently begun to increase again, reaching higher levels than those seen in 2005.

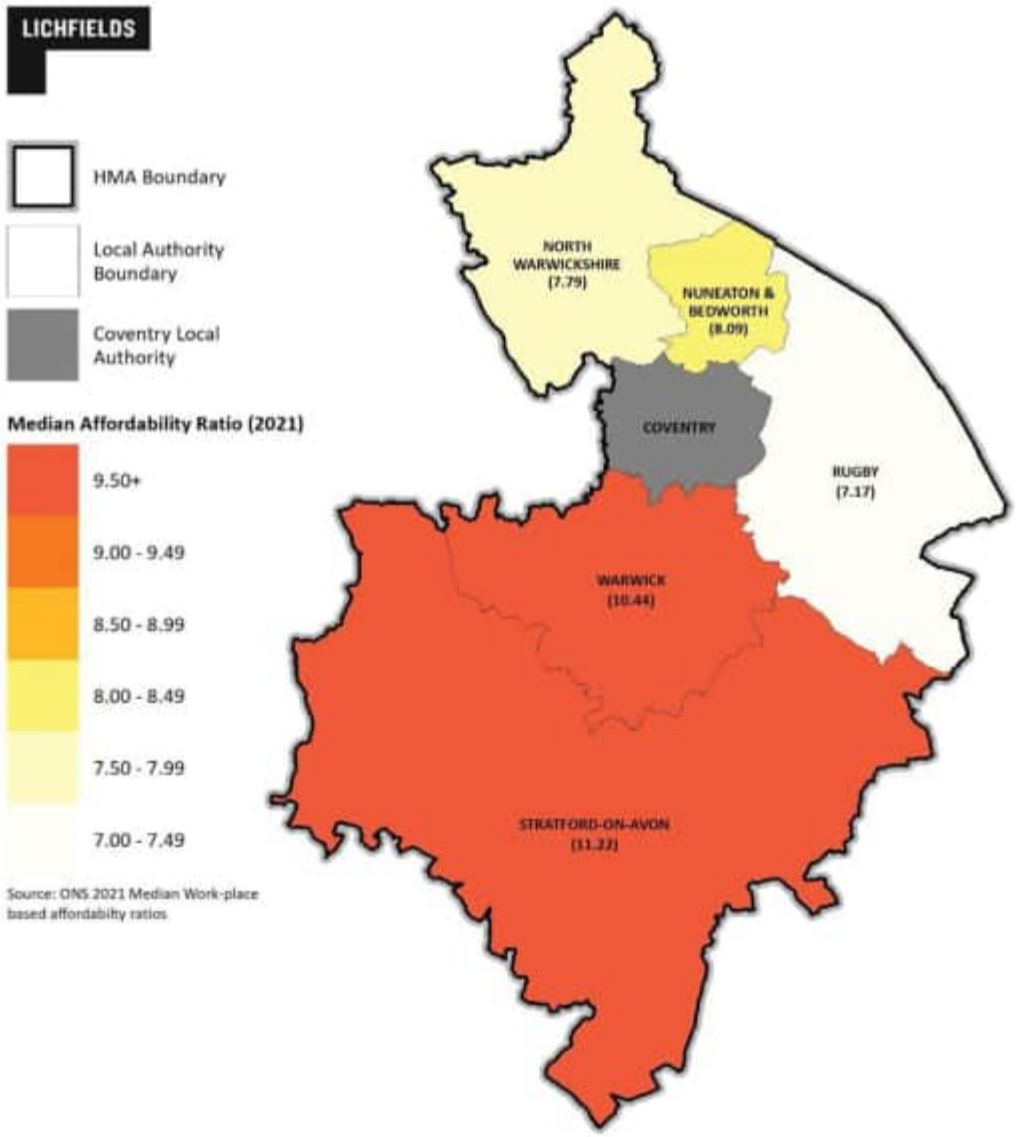
Figure 7.6 Nuneaton & Bedworth's Median Affordability Ratios (1997-2022)



Source: Lichfields based on the ONS 2022 median workplace-based affordability ratios

7.16 In the context of the C&W HMA, as shown in Figure 7.7, the Borough is considered to be one of the more affordable areas, with a median affordability ratio below the national average (8.28) in 2022. Half of the C&W HMA authorities could also be considered more affordable than the national average, such as North Warwickshire (7.79) and Rugby (7.17). However, Stratford-upon-Avon (11.22) and Warwick (10.44) both have particularly acute affordability pressures. Nevertheless, based on an affordability ratio of 8.09, the affordability uplift to the baseline 2014-based household projections in the SM would be c.26%. Accordingly, Lichfields' model has ascribed a **20%** uplift to the baseline degree of linkage. Similarly, all other C&W HMA authorities affordability uplifts exceeded 20% and were also ascribed a **20%** uplift to the baseline degree of linkage, with the exception of Rugby, which was marginally below 20% and therefore ascribed a 10% uplift.

Figure 7.7 C&W HMA Median Affordability Ratios (2022)



Source: Lichfields based on the ONS 2022 median workplace-based affordability ratios

Stage 3: Environmental, Policy and Physical Constraints

7.17 When accounting for the Stage 3 adjustments, the Borough's baseline share following the Stage 2 adjustments would increase to **58%** The detailed analysis for the Stage 3 adjustments is set out below in more detail:

1. Environmental Constraints

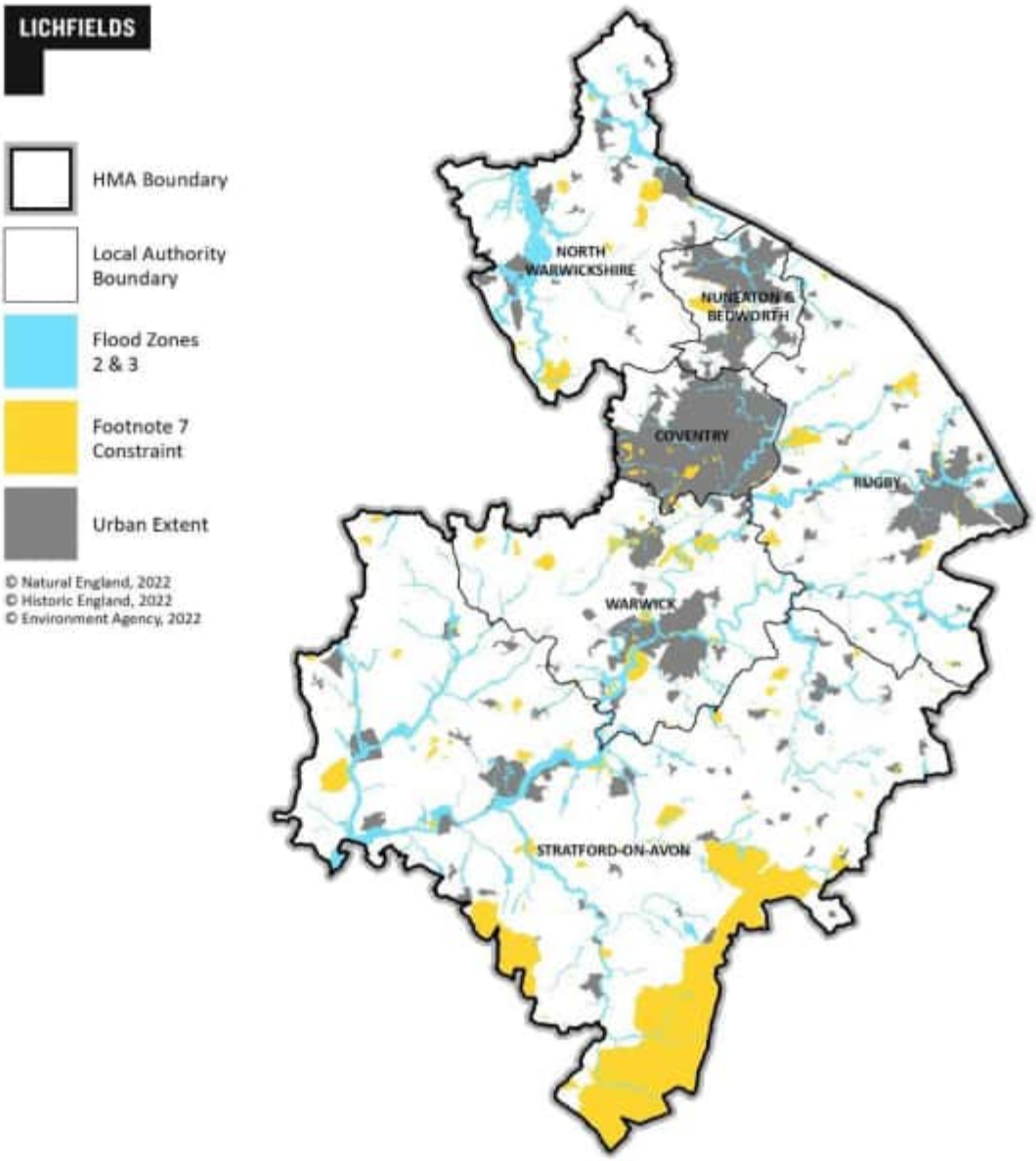
7.18 Applying this factor to the gravity model needs to distinguish between those constraints which are fundamental and ultimately would prevent development appropriately being allocated through a Local Plan process (e.g., fundamental NPPF footnote 7 environmental

constraints[24]) and those that are policy choices (such as Green Belt). By mapping Footnote 7 environmental constraints across the C&W HMA for each district, the proportion of the district's area that is constrained is identified.

7.19 Lichfields' analysis shows that very few if any, districts are fundamentally constrained by environmental designations to the point where they cannot accommodate any additional growth. Whilst constraints will cover parts of a district, in most areas there are also less environmentally sensitive areas that could potentially accommodate development. Except for Stratford-upon-Avon (14%), none of the other authorities has more than 14% of their remaining land constrained by NPPF Footnote 7 constraints. Indeed, of Nuneaton and Bedworth's land, only **c.4%** is constrained by statutory environmental designations. Accordingly, Lichfields' model has ascribed a **20%** uplift to the baseline degree of linkage.

[24] Footnote 7 of the NPPF: *"The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change."*

Figure 7.8 C&W HMA Footnote 7 Constraints



Source: Lichfields analysis based on Natural England, Historic England and Magic Maps

2. Policy Constraints

7.20 Green Belt is not exercised as a fundamental environmental constraint within the model. This is because the Green Belt is a function of the Local Plan process, where there will be legitimate reasons for reviewing its boundaries, such as the acuteness of unmet housing needs[25].

7.21 Adjustments on this basis would also unsustainably burden authorities with no Green Belt land, shifting need onto districts that may be less sustainable. As such, if those areas with Green Belt are excluded, the implications for those areas with no Green Belt become stark;

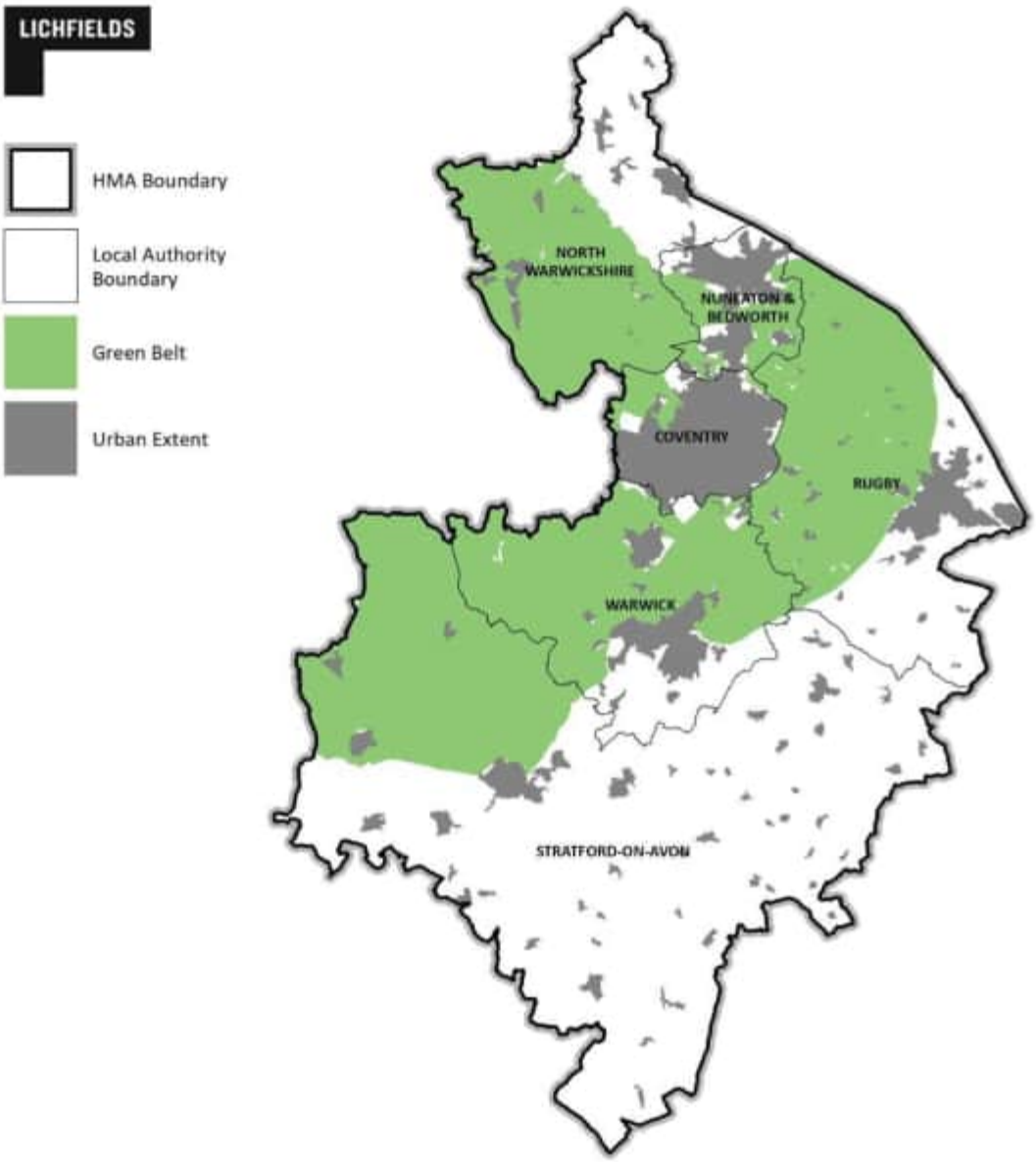
[25] Nottingham City Council v Calverton Parish Council [2015] EWHC 503 (Admin) (02 March 2015)

meaning that no authorities within the C&W HMA would be expected to contribute to Coventry's unmet needs.

7.22 Even if we focussed growth in areas where the Green Belt covers less than half of a district's area, such as Stratford-upon-Avon, this would still have a similar effect, meaning that districts with a weaker socio-economic linkage with Coventry would be bearing the majority of the burden, promoting unsustainable patterns of development.

7.23 Recognising the need to promote sustainable patterns of development within the Green Belt, by mapping Green Belt land across each of the districts, the proportion of the district's area that is covered by it is identified. For Nuneaton and Bedworth, **c.68%** of the Borough's remaining land is covered by a Green Belt designation – a level broadly consistent with Rugby, North Warwickshire and Warwick. Accordingly, Lichfields' model has ascribed a **0%** uplift to the baseline degree of linkage.

Figure 7.9 C&W HMA Green Belt Coverage



Source: Lichfields analysis based on Magic Maps

3. Physical Constraints

7.24 It is important to acknowledge that a significant challenge for Coventry is that, although not overly constrained by Footnote 7 designations, it has largely grown to extent of its administrative boundaries and has limited available land to accommodate the pressure for further expansion. Authorities such as this are considered 'under-bounded' and this is, arguably, the reason why Coventry is unable to meet their needs.

7.25 In this regard, reflecting the problems such areas face meeting their own needs, any such district is ascribed a -100% adjustment factor, essentially meaning that the 'gravity model' assumes these areas will be unable to help meet Coventry's unmet needs. However, in this

regard, **no authorities within the C&W HMA, including Nuneaton and Bedworth, are considered under-bounded**.

Rebasing

7.26 As the above steps and adjustments are applied individually to each LPA in the C&W HMA, the final stage is to bring them together into a single distribution. This is done by rebasing the distribution between each LPA such that it collectively adds up to 100%, but in the same proportions as arises from the application of the model stages. This is what is referred to by 'rebased proportion' and ensures the outcomes tally across the whole HMA (and that the full unmet need, not more or less, is being distributed by the model).

Outcomes

7.27 Lichfields' model has analysed the degree of migration and commuting linkages within the C&W HMA, opportunities to capitalise on sustainable transport links and improve affordability, and the degree of environmental and physical constraints which might impede on an authority's ability to accommodate unmet housing needs.

7.28 Drawing on the above analysis, Lichfields' model concludes on the functional linkages between the districts and the C&W HMA. From this, it shows how Coventry's unmet housing needs could be sustainably distributed to Nuneaton and Bedworth.

7.29 However, whilst regard should also be had to whether an authority has already made a commitment through an adopted Local Plan or is progressing a contribution towards these needs that is higher than Lichfields' model would suggest, this is not the case in the C&W HMA. This is because authorities within the HMA have only just begun the Local Plan Review process.

7.30 In addition to this, whilst the fundamental aim of Lichfields' model is to apportion these needs to areas with higher levels of socio-economic linkages with the origin of the unmet housing needs, there is clearly a need to ensure that each authority would still take a 'fair share' and would not be disproportionately impacted by the outcomes of the model. Much in the same way that the NPPF's SM utilises one, Lichfields' model typically ascribes a 25% 'cap' to authorities that the models indicate would exceed this figure, with the other authorities experiencing a commensurate increase in their contributions. However, given the fact that the HMA only comprises 5 authorities beyond Coventry, the implications of applying a 'cap' would unreasonably and unjustifiably shift higher contributions on to authorities with much weaker social-economic links. By way of example, applying a 25% 'cap' in this model would result in areas such as Stratford-upon-Avon going from accommodating 5% to 15%. As such, a 'cap' has not been implemented within this model.

7.31 When accounting for the above, Lichfields' model indicates that to address the likely unmet housing needs of the C&W HMA, a reasonable distribution would see **Nuneaton and Bedworth accommodating c.40% of Coventry's unmet needs up to 2041.** This would equate to a contribution of between **c.5,650 and c.15,910 dwellings towards Coventry's unmet needs**[26] above the Borough's own housing needs – see Appendix 1 for a detailed calculation.

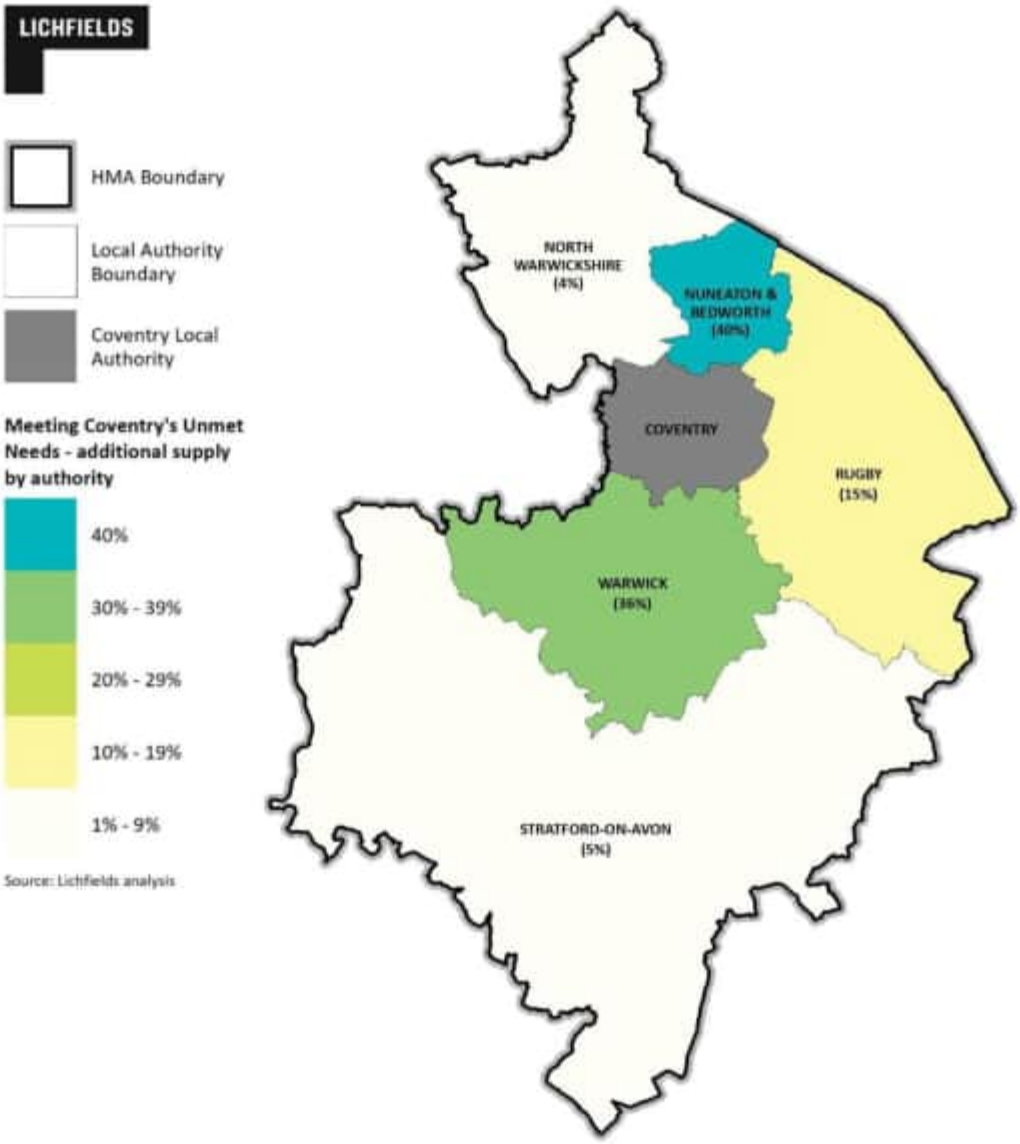
[26] Based on an estimated unmet need of between c.14,100 (Scenario 2) and c.39,780 dwellings (Scenario 1) up to 2041 in Coventry.

Table 7.1 Likely Housing Shortfall for Coventry up to 2041

	2021-2041		
	Scenario 1	Scenario 2	Scenario 3
Coventry's Minimum Shortfall	-39,782	-14,122	-25,422
Nuneaton and Bedworth's Share of Coventry's Unmet Housing Need 2041 (Re-Balanced if Commitments exceed model)	40%		
	15,913	5,649	10,169

Source: Lichfields' analysis

Figure 7.10 Distribution of C&W HMA's unmet housing needs up to 2041



Source: Lichfields analysis

8.0 Conclusions

8.1 The NPPF is clear that LPAs are required to work together to identify and meet (where it is sustainable to do so) the housing needs of neighbouring authorities, underpinned by adequate, relevant and up-to-date evidence.

8.2 Although Coventry's Local Plan Review is at an early stage, and contends that the 35% uplift should be discounted, the Consortium strongly contends that Coventry fundamentally lacks any justification for proposing its current housing requirement. Fundamentally, 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. In either event, both point to a markedly higher level of need than the Coventry has proposed to date. Given the underbounded nature of the city and that it has historically been unable to meet its needs in full, it is likely that there will be significant unmet housing needs arising from Coventry up to 2041.

8.3 Indeed, under both the PPG compliant SM calculation, or the HEDNAs SM calculation based alternative household projections, 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.

8.4 Whilst it is acknowledged that the C&W HMA has historically sought to take a collaborative 'evidence-led' approach to address the HMAs housing needs, the Council's current position appears to disregard this approach and is not seeking to effectively grapple with this issue.

8.5 To date, there has been no commitment from the C&W HMA authorities to address any unmet needs from Coventry in the likely event that they arise from this process. Moreover, as a result of this and the fact that the Council's emerging Borough Plan Review is particularly advanced, there is a very real risk that the Council ends up electing to defer making a contribution towards the C&W HMA to another Borough Plan Review which won't be completed for up to five years post-adoption of the current Borough Plan Review and ignores this important cross-boundary matter which should be addressed now, per the requirements of the NPPF.

8.6 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 the city, or they will mean households will have to look elsewhere to meet their housing needs. The practical implication is that unmet needs in Coventry will mean greater net outward migration than the ambient trends accounted for within the population projections, which will affect those areas in close proximity, particularly Nuneaton and Bedworth.

8.7 In this regard, the Consortium considers that there is a strong and cogent need to distribute the C&W HMAs unmet needs based on functional relationships between the authorities; an approach that aligns with the C&W HMAs previous approach, and which was endorsed by Inspector's at the C&W HMA respective Local Plan EiPs.

8.8 To this end, Lichfields, on behalf of the Consortium, has prepared this Report and accompanying model to demonstrate how the C&W HMA's needs could sustainably be

distributed amongst neighbouring authorities based upon the functional relationships between those authorities.

8.9 For Nuneaton and Bedworth, Lichfields' model indicates that to address the unmet housing needs of Coventry, a reasonable distribution would see Nuneaton and Bedworth take 40% of Coventry's unmet needs up to 2041, above the Borough's own housing needs. One the basis of the likely level of unmet housing need arising in Coventry between 2021 and 2041, this would equate to a contribution between **c.5,650 and c.15,910** dwellings. This highlights that the Council's current approach set out in the PDP would clearly not fully grapple with this strategic matter now.

8.10 It is important to note that the abovementioned apportioned figure should be seen as a starting position, which should be tested through the Sustainability Assessment [SA] process. Nevertheless, this report and analysis underpinning it demonstrate how an evidence-led approach (e.g., functional relationships) would strongly suggest that the Council should make a **c.5,650 and c.15,910** dwelling contribution towards meeting the unmet housing needs of Coventry now, which should be tested through the SA process accordingly.

Appendix 1 Nuneaton and Bedworth's Functional Relationship Analysis

C&W HMA Functional Model			Nuneaton and Bedworth	Source
Stage 1: Functional Relationship	Migration	% of Gross out-migration from Coventry to LPA in C&W HMA	28%	*ONS Migration Estimates (2012-2020)*
	Commuting	% of Gross in-commute from LPA in C&W HMA to Coventry	41%	*Census 2011 Table WU03UK*
		Baseline Share	***34.5%***	
Stage 2: Sustainability and Market Signals	Rail Links	Fastest Train from District to Coventry (Mins)	12	*Trainline*
		Uplift Factor	**10%**	
	Bus Links	% of LPA within 45 bus journey (at peak times) to Coventry City Centre	16%	*Travel Time*
		Uplift Factor	**10%**	
	Affordability	Affordability Ratio	8.09	*2022 Median Affordability Ratios*
		Standard Method Theoretical Uplift	26%	*PPG Standard Method Calculation*
		Uplift Factor	**20%**	
	Total Uplift Factor		**40%**	
		% Baseline Share following adjustments	***48.3%***	
Stage 3: Sustainability and Market Signals	Environmental Constraints	Fundamental Constraints (SSSI, AONB, National Park) % Coverage	4.1%	*Magic Maps and Lichfields Analysis*
		Uplift Factor	**20%**	
		Green Belt % Coverage of Non-Urban Land	68%	
		Uplift Factor	**0%**	
	Physical Constraints	Underbounded Authorities (Unlikely to meet even their own needs)	No	
			0%	
	Total Uplift Factor		**20%**	
		% Baseline Share following adjustments	***58%***	
Share of Coventry's Unmet Housing Need 2041 (Rebased Proportion)			**40%**	
Share of Coventry's Unmet Housing Need 2041 - Re-Balanced if Commitments exceed model			**40%**	

Appendix 2 Housing Needs Assessment: Calculation Coventry's Housing Needs (2021-2041)

Celebrating 60 years

Housing Needs Assessment
Calculating Coventry's Housing Needs (2021-2041)

On behalf of Gladman, St Philips Land Ltd, Richborough Estates, and Ainscough Strategic Land

November 2022

LICHFIELDS

LICHFIELDS

Lichfields is the pre-eminent planning and development consultancy in the UK

Celebrating 60 years
of innovation in planning.

lichfields.uk

65208/01/JK/MWS
25906827v3

Contents

1.0 Introduction

1.1 This Housing Needs Assessment [HNA] has been prepared by Lichfields, on behalf of a consortium of housebuilders and land promoters, comprising Gladman, St Philips Land Ltd ("St Philips") Richborough Estates ("Richborough") and Ainscough Strategic Land ("Ainscough") (i.e., "the Consortium").

1.2 This HNA considers the concerns raised by MPs and CPRE – acknowledged by the UK Statistics Authority[1] and Office for National Statistics [ONS][2] – with regards to inaccuracies with Coventry city's population projections and mid-year population estimates and the impacts this has on the housing needs being planned for within the city and wider Coventry & Warwickshire Housing Market Area [HMA] ("C&W HMA") and the potential level of housing needs arising in Coventry between 2021 and 2041 that Coventry needs to plan for as a part of the emerging Local Plan Review.

1.3 Although the National Planning Policy Framework (2021) [NPPF] requires local planning authorities [LPAs] to use the Standard Method (Para 61), the Planning Practice Guidance [PPG] enables LPAs to use an alternative method for calculating housing needs in 'exceptional circumstances.'[3] In this context, the Consortium is acutely aware that a joint C&W HMA HEDNA ("Joint HEDNA") is being prepared to provide an up-to-date assessment of the housing and employment needs of the HMA and each authority, which will likely depart from the Standard Method and have regard to the 2021 Census.

1.4 However, the purpose of this HNA is to provide the Consortium's alternative assessment of Coventry's projected household population to be used as a basis for calculating the level of housing need arising from the city in the future. These alternative projections have regard to the 2021 Census population and household data, published on 28 June 2022, and make adjustments to the official 2018-based projections to take account of the differences in migration over the intercensal period.

1.5 The purpose of this HNA is also to inform the Consortium's wider work on establishing the extent of Coventry's emerging unmet housing need and how the unmet housing needs of the C&W HMA could sustainably be distributed amongst the constituent authorities of the HMA based upon the functional relationships between the authorities. It has been prepared in support of each member of the Consortium's respective representations to Nuneaton and Bedworth Borough Council's ("the Council") forthcoming Pre-Submission ("the PS") consultation on the Borough Plan Review.

Structure

1.6 The structure of this as follows:

- Section 2 sets out the context of the concerns raised in relation to the household projections for Coventry;

[1] Review of population estimates, and projections produced by the Office for National Statistics (May 2021), UKSA
[2] Available at: https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/articles/futureplansforresearchonpopulationestimatesandprojections/2021-07-29
[3] PPG ID: 2a-003

- Section 3 sets out the relevant national planning policy and guidance;
- Section 4 sets out the various market signals within Coventry including affordability ratios, property prices, completions, and rental costs;
- Section 5 sets out Lichfields' methodology for calculating Coventry's household projections for the 2021-2041 period;
- Section 6 assesses the housing need for Coventry based on Lichfields' household projections and the Standard Method; and
- Section 7 provides a summary and set of conclusions arising from this HNA.

2.0 Context

Official Population Measures

2.1 The ONS is responsible for collecting, analysing and publishing a range of demographic, housing, labour market and economic data for England. This includes censuses (taken once every decade, most recently undertaken in 2021) and a wide range of surveys and other official data and estimates prepared on a monthly, quarterly, and yearly basis.

2.2 In terms of measuring population (and population change – births, deaths and migration) ONS relies on two main sources:

1. **Censuses** – these provide a 'snapshot' of the population usually resident in an area on Census day (most recently 21st March 2021) by sex and age (and other characteristics). It is typically regarded as the most accurate measure of the population available (in part due to the legal requirement for households to complete it); the 2011 Census had an estimated confidence interval (95%) of 0.15% across England and Wales – down from 0.21% in 2001; and
2. **Mid-Year Estimates** [MYEs]– these provide estimates of the population on an annual basis (in June of each year), based on data on the number of births, deaths and migration. Recording of births and deaths is based on official records (which are considered to be near-perfect in the UK), whilst migration estimates are based on several sources including the International Passenger Survey [IPS], school census data, patient register data, state pension data and higher education data. ONS notes that a limitation of the migration estimates is that they involve combining multiple administrative sources managed by other organisations whose primary purpose is delivering services (such as healthcare, higher education and benefits) rather than collecting data for population statistics. Difficulties also arise, for example, with those who do not 'interact' with any of those data sources but who may be recorded in the census, where people move multiple times within a year, or areas which experience relatively high proportions of non-usual resident populations and/or international migration (e.g. areas with high student populations).

2.3 ONS applies a consistent methodology nationally for its MYEs and does not adopt bespoke methodologies for different local authorities where there may be errors in the data sources used. This is partly for consistency in approach nationally (since, for example, over-recording of migration in one area may be accounted for by under-recording in the neighbouring area, and therefore on balance the impact is net zero) and to repeat this even for a small proportion (let alone all) of the 300+ local authorities would unlikely be feasible on an annual basis. Therefore, if there are genuine 'errors' in the population estimates for one area, these will unlikely lead to manual amendments to the MYEs by ONS, until the next Census.

Unattributable Population Change [UPC]

2.4 Following each census MYEs are revised; this is because it is rare that MYEs have perfectly recorded population change in an area over the previous 10 years and therefore some revisions are necessary to 'recalibrate' the population. These adjustments are termed 'Unattributable Population Change – UPC', i.e. the amount of population change (between

each census – e.g. between 2001 and 2011) which cannot be accounted for by births, deaths or migration recorded by the MYEs in the intervening years. This is done at a national level and a local authority level. There are three causes of UPC:

1 Errors in the census estimates (either at the start year, end year, or both);

2 International migration estimates; and

3 Internal migration estimates (at the sub-national level only).

2.5 It is difficult to attribute this change to any one factor, although ONS has prepared an analysis which suggests which factors are more likely than others in each local authority. If UPC nationally or in a given local authority is due to errors in the census estimates then population estimates are unaffected, because the change can be accounted for in errors in the start/end population, rather than the components of change (births, deaths, migration). If the UPC is due to migration errors this implies the data sources either over-estimated migration (if the UPC is negative, because a negative component is needed to calibrate the estimate) or under-estimated migration (if the UPC is positive, for the opposite reason). If there is reason to believe the census estimates are broadly correct and an area has a substantial amount of UPC (relative to its size) this could suggest a systematic mis-recording of migration.

2.6 Once recalibrated after each census, subsequent MYEs are based on this revised population, and the process repeats until the next census. Because errors compound over time (because the population estimate in a given year is the basis for the estimate of the subsequent year) this also means estimates produced immediately after census years are typically more accurate than estimates produced in later years. For example, a population estimate for 2012 will likely be more accurate than an estimate for 2019, because the 2012 estimate is only one year on from the 2011 Census, compared with eight years on in 2019.

2.7 It is important to note that for the 2001-11 period ONS does not make a formal adjustment for UPC at the national level because the amount of UPC is within the margins of error of the censuses. In other words, looking nationally, the amount of UPC in MYEs between 2001 and 2011 could – in theory – be fully accounted by the margin of error in the censuses, in which case there would be implied errors within the estimates of births, deaths and migration at the national level. It is unknown whether ONS will draw the same conclusions for the 2011-21 period at the national level.

Use of Mid-Year Estimates in Projections

2.8 It is important that MYEs represent a reasonably accurate picture of population change – notably migration – within a local authority because MYEs are the basis of ONS's population projections. ONS produces Sub-National Population Projections [SNPPs] typically every two years, most recently the 2018-based SNPPs which were published in 2020. SNPPs were not published in 2022 (these would have been 2020-based); these will be delayed allowing for the analysis of the 2021 Census results.

2.9 In its SNPPs, ONS trends forward recent trends of migration (in and out, internal and international) in an area, as recorded in the MYEs. Therefore, if there are any systemic errors within migration estimates of MYEs in a certain area, they will feed into future population projections. These population projections form the basis of household

projections[4] which are used within the standard method for assessing local housing needs as set out in the NPPF (2021) and PPG. Prior to the introduction of the standard method, these population and household projections still formed the basis of housing need assessments for local plans, as they are the only official set of centrally produced projections.

2.10 As noted in Section 1.0 above, the NPPF expects that local authorities will use the standard method to assess their local housing need, except in 'exceptional circumstances' which should be tested through local plan examination. As the standard method has only been in place for a few years there are currently no examples of authorities which have successfully adopted 'exceptional circumstances' to suggest their local housing need is lower than that suggested by the standard method. However, purported errors within the underlying population projections and estimates might constitute such circumstances; this is the position being advanced by Coventry City Council.

Coventry's Population

The Censuses

2.11 The censuses provide a reliable basis for Coventry's population (it is understood that the issues raised locally do not suggest the censuses are inaccurate) and there is no reason to believe that any census figures are over- or under-estimates[5] of Coventry's population. The 2021 Census recorded Coventry's population as 345,300, an increase of 50,321 (17.1%) since 1991, as shown in Table 2.1. Coventry's population has grown faster over time, increasing by just 2.0% in the 1991-2001 period, 5.4% in the 2001-11 period and 8.9% in the 2011-21 period.

Table 2.1 Coventry Population Change – 1991, 2001, 2011 and 2021 Censuses

	1991	2001	2011	2021
Census	294,979	300,848	316,960	345,300
10-year change up to...	~	5,869	16,112	28,340
	~	2.0%	5.4%	8.9%
20-year change up to...	~	~	21,981	44,452
	~	~	7.5%	14.8%
30-year change up to...	~	~	~	50,321
	~	~	~	17.1%

Source: ONS

2.12 Faster growth in Coventry's population in the most recent decade is not in and of itself unusual, particularly in the context of international migration trends[6] which have been steadily rising in the long-term nationally and Coventry's relatively high proportion of non-UK born residents, and in the context of housebuilding trends in Coventry specifically. In the 2001-11 period Coventry saw 644 homes per year (net) built; indeed in 2003/04, there were -8 net additions to the dwelling stock. By the next decade (2011-21) this had doubled,

[4] The 2018-based and 2016-based iterations of the household projections were published by ONS; prior to this (i.e. 2014-based and earlier) these were published by DLUHC (formerly MHCLG/DCLG).

[5] Statistically significant

[6] For example see p.6 here which shows long-term net migration trends to the UK

with Coventry seeing 1,205 homes per year (net) built, including a peak of over 2,200 built in 2019/20[7]. Therefore, we would expect Coventry's population to have grown quicker in the 2011-21 period than in the 2001-11 period, all things being equal. Other factors, such as the expansion of higher education institutions in Coventry and economic growth, could also have contributed.

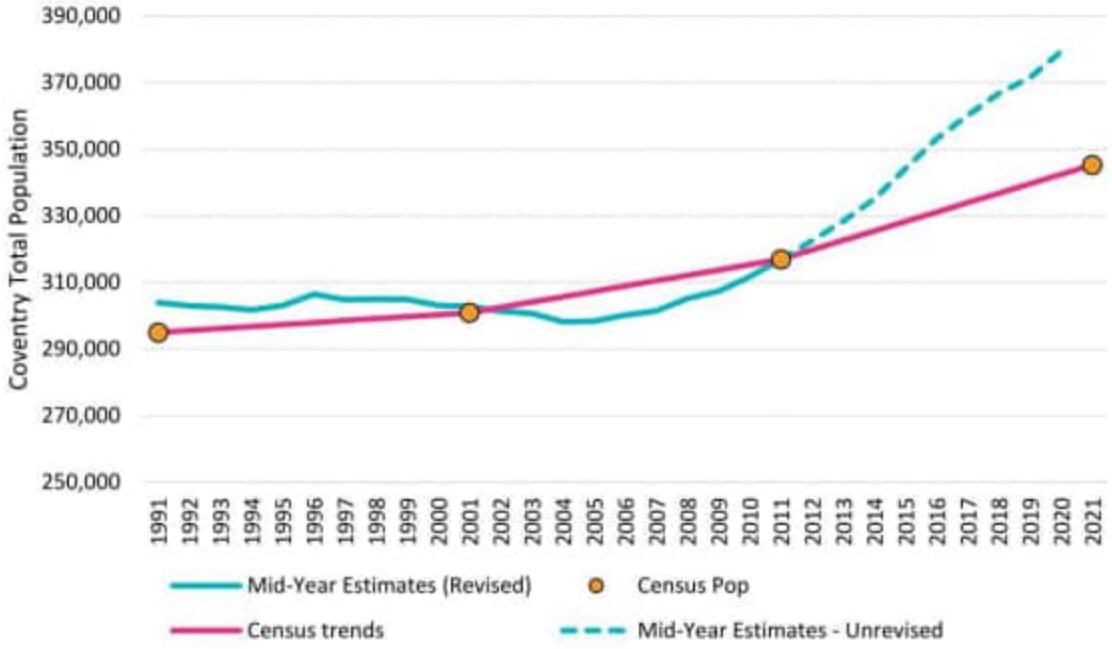
Mid-Year Estimates

2.13 Figure 2.1 shows the MYEs for the 1991-2021 period, along with the censuses. Estimates prior to 2011 are revised to account for all census results (in 1991 there does however remain a small margin of error), hence up to 2011, the MYEs align with the censuses in the relevant years. For the 2001-11 period, this process has already occurred; after the results of the 2011 Census became available, ONS revised its 2001-11 MYEs so that the population of Coventry aligned with the Census. This means the MYEs appear to align with the censuses, however, the chart below does not show the significant amount of UPC which was required to be added to the estimates (in this case, a negative UPC).

2.14 For the most recent decade (2011-21) however the MYEs are yet to be revised because the 2021 Census results have only been available for a few months. In time ONS will revise its 2011-21 MYEs and will add in an element of UPC (in this case, negative) so that the MYEs produce a population in 2021 which aligns with the 2021 Census. Figure 2.1 shows that the MYEs suggested Coventry's population was growing far quicker than the 2021 Census has shown to be the case. Whilst ONS will unlikely attribute this to a specific cause/s (such as errors in one or both censuses, internal or international migration), absent any indication that the censuses are inaccurate, the Council's view is that this is a result of over-recording of migration (either a result of recording too many people entering Coventry, too few leaving or both). As noted above, these estimates feed into the population and household projections which inform the standard method; the implication being that – in the Council's view - if historic population growth is being systemically over-recorded due to inaccurate recording of migration, this will over-estimate future population/household growth and housing need.

[7] Source: DLUHC Live Table 122 Net additional dwellings by local authority

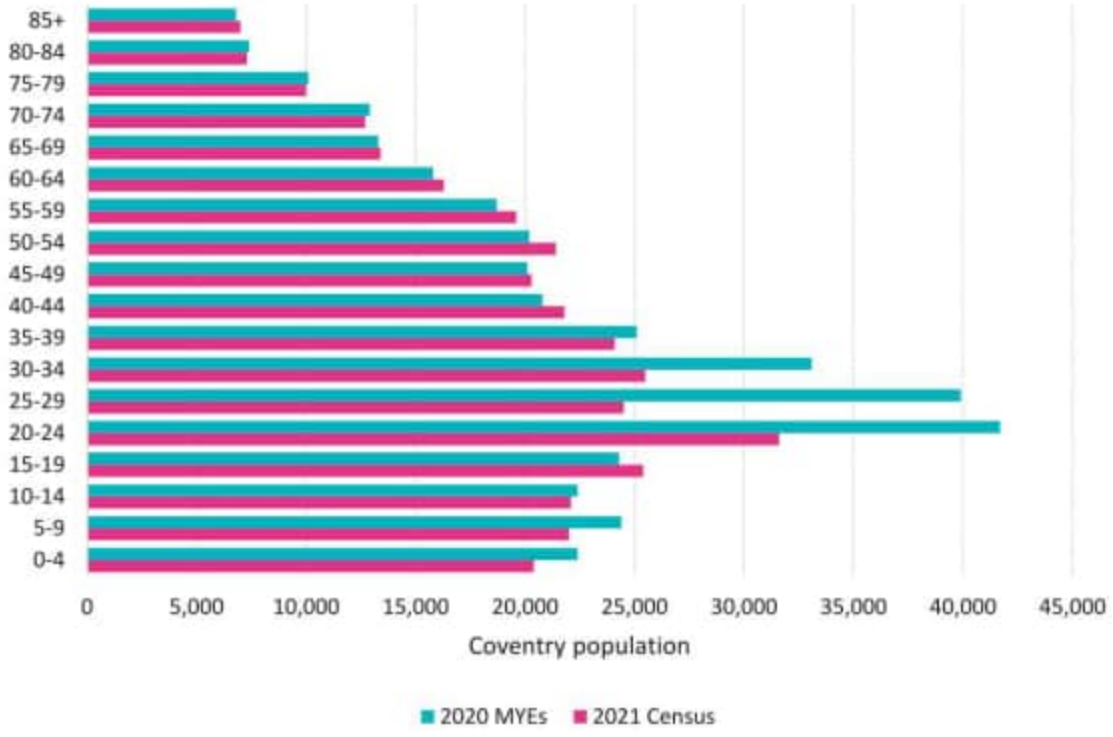
Figure 2.1 Coventry Population - 1991-2021



Source: ONS Censuses and Mid-Year Estimates. Note: 1991-2001 estimates were not revised, hence 1991 population does not match the 1991 Census.

2.15 Figure 2.2 shows the difference in Coventry's population between the 2020 mid-year estimates (the latest available) and the 2021 Census. Whilst we would expect minor differences because they refer to slightly different points in time (June 2020 vs March 2021) the differences are significant, especially amongst younger adults. The 2020 estimates anticipated almost 35,000 more residents in Coventry in the 20-34 age groups than the 2021 Census showed were actually resident in the City. This is important because these are the age groups which will form a significant number of Coventry's households in the near future. By way of illustration, at the national level, 38% of males aged 25-29 form a household (as of 2021); for those age 45-49 this rises to 75%. Aged on 20 years, a cohort of 100 males aged 25-29 today would form 38 households but would form almost double this number of households by the time they are aged 45-49.

Figure 2.2 Coventry population - 2020 Mid-Year Estimates and 2021 Census by 5-year age group



Source: Lichfields analysis of ONS MYEs and Census 2021

Unattributable Population Change in Coventry – 2001-11

2.16 To understand what could happen to the 2011-21 MYEs following the results of the 2021 Census, we can assess what was recorded to have happened in the 2001-11 period. As noted above, the 2001 Census recorded a population for Coventry of 300,848; the 2011 Census showed that in 10 years this increase by 16,112 (5.4%) to 316,960. MYEs show that Coventry's population grew as a result of natural change (i.e. more births than deaths), reflecting its relatively young population. As shown in Table 2.2 Coventry's population grew by an average of around 1,300 per year (13,400 total) as a result of natural change. The MYEs also suggested that Coventry saw net out-migration to the rest of the UK (i.e. more people left Coventry for the rest of the UK than moved into Coventry, around -19,000 in total or -1,900 per year) but saw net immigration from overseas (i.e. more people arrived in Coventry from overseas than emigrated, around +16,000 in total or +1,600 per year). Overall, this suggested Coventry's population should have grown to nearly 332,000 by 2011.

2.17 However, the 2011 Census shows that the actual resident population in 2011 was closer to 317,000; some 15,000 less than suggested by the original MYEs as a result of births, deaths and migration in the prior decade. As a result, the revised MYEs contain a component of UPC which totals around -15,000; approximately 1,500 each year, as shown in Table 2.2. Working on the assumption that this error is not attributable to errors in either of the censuses, this could suggest that the level of overall net migration to Coventry between 2001 and 2011 was over-estimated by around 15,000. As shown in Table 2.2 the total amount of net migration (internal and international) seen in the 2001-11 period amounted to an estimated +15,694, therefore a UPC component of -15,017 accounts for almost all of

the level of net migration seen in Coventry. If these levels of migration are trended forward (e.g. for the purposes of population and household projections) without any account taken of UPC, the result could be that future population and household growth is over-estimated.

Table 2.2 Components of Population Change for Coventry - 2001 to 2011

Year ending	Natural Change			Internal Migration			International Migration			Total mig.	Other Change*	Population
	Births	Deaths	Nat. Change	In	Out	Net	In	Out	Net			
2002	3,601	2,894	707	11,718	14,284	-2,566	4,750	2,863	1,887	-679	-1,537	301,295
2003	3,676	3,004	672	13,036	14,935	-1,899	5,066	2,957	2,109	210	-1,512	300,665
2004	3,920	3,073	847	12,621	15,482	-2,861	4,821	3,816	1,005	-1,856	-1,482	298,174
2005	3,941	3,031	910	12,840	15,120	-2,280	5,657	2,564	3,093	813	-1,511	298,386
2006	4,071	2,918	1,153	13,747	15,479	-1,732	7,179	3,354	3,825	2,093	-1,503	300,129
2007	4,241	2,853	1,388	13,180	15,955	-2,775	7,293	3,087	4,206	1,431	-1,519	301,429
2008	4,550	2,815	1,735	13,575	15,062	-1,487	6,921	1,927	4,994	3,507	-1,485	305,186
2009	4,540	2,849	1,691	13,974	15,329	-1,355	6,548	3,172	3,376	2,021	-1,505	307,393
2010	4,746	2,667	2,079	14,700	15,646	-946	7,455	2,787	4,668	3,722	-1,520	311,674
2011	4,843	2,591	2,252	14,802	15,576	-774	9,043	3,837	5,206	4,432	-1,443	316,915 **
Total	**42,129**	**28,695**	**13,434**	**134,193**	**152,868**	**-18,675**	**64,733**	**30,364**	**34,369**	**15,694**	**-15,017**	~
Average	4,213	2,870	1,343	13,419	15,287	-1,868	6,473	3,036	3,437	1,569	-1,502	~

Source: ONS MYEs. *Most of this 'Other Change' is UPC, however, it includes other adjustments to 'special populations' including armed forces and prison populations. **Population does not match the Census figure because the Census refers to March and MYEs refer to June.

2.18 An alternative way of looking at the 2001-11 change is to assess what the level of overall implied net migration was. Starting from the 2001 Census population and adding births/subtracting deaths in each year leaves an amount of change which is assumed to be attributable to migration. It is not possible to disaggregate this into in/out flows and UK/overseas flows, however, it provides a simplified method of understanding the likely level of population change in Coventry which was attributable to migration. This is shown in Table 2.3; between 2001 and 2011 Coventry's population increased by 16,112. There were 42,129 births and 28,695 deaths, meaning natural change accounted for 13,434 of Coventry's growth and implying that 2,678 (the remainder – 16,112 – 13,434) is attributable to migration. This is substantially lower than the 15,694 total net migration recorded in the MYEs.

Table 2.3 Implied Net Migration for Coventry - 2001 to 2011

	2001	2011	2001-11
Census Population	300,848	316,960	+16,112
Population Change	~		16,112
Births			42,129
Deaths			28,695
Natural Change			13,434
Implied Total Migration			2,678
Recorded* Migration (MYEs 2001-11)			15,694

Source: Lichfields analysis of Census and MYEs. *Note MYEs refer to the year to June whereas Censuses are taken in March, therefore figures are not precisely comparable to each other.

2.19 Looking at the most recent decade of MYEs (2011-21) shows where the greatest differences are between change recorded in the 2001-11 decade and the 2011-21 decade. Table 2.4 below shows the components of population change recorded for Coventry in ONS's mid-year estimates for 2011 to 2021 (figures for 2020/21 have been estimated using trends for the purpose of this analysis). These figures suggest Coventry's population has grown significantly from natural change (+16,000 over the decade) and international migration (+71,000 over the decade) but has declined from internal migration (-16,000). The latest population estimate for Coventry (for mid-2020) suggested Coventry's population had grown to nearly 380,000 by 2020; the 2021 Census showed this was not the case. It is possible that ONS will need to add an element of UPC to the mid-year estimates for 2011-21, totalling somewhere in the region of 40,000[8], to reconcile the mid-year estimates with the 2021 Census.

Table 2.4 Components of Population Change for Coventry - 2011 to 2021

Year ending	Natural Change			Internal Migration			International Migration			Total mig.	Other Change*	Population
	Births	Deaths	Nat. Change	In	Out	Net	In	Out	Net			
2012	4,728	2,650	2,078	16,392	17,384	-992	7,050	2,576	4,474	3,482	29	322,504
2013	4,599	2,727	1,872	15,671	16,267	-596	7,330	2,737	4,593	3,997	50	328,423
2014	4,513	2,584	1,929	16,912	17,176	-264	8,043	3,105	4,938	4,674	-8	335,018
2015	4,565	2,828	1,737	16,774	17,153	-379	10,757	2,845	7,912	7,533	0	344,288
2016	4,555	2,755	1,800	17,042	17,543	-501	10,416	2,764	7,652	7,151	-24	353,215
2017	4,453	2,786	1,667	20,125	21,139	-1,014	8,674	2,368	6,306	5,292	-25	360,149
2018	4,365	2,895	1,470	21,097	23,370	-2,273	10,999	3,369	7,630	5,357	-191	366,785
2019	4,266	2,815	1,451	21,341	25,582	-4,241	11,126	3,549	7,577	3,336	-51	371,521
2020	4,118	3,105	1,013	20,689	23,725	-3,036	12,782	3,002	9,780	6,744	109	379,387
*2021***	*4,118*	*3,105*	*1,013*	*20,689*	*23,725*	*-3,036*	*12,782*	*3,002*	*9,780*	*6,744*	*109*	*~ ****
Total	**44,280**	**28,250**	**16,030**	**186,732**	**203,064**	**-16,332**	**99,959**	**29,317**	**70,642**	**54,310**	**0**	**~**
Average	4,428	2,825	1,603	18,673	20,306	-1,633	9,996	2,932	7,064	5,431	0	~

Source: ONS MYEs. *Other change here does not relate to UPC, rather it relates to adjustments for 'special populations' such as armed forces and prison populations. **Note: ONS has not published estimates for the components of change for the 2020/21 year; for the purposes of obtaining a 10-year average for this research the 2019/20 figures have been trended. ***ONS has not published a population estimate for mid-2021; this will follow the results of the 2021 Census.

2.20 Table 2.5 shows the total change from each component for Coventry in the 2011-21 decade compared to the 2001-11 decade. It shows that:

- Births have increased slightly while deaths have remained broadly similar. In a growing and relatively young population, we would expect to see these trends. Given recording of births and deaths is considered to be near-perfect, there is no reason to question this increase;
- Internal migration flows (both in and out) have increased, from around 13,000 to 19,000 inflows and 15,000 to 20,000 outflows. The result is that net internal migration has increased only slightly, by 234 (from -1,800 to -1,600). This is small in the context of the overall gross flows seen (almost 40,000 flows in the 10 years to 2021). However, it is unknown whether the increase in inflows and outflows is being caused by a statistical issue (i.e. both in and outflows are being inflated, despite this only increase

[8] This is estimated based on ONS's mid-2020 population estimate of 379,387 with components of change trended from 2019/20 added (+1,013 natural change, -3,306 internal migration, +9,780 international migration) giving an estimated mid-2021 population of 387,253. Compared to the 2021 Census (345,300) this is 41,953 more.

net flows by a small margin) or whether these flows are accurately representative of trends in Coventry, and appear to suggest that population 'churn' from the rest of the UK is increasing; and

- International inflows in have increased substantially (by around 50%, from around 6,5000 to nearly 10,000) while outflows have remained broadly stable, resulting in net international migration doubling from around 3,500 to 7,000. Again, it is unknown whether the increase in inflows is a result of statistical errors or whether these flows are accurately representative of trends in Coventry. Some increase in overseas migration during this period would be expected, given this trend was occurring at the national level, however, it is not possible to determine the accuracy of the migration estimates.

Table 2.5 Difference between components of change recorded for Coventry - decade to 2011 and 2021

Decade ending	Natural Change			Internal Migration			International Migration			Total migration
	Births	Deaths	Nat. Change	In	Out	Net	In	Out	Net	
2011	4,213	2,870	1,343	13,419	15,287	-1,868	6,473	3,036	3,437	1,569
2021*	4,428	2,825	1,603	18,673	20,306	-1,633	9,996	2,932	7,064	5,431
Difference	**+215**	**-45**	**+260**	**+5,254**	**+5,020**	**+234**	**+3,523**	**-105**	**+3,627**	**3,862**

Source: Lichfields analysis of ONS MYEs. *Note: Components of change for the 2020/21 year have been trended using 2019/20 figures for the purposes of this analysis.

2.21 In summary:

1 The result of the 2001, 2011 and 2021 Censuses show that Coventry saw higher population growth in the 2011-21 period compared with the 2001-11 period. There is no reason to question the accuracy of the Census estimates in Coventry (at least, to a statistically significant degree) and indeed we would expect faster growth for a variety of reasons including higher rates of housing growth, more international migration nationally, growth in higher education and economic growth;

2 The degree of UPC which was added to the MYEs for Coventry between 2001 and 2011 (following the results of the 2011 Census) suggested that overall net migration could have been over-estimated. It is not possible to determine which flows (in/out/internal/international) may have been inaccurately recorded, however, the inclusion of UPC clearly has a significant impact on Coventry's population estimates (and therefore potentially its future projections) given that it equated to c.5% of Coventry's population[9]; and

3 Information from the 2011-21 MYEs suggests overall natural change and internal migration net flows have been fairly consistent with those seen between 2001 and 2011, however, net international migration flows have doubled. UPC will not be added into the mid-year estimates until the results of the 2021 have been fully analysed, but based on current population figures ONS could be required to add in an element of UPC in the region of c.-40,000 for the 2011-21 period to reconcile the mid-year estimates with the Census.

2.22 This analysis sets the context for our alternative projections for Coventry, set out in Section 5.0.

[9] Other change accounted for c.15,000 of overall growth between 2001 and 2011, compared with a 2001 population of c.300,000, i.e. 5%.

Office for Statistics Regulation findings

2.23 In May 2021 the Office for Statistics Regulation [OSR] published a review[10] of population estimates and projections used by the ONS. This review was initiated in response to concerns raised in 2020 by Coventry City Council regarding population estimates and projections for Coventry. In short, this review found that ONS's approach was "*generally seen as fit for purpose and is highly regarded internationally*" but that "*one area of challenge has been migration, where there are limitations in the data available... more needs to be done to investigate the root and scale of the issue associated with students and outward migration*". OSR also stated that it would "*like to see ONS be more open and responsive to issues when they first arise and view challenge as an opportunity to improve outputs and not a criticism of its approach*". OSR went on to make several recommendations for improving methods, enhancing communication and embracing challenges.

2.24 Following the OSR review, ONS has not specifically revised, or re-issued population estimates or projections, for Coventry or any other authority which raised similar concerns. This leaves authorities such as Coventry in a difficult position regarding its population estimates and projections; there appears to be an acceptance from the OSR that population estimates in areas with high levels of international migration and/or large student populations may have more limited accuracy due to data limitations. However, improving such estimates will be an ongoing and long-term process, and no revised estimates or projections have yet been produced. In the absence of alternative data or revised figures, is unclear what the migration figures for Coventry *should* be. However, the 2021 Census does provide some assistance in terms of assessing the overall scale of population growth seen in Coventry – of which migration is a key factor.

2.25 As such, although not explicitly stated by any of the C&W HMA authorities, the Consortium understands that the C&W HMA authorities have concerns with using the Standard Method to calculate Coventry's housing needs, on the basis that the PPG requires authorities to utilise the 2014-based projections. Indeed, in this regard, it is noted that Joint HEDNA is being prepared to provide an up-to-date assessment of the housing and employment needs of the HMA and each authority. It is also noted that this Joint HEDNA will look to take account of the updated 2021 Census population and household data which has recently been published.

Summary

2.26 Population estimates published by ONS are important for planning (and a variety of other) purposes as they provide an annual picture of the population in a given area and how it has changed. The census is an inherently more accurate measure of the population, but lacks in frequency, only being undertaken every decade. An element of 'unattributable population change' is required to some degree in every local authority, however, ONS does not consider it significant enough at the national level to warrant adjusting the estimates or projections. In most authorities, UPC will also not have a significant enough effect to warrant departing from the official projections.

[10] Available here

2.27 However, the OSR has acknowledged that there can be much larger margins of error in the estimates (i.e., much more significant levels of UPC) in areas where international migration flows make up a significant portion of population change, including where there are significant student populations. In the case of Coventry, it is suggested that flows associated with students, particularly international students, are not being accurately recorded and are inflating the number of young adults in the city. When trended forward in projections, if – hypothetically – residents are not recorded as out-migrating when they in fact are, this will over-inflate the population and therefore household growth and housing need in Coventry.

2.28 Our analysis shows that, following the 2011 Census, ONS added a UPC element into the mid-year estimates of over -15,000 - in other words, there were over 15,000 fewer people in Coventry in 2011 than the estimates expected. Assuming this difference is not accounted for by errors in either the 2001 and/or 2011 censuses, this would imply the difference is a result of the mis-recording of migration. Based on the population in the 2021 Census, it would be reasonable to assume that, once again, ONS will be required to add a significant element of [negative] UPC to Coventry's mid-year estimates once again, potentially in the region of -40,000. However, until ONS publishes these revised estimates and/or makes any changes to the way it projects population growth in Coventry or similar areas, we must estimate future change based on scenarios which might be reasonably expected to occur. This is set out in Section 5.0.

3.0 Planning Policy and Guidance

National Planning Policy Framework

3.1 The revised NPPF was updated on 20 July 2021 and sets out the government's planning policies for England and how these are expected to be applied. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018 and updated in February 2019.

3.2 The NPPF is clear 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 11b) (Emphasis added)

3.3 It goes on to state that:

"The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals." (paragraph 31) (Emphasis added)

3.4 It is also clear that Local Plans should provide:

"a strategy which, as a minimum, seeks to meet the area's objectively assessed needs21;" (paragraph 35a) (Emphasis added)

3.5 In terms of housing needs, the NPPF is clear that the Government's objective is to significantly boost the supply of homes (Para 60). It goes on to state 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." (paragraph 61) (Emphasis added)

Planning Practice Guidance

3.6 The PPG provides further guidance on the Standard Method, which provides an annual number, based on a 10-year baseline, which can be applied to the whole plan period.[11] It states that it uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply.[12]

3.7 It goes on to provide guidance on how the minimum annual local housing need [LHN] figure is calculated using the Standard Method, which comprises the baseline 2014 household projections, the application of a median affordability-based adjustment, a cap to help ensure that the minimum LHN figure calculated using the standard method is deliverable, and a 35% urban centres uplift (where applicable).[13]

[11] PPG ID: 2a-012
[12] PPG ID: 2a-002
[13] PPG ID: 2a-004

3.8 Importantly, the PPG is clear that for the purposes of calculating the LHN, the 2014-based household projections should be utilised as the baseline household projections, instead of more recent datasets *"to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government's objective of significantly boosting the supply of homes."*[14]

3.9 In respect of the affordability adjustment, the PPG states that this is applied to ensure that the standard method responds to price signals and that the minimum LHN figure starts to address the affordability of homes.[15] In terms of the cap, the PPG highlights that:

"The cap reduces the minimum number generated by the standard method, but does not reduce housing need itself. Therefore strategic policies adopted with a cap applied may require an early review and updating to ensure that any housing need above the capped level is planned for as soon as is reasonably possible.

Where the minimum annual local housing need figure is subject to a cap, consideration can still be given to whether a higher level of need could realistically be delivered. This may help prevent authorities from having to undertake an early review of the relevant policies."[16]

3.10 Following the consultations received in relation to the Government's proposed changes to the standard method, as a part of the 'Changes to the current planning system' consultation, in December 2020 the Government revised the standard method. The PPG[17] was revised to include a further stage within the standard method which applies a 35% uplift for those urban local authorities in the top 20 cities and urban centres list.

3.11 Crucially, the PPG is clear that the LHN figure generated by the standard method is a <u>minimum</u> starting point (i.e. actual housing need may be higher than this figure).[18] Moreover, elsewhere in the guidance, the PPG differentiates between the minimum figure arrived at through the standard method and the 'actual' housing need which can be higher. The PPG goes on to state that it would be appropriate for a higher figure to be adopted on the basis of employment, infrastructure, affordable housing or unmet housing needs.[19]

3.12 However, the PPG is also clear that an alternative approach to the Standard Method can be taken in 'exceptional circumstances', stating that:

"If it is felt that circumstances warrant an alternative approach… authorities can expect this to be scrutinised more closely at examination. There is an expectation that the standard method will be used and that any other method will be used only in <u>exceptional circumstances</u>."[20] (<u>Emphasis added</u>)

3.13 And goes on to state:

[14] PPG ID 2a-005
[15] PPG ID 2a-006
[16] PPG ID 2a-007
[17] PPG ID 2a-004
[18] PPG ID 2a-002
[19] PPG ID 2a-010
[20] PPG ID 2a-003

"Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.

Any method which relies on using household projections more recently published than the 2014-based household projections will not be considered to be following the standard method as set out in paragraph 60 of the National Planning Policy Framework. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method."[21] (Emphasis added)

[21] PPG ID: 2a-015

4.0 Coventry's Market Signals

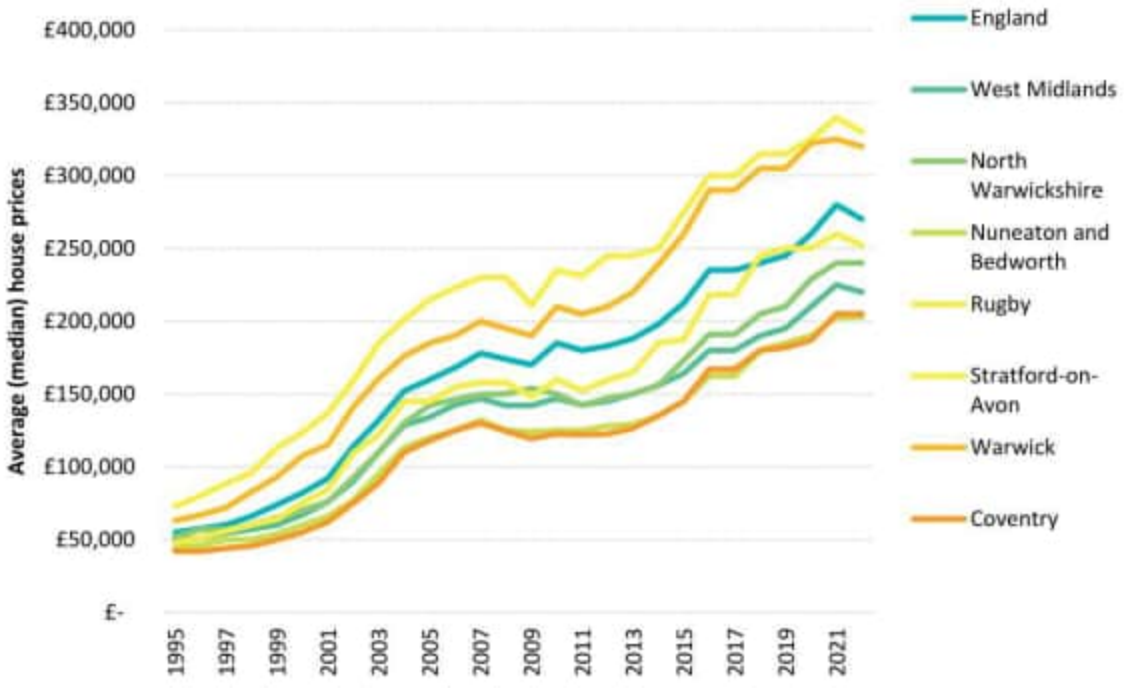
4.1 Market signals can act as an indicator of the balance between the demand and supply of housing within an area. Prior to the introduction of the Standard Method, the PPG provided guidance which set out six market key signals; land prices, house prices, rents, affordability, rate of development and overcrowding/homelessness (albeit the latter is typically addressed in an assessment of affordable housing needs separately).

4.2 To this end, this section reviews the housing market signals and the extent to which they indicate a supply and demand imbalance in Coventry (and the other authorities in the C&W HMA) and therefore indicates whether demographic-led needs would be sufficient to address housing needs, or whether uplifts would be required.

1. House Sales

4.3 Average (median) house prices in Coventry as of 2022 are £205,000, which is significantly under the National average (£270,000) and below the West Midlands average (£220,000). Compared to the other authorities who form part of the C&W HMA, Coventry is the second least expensive, at only £2,000 more than Nuneaton and Bedworth. Conversely, areas such as Stratford-on-Avon and Warwick are markedly higher, at £330,000 and £320,000 respectively. The city is therefore one of the least expensive areas to live within the HMA and wider West Midlands region.

Figure 4.1 Average (median) house prices - 1996-2022



Source: ONS

4.4 Since 1996, house prices in Coventry have typically followed the regional and national trends, increasing steadily up to 2007, falling sharply in 2008-09 and rising since. Indeed, even with the effects of the 2008-09 recession, between 2001 and 2011, house prices

increased by 97% in Coventry – a marginally higher rate than the national average (96%) and much higher than the other C&W HMA authorities, which range between 69-89% increases over this same 10-year period. However, between 2011 and 2021, house prices only rose by 68%, with other areas rising more instead; such as North Warwickshire (69%) and Rugby (70%). Notably, the more rural areas of Stratford-on-Avon and Warwick saw increases of between 47% and 59% instead, suggesting that over the last 10 years there has been a market shift towards the urban areas within the C&W HMA.

4.5 Although the city is one the most affordable places for housing within the C&W HMA, well below the regional and national average house prices, it is clear that house prices clearly represent a 'worsening trend' in Coventry, having increased 231% over the 2001-2021 period, which is the highest increase in average property prices within the C&W HMA over this same period (ranging from 141-216%).

2. Rental Prices

4.6 As of September 2021, the average (median) monthly rent for all dwellings in Coventry was £695. Rents in Coventry are higher than the West Midlands regional average (£675 per calendar month [pcm]), but c.£60 pcm lower than the national average. Similar to house prices, rents in Coventry are some of the cheapest within the C&W HMA, with the highest pcm rental costs being in Stratford-on-Avon (£795 pcm) and Warwick (£820 pcm). However, both North Warwickshire and Nuneaton and Bedworth are cheaper areas to rent than Coventry.

4.7 Rents in Coventry have risen by £200 (40%) since 2011, which in relative terms is in excess of the regional (which saw a £175 – 35% – increase) and national averages (which saw a £180 – 31% – increase). Of the C&W HMA authorities, despite recent increases in rental costs, Coventry's rental costs remain relatively low within the HMA, alongside North Warwickshire, Nuneaton and Bedworth and Rugby, and are still some ways below the national average.

4.8 However, although house prices are relatively low in Coventry, the increase in prices above the national rate over the last 20 years is likely to be having a knock-on impact on private rents; as fewer people are able to buy, more people move into the privately rented sector. Without sufficient supply to meet demands, the cost of renting increases. Overall, the cost of rents is a further indicator that the housing supply in Coventry should be increased to help address housing demand.

Figure 4.2 Average monthly rents (all dwellings) - 2011-21

Source: VOA Private Rental Market Statistics

3. Median Affordability Ratios

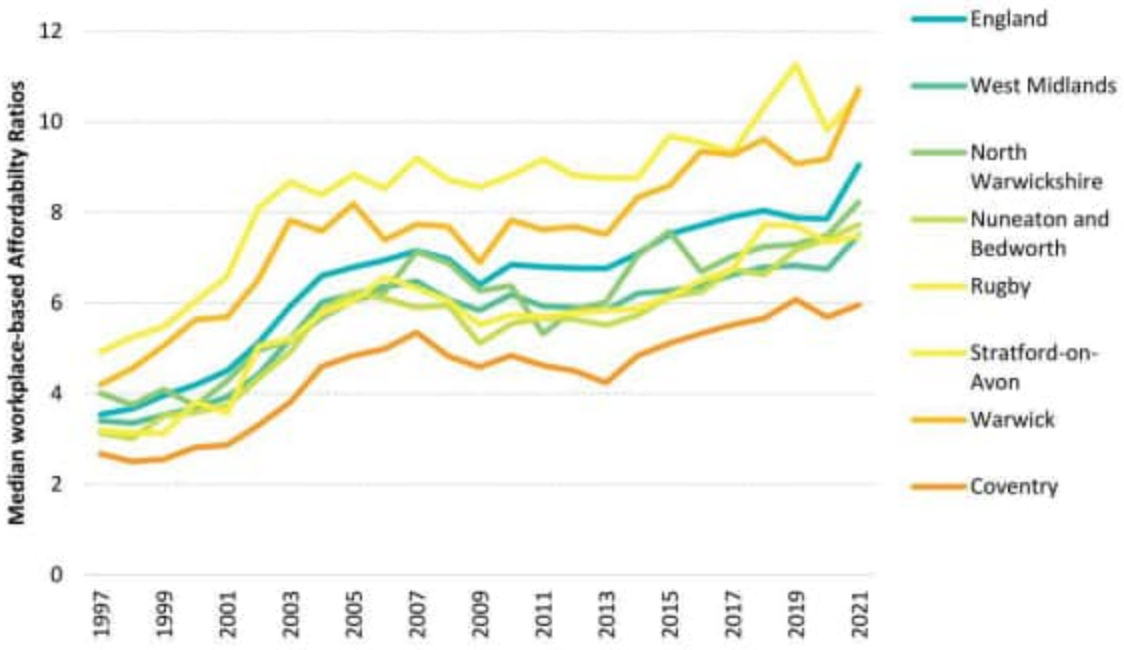
4.9 Measuring affordability involves comparing house prices to earnings; this is known as the affordability ratio. This indicator, therefore, provides information not only on house prices but how these prices compare to earnings. These earnings can be resident-based (the earnings of those living in the District) or workplace-based (the earnings of those who work in the District, i.e. of jobs).

4.10 As of 2021, the median quartile (median house prices to median earnings) resident-based affordability ratio in Coventry was 5.33 (i.e. median quartile house prices were just over 5 times median quartile earnings). The workplace-based affordability ratio was 5.96 which suggests those who commute out of the city for work have marginally better earnings and purchasing power than those who work in the city.

4.11 Figure 4.3 shows the median quartile workplace-based ratio between 1997 and 2021. Affordability in Coventry and the C&W HMA has followed a similar pattern, rising steadily up to 2008, before falling. In recent years, affordability in most areas, including Coventry has exceeded the 2008 peak. Whilst national affordability historically remained relatively stable at around 7.0 since the onset of the recession, as of 2021 it too has increased to 9.05. Notably, between 2001 and 2011, Coventry saw the sharpest increase in the median workplace-based affordability ratios, increasing by 62% in this 10-year period – the highest in the C&W HMA and far higher than the national average increase (51%). However, in the following 2011 to 2021 10-year period, Coventry's affordability ratio previous rapid increase abated, increasing by only 29%, whereas other areas such as North Warwickshire and Warwick saw increases in excess of 41%.

4.12 This suggests that over the last 10 years, the increase in development within the city – discussed further below – has slowed the rate of increase in the median quartile workplace-based ratio. Nevertheless, the above also highlights that wider issues around affordability that exist in the region which has worsened in recent years, although is still indicative of affordability pressures in Coventry.

Figure 4.3 Workplace-based Median Quartile Affordability

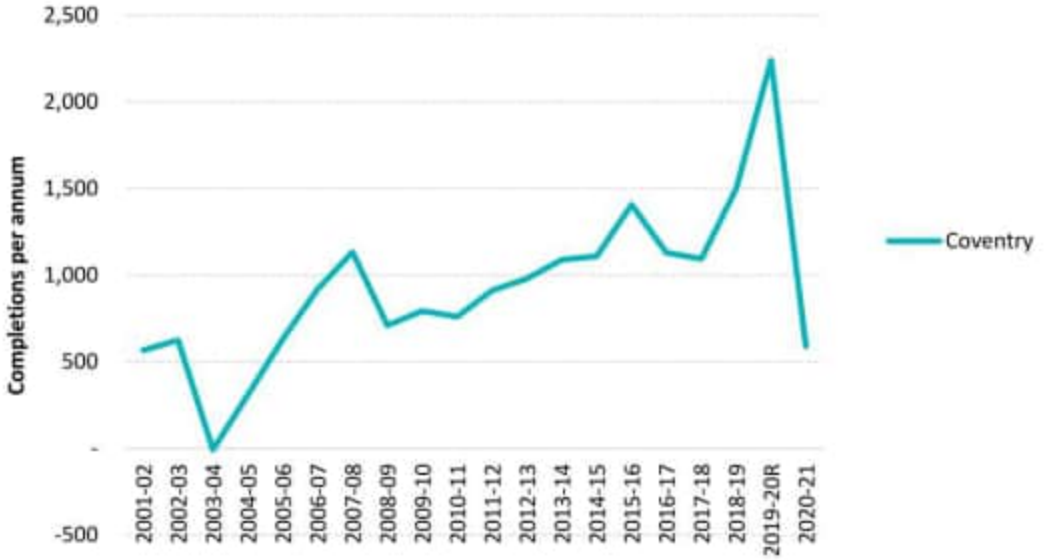


Source: ONS

4. Completions

4.13 As shown in Figure 4.4 below, dwelling completions since 2001 have been on a steady increase; albeit, with a noticeable decline in 2003. Again, similar to house prices, rent and affordability, completions in Coventry have typically followed the HMA, regional and national trends, increasing steadily up to 2007, falling sharply in 2008-09 and rising since. However, in Coventry, there is a slight reduction in annual nett completions in 2015, followed by a rapid jump in completions post-2017. This is likely linked to the adoption of the Coventry Local Plan and its housing allocations, meaning that it has taken a few years for the Local Plan's proposals to be translated into completions – hence completions in 2018 returned to a similar level to 2015 and continued up to a peak of 2,241 in 2019. Over the 2001-2011 period, Coventry was averaging 644 completions per annum. However, from 2011 to 2021, this nearly doubled to 1,205 completions per annum. It is likely that the lower 10-year period of delivery prior to 2011 is likely to be largely reflected in the other market signals (e.g. house prices and affordability) which deteriorated over that same period.

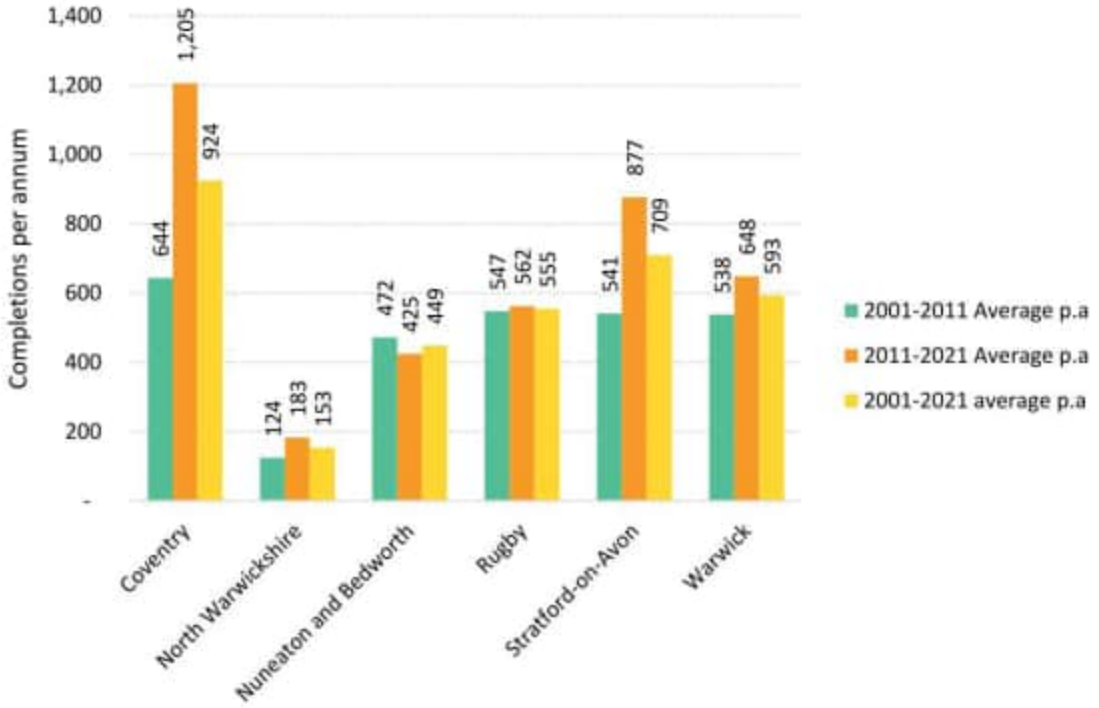
Figure 4.4 Completions in Coventry 2001-2021



Source: Table 122, DHLUC

4.14 Although not directly comparable, particularly given that Coventry as a city can achieve higher densities than other C&W HMA areas, Coventry has consistently been delivering a larger number of dwellings per annum that the other C&W HMA authorities over the 20 years up to 2021.

Figure 4.5 10 and 20 yer average completions between 2001-2021



Source: Lichfields analysis based on Table 122, DHLUC

5. Overcrowding

Overcrowding

4.15 In 2011, 9.5% of households in Coventry were overcrowded, which is higher than both the regional (6.8%) and national (8.7%) averages. It is also markedly higher than the other authorities within the C&W HMA, which ranged from 3.4% to 6.5%. It is therefore clearly that, as of 2011, overcrowding in Coventry was quite acute. Indeed, the number of overcrowded households in the city increased by 2,314 between 2001 and 2011, increasing the number of overcrowded households from 8.5% to 9.5%. Coventry's overcrowding rate is the highest in the C&W HMA, with the other C&W HMA authorities well below the national average.

Concealed Families

4.16 As of 2011, there were c.1,973 concealed families in Coventry which represented 2.4% of all the families in the city. Between 2001 and 2011, the number of concealed families increased by c.745, a rate more severe than other C&W HMA authorities. Similar to overcrowding, the rate of concealed families in Coventry is the highest across the C&W HMA and exceeds regional (2.2%) and national (1.9%) averages.

Summary

4.17 Market signals provide a helpful indicator of the balance between the demand and supply of housing within an area. For Coventry, over the 2001 to 2011 period, the city was building an average of 664 dwellings per annum. In that same period, Coventry saw its rates of overcrowding and concealed families markedly increase, resulting in rates higher than the other C&W HMA authorities, and both the regional and national averages. This period of lower housing growth also correlated with a period in which both workplace-based and resident-based median affordability ratios rose sharply, at some of the highest growth rates in the C&W HMA and in the case of the workplace-based ratio, well above the national average. Again this period also saw average house prices increase by 97%. Whilst, on the face of it, Coventry appears affordable by comparison to many of the other C&W HMA authorities, the 2001-2011 period shows a deterioration in affordability for residents of the city.

4.18 However, largely linked to the adoption of the Local Plan, average completions have nearly doubled for the 2011 to 2021 period. As a result, the rate of increase in both average house prices and both workplace-based and resident-based median affordability ratios dropped to below other C&W HMA authorities and the national level. Albeit average monthly rents have increased in excess of other C&W HMA authorities and the regional and national averages between 2011 and 2021. This trend is broadly similar to the national trend in so far as since Covid-19 there has been reported a big disparity between supply and demand in rental properties. In any event, as of 2022, average property prices are £205,000 in Coventry, the second lowest in the C&W HMA and far lower than the national average (£270,000). Similarly, both affordability ratios are the lowest across the C&W HMA and well below regional and national levels. In essence, it could be argued that higher levels of growth have positively impacted on the affordability of the city over the last 10 years.

However, with rents increasing, an uplift in housing needs could be warranted to alleviate these pressures.

5.0 Lichfields' Assessment of Coventry's Future Housing Growth

Methodology

5.1 The assessment of future population and housing for Coventry uses the industry-standard toolkit PopGroup. PopGroup is a family of demographic models (developed by the University of Manchester and owned by the Local Government Association) to develop population, household and labour force forecasts. PopGroup incorporates a cohort component methodology for its population projection model and a headship rate model for its household projection model.

5.2 PopGroup is used by a large number of local authorities in the UK and has been subject to extensive enhancement and development over the last ten years. It is widely adopted by those preparing the evidence base for local plans to help establish estimates of housing needs.

5.3 Scenarios run through PopGroup for the purposes of this report are 'demographic-led'; in demographic-led scenarios, the change in population between each year is calculated and based on this population – including its size and age structure - the number of homes is calculated (using inputs on the number living in communal establishments, household formation rates by sex and age, and dwelling vacancy rates). Therefore, the number of homes is an output, driven by demographic change. The number of households and dwellings is not only a function of the overall population change, but the age structure of the population (given that scenarios will produce different age structures, and household formation varies by sex and age). A growing population which is relatively young (including with high populations of children) will experience lower household growth relative to overall population growth compared with a growing population which is relatively old because the average household size in younger populations is larger (i.e. household formation is lower).

5.4 Demographic scenarios can be driven by:

1. An assumed level of overall population growth (**population-led**). In these scenarios, a 'target' level of the overall population is input into the model, which then adjusts (i.e. inflates or constrains) levels of births, deaths and migration (taking into account any birth/death rates and migration profiles entered into the model) so that the overall population matches the target level. From this population, estimates of households and housing growth are calculated; or
2. Assumed levels of specific components of change (**component-led**), in this case, by levels of migration. Birth and death rates are fixed (based on official projections), and the levels of migration are flexed based on different assumptions. These components drive population growth, which in turn dictates household growth and housing need.

5.5 Scenarios are modelled over the 2021-41 period, i.e. using the 2021 Census as the base population and modelling population growth and housing need over 20 years. All scenarios use the 2021 Census (by sex and age) as the base population and apply fertility rates, mortality rates (by sex and age) and migration profiles (by sex and age) set out in the ONS 2018-based SNPPs for Coventry. The projection of housing needs based on population

growth includes an allowance for the communal population (e.g. those living in halls of residence, care homes, medical institutions, etc). For those under age 75 this is held constant (this means that no consideration is given to any growth in the student population, which could affect housing needs[22]); for those age over 75, this is applied as a rate to ensure the care home population increases proportionally in line with the number of elderly people in the city.

Scenarios assessed

5.6 Section 2.0 set out the detailed context for Coventry's historic population growth, including that from mid-year estimates and the Censuses. These form the basis of future population modelling for Coventry, as follows:

1. **'Population-led'** scenarios, based on trending forward historic levels of overall population growth seen in Coventry, based on Census data;
   - a 10 year rate of growth – between the 2011 and 2021 Censuses Coventry's population grew by an average of 0.9% per year. If Coventry's population continued to grow at this rate, it would imply the population increasing from 345,300 in 2021 to **417,000 by 2041**;
   - b 20-year rate of growth – as above, but using the 2001-21 rate of growth (0.7%) which would imply the population increasing to **402,000** by 2041; and
   - c 30-year rate of growth – as above, using the 1991-2021 rate of growth (0.5%) which would imply the population increasing to **388,000** by 2041.
2. **'Component-led'** scenarios, based on adjusting inputted levels of migration;
   - d International migration 2001-11 trend – in this scenario, international migration flows (total, in and out) are based on levels seen between 2001 and 2011;
   - e 2001-11 migration trends and UPC – in this scenario, migration flows recorded in the 2001-11 period are adjusted to take into account UPC (applied pro-rata across in/out/internal/international flows) and are trended forward;
   - f 2001-11 implied migration – in this scenario, the level of migration which is implied between 2001-11 (based on the 2001 and 2011 Censuses, accounting for natural change and assuming any remaining change is attributable to migration) is trended forward;
   - g 2011-21 implied migration – as above, but using implied levels of migration based on the change between the 2011 and 2021 Censuses; and
   - h 2001-21 implied migration – as above, but using implied levels of migration based on the change between the 2001 and 2021 Censuses.

[22] If, for example, the universities planned on providing additional halls of residence without increasing the overall number of spaces at university, this would move some of the younger adult population who currently live in households into communal accommodation, reducing housing need below that indicated in this analysis. If the universities planned to expand but did not plan on delivering halls of residence, the housing need would likely be higher. The outcome will depend on whether any student growth is 'additional' to the projections and how these people are expected to be accommodated (communal or in households).

Outputs

5.7 Figure 5.1 overleaf shows the output of the scenarios, alongside historic trends and official projections for context.

Historic Context

5.8 Historically, Coventry has seen its fastest growth in the most recent decade (2011-21) with a population growth of 2,834 per year (based on the 2011 and 2021 censuses) and housing growth of 1,205 per year. In the decade prior, population growth was 1,611 per year with housing growth of 644 per year. Over the 20 years, this has an average of 2,233 population growth and 924 housing growth per year.

Official Projections

5.9 The 2018-based SNPP – when not re-based to the 2021 Census – suggests Coventry's population will grow by 3,386 per year up to 2041 and there will be a need for 1,707 dwellings per year[23]. This is lower than the 2014 based household projections, which suggested a need for approximately 2,169 dwellings[24] over the same period. When re-based to the 2021 Census, the official projections suggest even higher population growth at 4,471 per year, but slightly lower dwelling growth of 1,521 per year. This is because of the difference in age profiles in the base year (2021) between the projections, and the impact this has on future population size and age profile, and subsequently household and dwelling growth.

Lichfields Scenarios

5.10 Looking at Lichfields scenarios for future growth, the highest of the population-led scenario is the 10-year rate of growth (2011-21) because these trends forward the growth of 0.9% per annum seen in this decade. It suggests Coventry's population will grow by 3,910 per year over the next 10 years, with a need for 1,304 dwellings per year. This exceeds the historic trends in housebuilding seen in the decade (1,205 per year, according to DLUHC) however when applying a constant rate of growth the population will grow faster – in absolute terms – than it has historically, and furthermore as Coventry's population begins to age the rate of household growth will begin to accelerate faster than population growth as household size falls. The 20-year rate of growth scenario is slightly lower, at 1,016 dwellings per year and the 30-year rate of growth is the lowest at 744 per year.

5.11 Across the component led scenarios, the lowest growth is seen under the scenario which trends forward 2001-11 migration trends and fully accounts for UPC. However, this relies upon absolute levels of growth which occurred 10-20 years ago and may not be reflective of trends seen in the most recent decade, which we know have been faster for a number of reasons (housebuilding, higher education expansion, higher international migration seen nationally, etc). For this reason, it would be sensible to focus on scenarios which trend

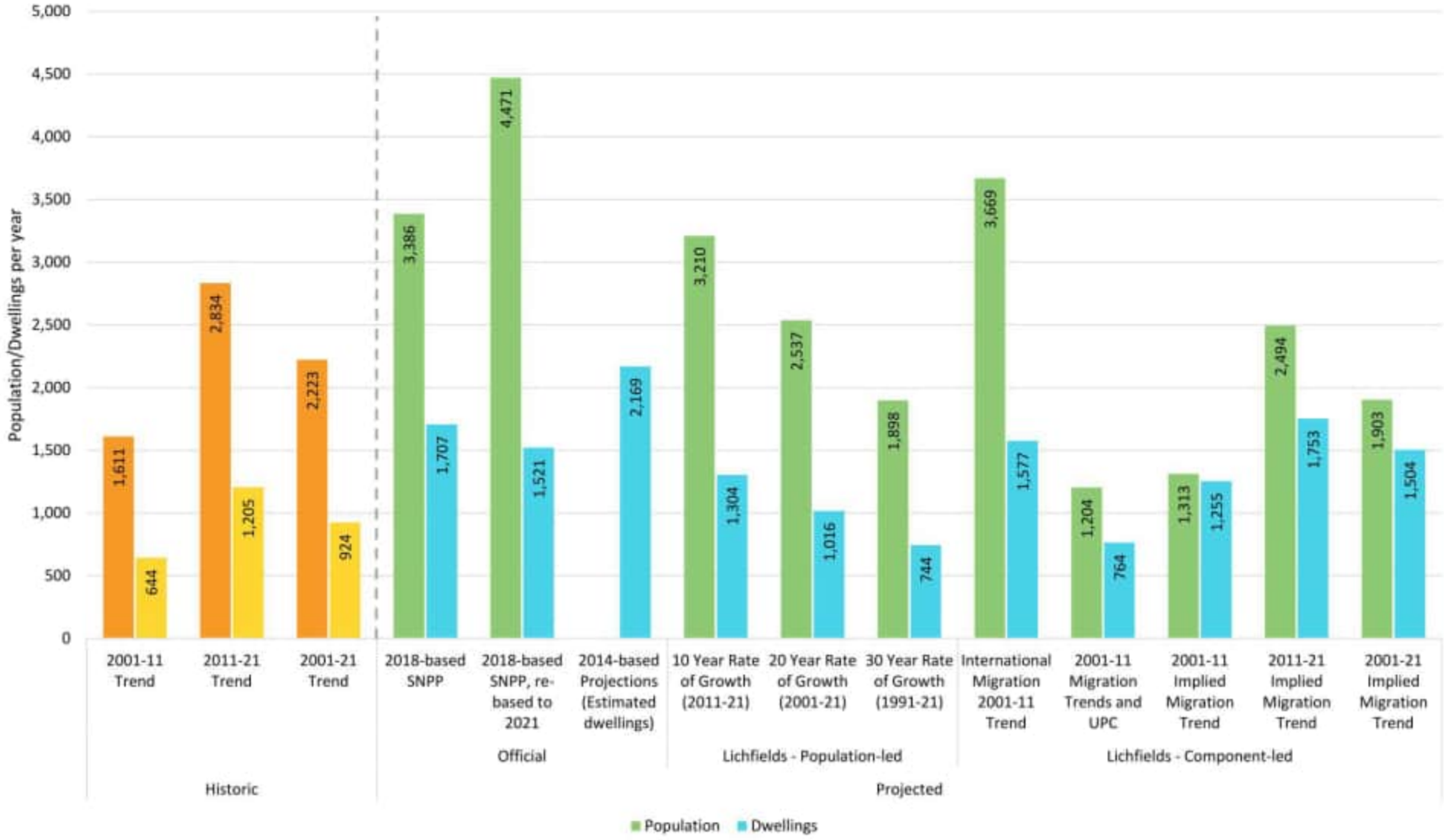
[23] Note that this does not correspond with the 2018-based Sub-National Household Projections for Coventry – 1,641 households per annum 2021-41 – because the model has converted these into dwellings, which takes into account an allowance for vacancy.
[24] ONS 2014-based population projections and associated DLUHC 2014-based household projections only run to 2039 and therefore have been trended thereafter to obtain an estimate for 2041. Dwelling estimate based on household growth plus a vacancy rate of 3% based on Coventry's vacancy rate at the time of the 2011 Census. This scenario has not been modelled through PopGroup.

forward levels of migration seen either in the most recent decade (2011-21), or a longer period, such as 20 years, which includes 2011-21 as well as 2001-11.

Comparison with official projections

5.12 Notably, the scenario which applies the 2011-21 implied levels of migration (i.e. migration implied based on the population recorded in the 2011 and 2021 Censuses, less natural change) yields a level of housing – 1,753 per year – which is broadly comparable to the latest official projections – the 2018-based SNPP – before they are re-based to 2021, i.e. 1,707 per year. This is despite the fact that the scenarios have significantly different levels of overall population growth – 2,494 per year compared to 3,386 per year respectively. This highlights the significant impact that the population age structure (as driven by the base population and the profile of migrants moving into and out of Coventry) has on household growth and housing need.

Figure 5.1 Population/Dwellings per year for Coventry - Historic, Official Projections and Lichfields scenarios



Source: ONS/DLUHC/Lichfields using PopGroup

Summary

5.13 In our view, it would be sensible to adopt a scenario for Coventry that:

1. Uses the 2021 Census as its base population, to reflect that recent mid-year estimates for the city are likely to significantly over-estimate the number of young adults in the City. This rules out official projections (2014-based, 2018-based) which are not re-based to 2021; and
2. Uses trends which include the period 2011-21 (as a minimum), because there are legitimate reasons why Coventry's population growth in the 2011-21 period has been higher than in earlier decades and trending forward trends seen in the 2001-11 period may be under-representative of likely future growth. Scenarios based on longer-term trends (i.e. those based on the 20 years 2001-21, suggesting 1,016-1,504 dwellings per year, or 30-year trends at 744 per year) are based on periods far longer than those adopted in official projections (typically 5 years) and do not pick up on recent trends which will be important in informing future need in Coventry. A 10-year base period (2011-21) is sufficient to capture a full economic cycle (e.g. in terms of housebuilding) in the case of Coventry.

5.14 This would point towards the 10-year rate of growth scenario (**1,304 dwellings per year**) or the 2011-21 implied migration trend (**1,753 dwellings per year**) – a mid-point of which would be c.1,500 dwellings per year. The top end of this range would be broadly in line with the latest official projections, albeit with lower levels of population growth (as a result of differences in the projected age profile). Both scenarios are lower than the growth suggested in the 2014-based projections (estimated at 2,169 dwellings per year for Coventry), which form the basis of the standard method for assessing LHN.

5.15 It is noted that in the last 10 years Coventry has seen population growth of 2,800 per year (based on the censuses) and housing growth of 1,205 per year, therefore future population growth in the region of 2,500-3,200 and housing growth in the region of 1,300-1,700 per year is not unreasonable in this context (particularly in the context of wider trends of ageing, which will accelerate household growth nationally even as population growth may slow).

5.16 This analysis also illustrates how sensitive population and household projections can be to the population age profile of an area, which in turn is largely informed by the profile of migrants moving to and from the area (and, subsequently, the fertility and mortality rates of those people). This analysis has been based on the migration profiles (for in/out/internal/international flows) set out in the SNPP, absent any alternative data sources. Therefore, even though the overall flows have been manually adjusted, these flows will still be subject to the age profile set out in the SNPP, which will influence the overall population age profile, household growth and housing need. Should ONS revise its data in the future, such that the profile of migrants moving to/from Coventry is significantly different to that set out in the 2018-based SNPP, this might result in a different population projection and housing need than the analysis set out in this report, even if overall population growth or migration flows remained the same.

6.0 Lichfields' Assessment of Coventry's Housing Need

6.1 As set out above in Section 3.0, the PPG requires that the Standard Method utilises the 2014-based projections and does not allow for later population/household projections to be utilised – this is to ensure a notional need and demand of 300,000 homes is reflected as an output of the Standard Method across the Country. However, it does also highlight that:

"*Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method*"[23] (Emphasis added)

6.2 On the basis of Lichfields' analysis in Section 5.0, it is considered that the most recent demographic trends in migration and the implications of the 2021 Census may provide a potential *'exceptional circumstance'* to deviate from the Standard Method, noting the overestimated migration trends feeding into the 2014-based projections. However, the PPG does not specify what an alternative approach should comprise.

6.3 Whilst it is understood that the C&W HMA has reservations regarding the accuracy of the 2014-based projections, none of the HMA authorities has expressed any concerns regarding the use of the Standard Method. Indeed, in the Nuneaton & Bedworth Housing & Economic Development Needs Assessment (May 2022), prepared by Iceni, the Council's own housing need assessment considered that the recent population growth is higher for Nuneaton and Bedworth than reflected in the 2014-based household projections, but still utilised the Standard Method framework.

6.4 In this regard, Lichfields considers that, although deferring from the 2014-based would not align with the PPG's Standard Method framework and Lichfields' 2018-based projections would be lower than the 2014-based projections, there is a cogent and logical argument that the broad principles of the Standard Method framework should still be utilised to calculate Coventry's housing need.

6.5 Firstly, prior to the introduction of the Standard Method in the NPPF and PPG, housing need was calculated through Objectively Assessed Housing Needs [OAHN]. At the time, the PPG was clear that there was no one methodological approach or use of a particular dataset(s) that would provide a definitive assessment of development need. However, it did outline an overarching methodology for preparing need assessments in a transparent manner, based on the following criteria:

1. Be proportionate and not consider purely hypothetical scenarios, only future scenarios that could reasonably be expected to occur;
2. Be based on facts and unbiased evidence. Constraints should not be applied to the overall assessment of need;
3. Utilise household projections published by the Department for Communities and Local Government as the starting point estimate of overall housing need;

[23] PPG ID 2a-015

4 Consider sensitivity testing, specific to local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates; and

5 Take account of employment trends and appropriate market signals including market indicators of the balance between the demand for and supply of dwellings and affordable housing needs.

6.6 In essence, at their core, OAHN calculations principally assessed projected household growth over a plan period, based on official projections with sensitivity testing on demographic trends (where necessary) and applied a 'market signals uplift' ranging between 10-30%.

6.7 In this regard, the use of Lichfields' projections in the Standard Method framework would be consistent with the PPG's Standard Method requirements in so far as it would be being based on realistic demographic data, which reflects the UK SA and ONS' acknowledgement that the 2014-based projections do contain some level of inaccuracy for Coventry. Furthermore, in principle, the application of a 'market signals uplift' is not too dissimilar to the Standard Method, which applies an affordability uplift to the baseline household projections. Which, in Coventry's case would be 12.5% – discussed further below – and therefore well within the 10-30% market signal ranges previously utilised.

6.8 Secondly, as noted above in Section 3.0, the PPG[26] was revised to include a further stage within the Standard Method which applies a 35% uplift for those urban local authorities in the top 20 cities and urban centres list – this was to ensure that the Government achieved its 300,000 dwellings per annum housing target. Fundamentally, the Government's rationale for the uplift was based on three factors: maximising existing infrastructure; responding to the availability of land arising from structural change in retail and commerce, thereby maximising brownfield rather than greenfield development; and responding to climate change by reducing high-carbon travel.

6.9 Housing need is a concept that has long been untouched by policy factors that should promote or constrain the delivery of housing in different areas. Indeed, the Gallagher Estates Ltd v Solihull MBC judgment confirmed that OAHN is an objectively assessed need for housing in an area, leaving aside policy considerations, whereas a housing requirement is a figure which reflects, not only the assessed need for housing but also any policy considerations that might require that figure to be manipulated to determine the actual housing target for an area. In essence, local housing need is 'policy off' and a housing requirement is 'policy on'.

6.10 However, the Standard Method now incorporates three spatial policy judgements into the assessment of need. As such, at its heart, the introduction of the 35% urban centres uplift is clearly a Government-led 'policy-on' approach to calculating housing needs. Therefore, Lichfields' considers that, even if an authority were to defer from the Standard Method, the application of the 35% uplift would still be required to meet the Government's expectations.

6.11 When taken together, even if Coventry were to defer to the previous OAHN-based calculations, they would still need to factor in a market signals uplift and apply the 35% urban centres uplift. To this end, such an approach would in essence be materially similar

26 PPG ID: 2a-004

in approach to the current Standard Method framework. Therefore, Lichfields considers that it would be entirely sensible and reasonable to continue to work within the framework of the Standard Method but have regard to the realistic demographic data for Coventry which reflects the 2021 Census and latest household projections (i.e. the 2018-based projections).

Coventry's Housing Needs 2021-2041

6.12 On the basis of the top-end of the above alternative household projections (i.e. the 2011-21 implied migration trend projections), and when using the Standard Method calculation as set out in the PPG (with the exception of deferring from the 2014-based household projections), the four step analysis below considers the level of LHN for Coventry over the 2021 to 2041 period:

1 ***Step One: Setting the Baseline*** – As noted above, Lichfields have derived an alternative set of household projections for Coventry, based on the 2018-based household projections and adjusted to reflect the trends shown in the intercensal period between 2011 and 2021 to reflect more accurately the level of migration into and out of the city. The baseline household growth of Lichfields' 2011-21 implied migration trend projections equates to 1,669 per annum (as opposed to the 1,735, which is households converted into dwellings, shown above). As set out above in Section 3.0, the PPG is clear that the LHN, although based on a 10-year period, can *"be applied to the whole plan period"* in calculating housing needs;[27]

2 ***Step Two: Affordability Adjustment*** – The affordability adjustment has regard to the most recent median workplace-based affordability ratios, published by the ONS, which provide a barometer for the area's market signals (i.e. relative affordability of housing in the area). As such, this adjustment increases the housing need where house prices are high relative to workplace incomes. For Coventry, the latest 2021-based median house price to median earnings ratio, published in March 2022, is 5.96, resulting in a 12.25% uplift;

3 ***Step 3: The Cap*** – As set out in the PPG, there are two scenarios in which the cap is applied; the first, which applies to Coventry for now, is capping the need at 40% above the Local Plan housing requirement of a Local Plan adopted in the last five years, and second is capping the need at 40% above the household projections in the absence of an up-to-date Local Plan. On the basis that Coventry benefits from an up-to-date adopted Local Plan, the cap is applied to Coventry's Local Plan housing requirement. As the adopted Local Plan requirement is 1,230 dpa, and the projected household growth and affordability uplift is 1.878, this would exceed the 40% cap. As such, the initial LHN figure is limited to 1,722 dpa; and

4 ***Step Four: Urban Uplift*** – The final step of the Standard Method calculation is the application of the urban centres 35% uplift, which requires the 20 largest urban areas in England to apply within the Standard Method calculation. Fundamentally, the purpose of this uplift is to ensure that the Government's housing target of 300,000 dpa is met (i.e. a policy-on approach). As Coventry is listed within the top 20 urban areas in the country it is therefore subject to this additional uplift.

[27] PPG ID 2a-012

Standard Method Calculation

6.13 A summary of the above Standard Method calculation is set out below in Table 6.1, which demonstrates that, based on Lichfields' household projections and the Standard Method calculation, Coventry's minimum LHN figure would be 2,325 dpa. Notably, this is the same as the 2014-based LHN for Coventry, by virtue of the application of the 40% cap on the Local Plan figure.

Table 6.1 Coventry's Housing Need – Local Plan Cap Applied

	Lichfields' Household Projections
Per annum household change	1,669
Affordability ratio (2021)	5.96
Uplift to household growth	12.25%
Initial Local Housing Need	1,873
Cap	Yes (40% - Local Plan Housing Requirement)
	1,722
Urban Uplift	Yes – 35%
Total Local Housing Need (per annum)	**2,325**

Source: Lichfields analysis

Removal of the Cap

6.14 A key component of the Standard Method calculation is the application of a cap to the LHN figure, which applies a 40% cap above the projections or plan requirement, depending on the age of the plan (i.e. if adopted within the last five years).

6.15 The consequence of this is that, in many instances, particularly in LPAs which have recently adopted plans where they were unable to fully meet their housing needs in the adopted Local Plan, the cap results in an artificially lowered housing need for the LPA. Indeed, by way of example, as a part of the adoption of Coventry's Local Plan, Policy 1 (Housing Land Requirements) confirmed that the Council could only meet 24,600 dwellings of its 42,400 dwelling OAN over the 2011 to 2031 period. As such, as Coventry's Local Plan was adopted within the last five years, the Standard Method cap applies to the lower plan requirement, and not the Council's OAN.

6.16 Although the PPG recognises this and is clear that the cap *"does not reduce housing need"* and LPAs can exceed the minimum LHN if 'deliverable',[28] given the timescales of Coventry's emerging Local Plan Review, it is likely that the cap would not be applied to the Local Plan. This is because, in December 2022, the Coventry Local Plan will become more than five years old, and as such, the 40% cap would be applied to the household projections. As a result of this change, from December 2022, when following the abovementioned calculation but omitting the Local Plan-based cap, Coventry's minimum LHN figure would increase to 2,529 dpa – see Table 6.2 below for a summary of the Standard Method calculation.

[28] PPG ID: 2a-007

Table 6.2 Coventry's Housing Need – Cap Removed

	Lichfields' Household Projections
Per annum household change	1,669
Affordability ratio (2021)	5.96
Uplift to household growth	12.25%
Initial Local Housing Need	1,873
Cap	N/A
Urban Uplift	Yes – 35%
Total Local Housing Need (per annum)	**2,529**

Source: Lichfields analysis

Summary

6.17 In summary, when calculating an authority's LHN figure using the Standard Method the PPG requires the use of the 2014-based household projections. However, it is clear that an *'alternative approach'* based on *'realistic assumptions of demographic growth'* can be used in *'exceptional circumstances'*. It, however, does not specify how this might be demonstrated (i.e. a methodology for calculating OAHN).

6.18 As acknowledged by the UK SA and ONS and shown in Section 5.0, there are clearly some overestimations in Coventry's population and household growth forecasts on the basis of inaccurate migration trends. Lichfields has undertaken an analysis of a series of demographic-led scenarios through PopGroup, which clearly shows that the 2011-21 implied migration trend would be broadly in line with the latest official projections, albeit with lower levels of population growth (as a result of differences in the projected age profile) but would result in a lower level of growth than suggested in the 2014-based projections. In essence, on the face of it, this may provide a potential *'exceptional circumstance'* to deviate from the Standard Method.

6.19 However, Lichfields considers that, although deferring from the 2014-based would not align with the PPG's Standard Method framework and Lichfields' 2018-based projections would be lower than the 2014-based projections, there is a cogent and logical argument that the broad principles of the Standard Method framework should still be utilised to calculate Coventry's housing need.

6.20 In this regard, based on a household growth rate of 1,669 per annum, the Standard Method framework would generate a minimum LHN figure of 2,325 dpa. Notably, this is the same outcome of the Standard Method when utilising the 2014-based projections. This is fundamentally due to the application of the 40% cap on the Local Plan requirement, which caps growth to 1,722 dpa. As both the 2014-based projections and Lichfields' projections exceed this cap, when a 12.5% affordability uplift is applied, they are both capped at 1,722 dpa. However, when the Local Plan-based cap is removed in December 2022, the Standard Method Framework would generate a minimum LHN figure of 2,529 dpa, which is much lower than the minimum uncapped 3,188 dpa figure generated by the 2014-based projections.

7.0 Conclusions

7.1 This HNA has been prepared by Lichfields, on behalf of a consortium of housebuilders and land promoters. The purpose of this HNA was to consider the concerns raised with regard to inaccuracies in Coventry city's population projections and mid-year population estimates and the impacts this has on the housing needs calculations.

7.2 As authorities within the C&W HMA begin to prepare Local Plan Review, these will need to be undertaken in the context of the revised NPPF, which now requires authorities to use the Standard Method (Para 61), which requires the use of the 2014-based projections – per the PPG. However, the PPG enables LPAs to use an alternative method for calculating housing needs in 'exceptional circumstances.' It is understood that the forthcoming C&W HMA Joint HEDNA will look at providing an alternative assessment for Coventry to reflect the above 2014-based projection concerns. As such, this HNA provides the Consortium with an alternative assessment of Coventry's projected household population to be used as a basis for calculating the level of housing need arising from the city in the future.

7.3 Population estimates published by ONS are important for planning (and a variety of other) purposes as they provide an annual picture of the population in a given area and how it has changed. Whilst an element of 'unattributable population change' is required to some degree in every local authority, ONS does not consider it significant enough at the national level to warrant adjusting the estimates or projections. However, the OSR has acknowledged that there can be much larger margins of error in the estimates in areas where international migration flows make up a significant portion of population change, including where there are significant student populations, such as in Coventry. This could – hypothetically – over-inflate the population and therefore household growth and housing need in Coventry.

7.4 Our analysis shows that, following the 2011 Census, ONS added a UPC element into the mid-year estimates of over -15,000 people. Based on the population in the 2021 Census, it would be reasonable to assume that, once again, ONS will be required to add a significant element of [negative] UPC to Coventry's mid-year estimates once again, potentially in the region of -40,000. However, until ONS publishes these revised estimates and/or makes any changes to the way it projects population growth in Coventry or similar areas, we must estimate future change based on scenarios which might be reasonably expected to occur.

7.5 Lichfields' analysis has also shown that over the last 20 years, Coventry has seen a dramatic change in its completions and housing market trends. Over the 2001 to 2011 period, with lower average levels of completions than currently, the city saw worsening trends in affordability – increased housing costs and affordability ratios and worsening of overcrowding and concealed families. Most of these negative housing trends were in excess of the C&W HMA, regional and national trends. However, since 2011, completions have nearly doubled, and the rate of worsening in these market signals has decreased. As of 2022, the city remains one of the most affordable areas within the HMA and region. Notably, completions have markedly increased since the adoption of the Local Plan, which was underpinned by the earlier 2012-based projections.

7.6 Notwithstanding this, as set out in the PPG, an alternative assessment of housing needs should be based on 'robust evidence' and 'realistic assumptions of demographic growth'.

Given the concerns around the accuracy of the 2014-based projections, it is likely that the 'exceptional circumstances' necessary to deviate from the Standard Method in Coventry could be justified. To this end, Lichfields have assessed the future population and housing for Coventry using the industry-standard toolkit PopGroup. This analysis comprises two scenarios – population-led and component-led – modelled over the 2021-41 period and utilising the 2021 Census as a base population and wider trends from the ONS 2018-based SNPPs for Coventry.

7.7 For Coventry, Lichfields' alternative assessment of the population includes the period 2011-21 (as a minimum), because there are legitimate reasons why Coventry's population growth in the 2011-21 period has been higher than in earlier decades, and trending forward trends seen in the 2001-11 period may be under-representative of likely future growth. As such, a 10-year base period (2011-21) is sufficient to capture a full economic cycle (e.g. in terms of housebuilding) in the case of Coventry. This would point towards the 10-year rate of growth scenario (**1,304 dwellings per year**) or the 2011-21 implied migration trend (**1,753 dwellings per year**).

7.8 Working on the basis of the top-end of the 10-year implied migration trend, this HNA has utilised the Standard Method framework to calculate Coventry's housing needs over a 2021 to 2041 plan period. This is because the PPG does not specify the methodology for an 'alternative assessment'. Although deferring from the 2014-based would not align with the PPG's Standard Method framework and Lichfields' 2018-based projections would be lower than the 2014-based projections, there is a cogent and logical argument that the broad principles of the Standard Method framework should still be utilised to calculate Coventry's housing need particularly the 'policy-on' urban centres 35% uplift.

7.9 In this regard, based on a household growth rate of 1,669 per annum, the Standard Method framework would generate a minimum LHN figure of 2,325 dpa. Notably, this is the same outcome of the Standard Method when utilising the 2014 based projections. This is fundamentally due to the application of the 40% cap on the Local Plan requirement, which caps growth to 1,722 dpa. As both the 2014-based projections and Lichfields' projections exceed this cap, when a 12.5% affordability uplift is applied, they are both capped at 1,722 dpa. However, when the Local Plan-based cap is removed in December 2022, the Standard Method Framework would generate a minimum LHN figure of 2,529 dpa, which is much lower than the minimum uncapped 3,188 dpa figure generated by the 2014-based projections.

7.10 In conclusion, there are legitimate concerns regarding the population estimates informing the 2014-based projections for Coventry. These have been acknowledged by the UKSA and ONS. In addition, Lichfields analysis suggests a level of population growth below the official figures. However, on the basis of Lichfields analysis, Coventry's minimum OAHN figure would be 2,325 dpa. Notably, this is the same as the 2014-based LHN for Coventry, by virtue of the application of the 40% cap on the Local Plan figure. However, given that the 40% cap will be removed in December 2022, the HNA also assessed the OAHN with the 40% cap included, which resulted in Coventry's minimum OAHN figure increasing to 2,529 dpa.

Celebrating 60 years

Birmingham
0121 713 1530
birmingham@lichfields.uk

Bristol
0117 403 1980
bristol@lichfields.uk

Cardiff
029 2043 5880
cardiff@lichfields.uk

Edinburgh
0131 285 0670
edinburgh@lichfields.uk

Leeds
0113 397 1397
leeds@lichfields.uk

London
020 7837 4477
london@lichfields.uk

Manchester
0161 837 6130
manchester@lichfields.uk

Newcastle
0191 261 5685
newcastle@lichfields.uk

Thames Valley
0118 334 1920
thamesvalley@lichfields.uk

@LichfieldsUK

lichfields.uk

Appendix 3

Birmingham
0121 713 1530
birmingham@lichfields.uk

Bristol
0117 403 1980
bristol@lichfields.uk

Cardiff
029 2043 5880
cardiff@lichfields.uk

Edinburgh
0131 285 0670
edinburgh@lichfields.uk

Leeds
0113 397 1397
leeds@lichfields.uk

London
020 7837 4477
london@lichfields.uk

Manchester
0161 837 6130
manchester@lichfields.uk

Newcastle
0191 261 5685
newcastle@lichfields.uk

Thames Valley
0118 334 1920
thamesvalley@lichfields.uk

@LichfieldsUK

lichfields.uk

Appendix 2: Illustrative Masterplan

LAND ALLOCATED FOR EMPLOYMENT USES

LAND ALLOCATED FOR EMPLOYMENT USES

TOP FARM PROPOSALS

TOP FARM PROPOSALS

TOP FARM PROPOSALS

TOP FARM PROPOSALS

TOP FARM PROPOSALS

Proposed neighbourhood centre

primary school

secondary school

Residential development by Redrow Homes

Residential development by Persimmon Homes

Milby Primary School

Key

- Application site boundary
- Proposed Housing Area
- Existing (retained) trees & hedgerow
- Indicative proposed planting
- Proposed tree / hedge removal
- Proposed community orchard
- Open space
- Indicative surface water attenuation basin
- Proposed footpath
- Proposed combined footpath cycleway
- National Cycle Route
- Existing Public Right of Way
- Potential for equipped play NEAP (Activity zone and buffer indicatively shown)
- Potential for equipped play LEAP (Activity zone and buffer indicatively shown)
- Potential for children's play LAP (Activity zone and buffer indicatively shown)
- Pedestrian / cycle / emergency access with potential for bus gate-controlled access
- Existing bus stop and shelter

0 50 100 m

Richborough Estates

nineteen47
CHARTERED TOWN PLANNERS & URBAN DESIGNERS

Project
Watling Street, Nuneaton

Drawing Title
Illustrative Layout

Project Code	Drawing Nr	Rev
n1680	007	C
Date	Drawing Scale	
20.01.2022	1:2,500 @ A1	

Appendix 3: Sequential Assessment - Landscape

zebra
LANDSCAPE ARCHITECTS

Landscape Institute Registered Practice

SEQUENTIAL APPRAISAL

LAND ADJACENT TO WATLING STREET, NUNEATON

ON BEHALF OF

RICHBOROUGH ESTATES

REFERENCE: ZLA_1144
DATE: October 2023_V5

Zebra Landscape Architects Ltd.
Registered in England and Wales Number 11068394.
Registered Office: 30 St Georges Square, Worcester, WR1 1HX.
VAT Registration Number 288 9595 14.

Report Data	
Report Title	Sequential Appraisal
Report Reference	ZLA_1144
Client	Richborough Estates
Development Site	Land adjacent to Watling Street, Nuneaton
Author	James Bullock

Rev	Notes	Author	Date Issued
V1	Information	James Bullock	11th July 2023
V2	Updated following Client review	James Bullock	8th August 2023
V3	Update following Planning Team review	James Bullock	19th August 2023
V4	Draft update following issue of LPA's landscape studies September 2023	James Bullock	6th October 2023
V5	Update finalised	James Bullock	10th October 2023

Disclosure:

This document has been prepared by Zebra Landscape Architects Ltd for the sole use of the commissioning client/s. Ithas been provided in accordance with the agreed scope and intended purpose. No other warranty is made as to the professional advice included in this document. It does not purport to give legal advice.

This report should not be copied or relied upon by any third party without the express prior written agreement of Zebra Landscape Architects Ltd and the commissioning client/s.

Where any appraisal is based upon information provided by third parties, it is assumed that this information is relevant, correct and complete; there has been no independent verification of information obtained from third parties unless otherwise stated. Where field investigations have beencarried out these have been appropriate to the agreed scope of works and carried out to a level of detail required to achieve the stated objectives.

zebra
LANDSCAPE ARCHITECTS

CONTENTS

APPENDICES

APPENDIX ZLA1 Extract from the Nuneaton and Bedworth Landscape Character Assessment (2023), Methodology

APPENDIX ZLA2 Extract from the Nuneaton and Bedworth Landscape Character Assessment (2023), Figure 7, entitled Greenbelt and Countryside

APPENDIX ZLA3 Extract from the Nuneaton and Bedworth Landscape Character Assessment (2023), Figure 9, entitled Landscape Character Area

APPENDIX ZLA4 Site Context plan (ref: ZLA_1144-L-101), prepared by ZLA

APPENDIX ZLA5 Extract from the Nuneaton and Bedworth Landscape Character Assessment (2023), Figure 5, entitled Historic Landscape Types

APPENDIX ZLA6 Copy of Appeal Decision (Appeal Ref: APP/W3710/W/22/3301839)

APPENDIX ZLA7 Extract from the Nuneaton and Bedworth Landscape Character Assessment (2023), Figure 8, entitled Topography

APPENDIX ZLA8 Copy of Nuneaton & Bedworth Borough Council Case Officer's Report to Planning Committee (LPA Planning application ref: 039213)

1.0 INTRODUCTION

1.1 Zebra Landscape Architects ('ZLA') have been commissioned by Richborough Estates Limited to prepare a Sequential Test in support of an outline planning application for a new residential development.

1.2 Outline planning permission is being sought for the erection of up to 700 residential dwellings including a new access roundabout, with associated parking, access roads, public open space, landscaping, sustainable drainage and associated works at land adjacent to Watling Street, Weddington Wood Farm, Nuneaton (the 'Site').

1.3 The Site comprises of circa 40ha of agricultural land to the southwest of the A5 and to the west of Higham Lane. It occupies the area of land between the Nuneaton and Bedworth HSG1 Strategic Housing Allocation, the allocated employment site E4 (Land to the south of Horiba MIRA Technology Park & Enterprise Zone) which has been allocated for 42 hectares of employment land under Policy LP39 of the North Warwickshire Local Plan 2021, and the A5 arterial road. The site is situated outside of any strategic allocation for housing as detailed within the current Borough Plan.

1.4 Policy NE5 (Landscape character) of the Nuneaton & Bedworth Borough Council Borough Plan 2011-2031 (adopted in 2019) states that Developers must prepare evidence to test the appropriateness of developing the site area for the proposed development. In doing so, the Borough Council states the following at Policy NE5:

'Major development proposals must take account of the landscape strategy set out in the Landscape Character Assessment. Outside of the strategic sites and urban area, developers must show they have sequentially considered development opportunities in areas of least landscape value first, prior to any development proposals being permitted in higher value landscape character areas. The areas of search will follow the landscape hierarchy in the order set out below:

- *'Restore and create*
- *Enhance and restore*
- *Enhance*
- *Conserve and enhance*
- *Conserve.'*

1.5 This Sequential Appraisal is directed to draw on data and analysis within the published landscape character assessment for the Borough, the Nuneaton and Bedworth Landscape Character Assessment (2023).

1.6 The hierarchy which the Policy NE5 refers to the landscape strategy matrix, or criterion for guiding landscape judgements and forming management recommendations contained within the adopted Landscape Character Assessment for the Borough.

1.7 The Local Planning Authority refer to the adopted Landscape Character Assessment for the Borough to 'provide a consistent basis upon which judgements can be made. From both condition and strength of character judgements, the table can be used to identify an appropriate management strategy.'

1.8 The definition of this hierarchy is reflective of the combination of landscape condition and strength of landscape character, and is defined within Section 2 of the 2023 published Nuneaton and Bedworth Landscape Character Assessment with 'Conserve' defined as good landscape quality, reducing to poor landscape quantity with Restore and Create, as defined below:

Conserve – 'Where the landscape quality is considered to be good (due to good condition and strong character) and there should be an emphasis on protecting or safeguarding the key features and characteristics of the landscape in their present form.

Create – 'Where the landscape quality is poor (due to poor condition and weak character) and the original landscape pattern is no longer evident. In such places there is potential to re-create landscape features appropriate to the area to form new and different landscapes. An example of this is a landscape which has been heavily influenced by quarrying and industry, where field pattern and features are no longer evident and the land form is markedly altered through changes such as new mounding or large waterbodies which prevent the re-creation or restoration of the former landscape character.'

1.9 In terms of background, Richborough Estates submitted a planning application for outline permission for '*up to 700 residential dwellings including a new access roundabout, with associated parking, access roads, public open space, landscaping, sustainable drainage and associated works (with access only, all other matters are reserved)*' (LPA application ref: 038602)). To support this planning application, ZLA prepared a landscape Visual Appraisal.

1.10 This application was refused by the local Planning Authority (30th May 2023). The Reason for Refusal concerned itself with matters other than Landscape. In determining the planning application, the Local planning Authority appointed an external Landscape consultancy (FPCR Environment and Design Limited).

1.11 In their 'Review of LVA produced by Zebra Landscape Architects' (August 2022), was prepared by a Chartered Landscape Architect, who undertook *'a site visit and a review of submitted planning documents including the Landscape and Visual Appraisal and Appendices, and the Design and Access Statement. The review also included a study of aerial photographs and relevant landscape character assessments.'*

1.12 Their review concluded:

- *'The scope of the appraisal covers the issues normally included in a landscape and visual appraisal and covers and appropriate geographical extent;*

- *The appraisal can be followed and generally follows a logical approach. The photo viewpoints provide a reasonable representation of views and assist in making judgments on likely visual effects, which will be mostly limited to an area close the site itself;*

- *The LVA is generally carried out in an appropriate manner and is adequate in terms of its quality and comprehensiveness..... Overall, the appraisal is adequate for the purpose of accompanying planning application of this nature and identifying the overall landscape and visual effects. The findings can feed through to a consideration of the planning balance.'*

1.13 Given ZLA's level of understanding of the Site, and its context. Richborough Estates extended ZLA's appointment to include the undertaking of this Sequential Appraisal.

2.0 Sources of Information

2.1 Information has been collated through desk study and field survey to appraise the baseline situation in relation to landscape character, landscape features and elements and the visual amenity of people within the study area. A variety of sources have been reviewed to gain an understanding of the quality, variety and sensitivity of the features and elements that contribute toward landscape character and visual amenity in order to broadly appraise the capacity of land surrounding Nuneaton to accommodate new residential development.

2.2 Information has been collated through desk study and field survey to appraise the baseline situation in relation to landscape character, landscape features and elements and the visual amenity of people within the study area. A variety of sources have been reviewed to gain an understanding of the quality, variety and sensitivity of the features and elements that contribute toward landscape character and visual amenity in order to appraise the capacity of each site to accommodate development. The desk study has included a review of the following sources of information:

- National Planning Policy Framework Revision (revised 20th July 2021);
- Natural England National Character Assessment;
- Warwickshire Historic Landscape Characterisation Project Report (2010);
- Nuneaton & Bedworth Borough Council Borough Plan 2011-2031 (adopted in 2019);
- Nuneaton and Bedworth Landscape Character Assessment (published 2023);
- Ordnance Survey Mapping at 1:25,000 scale;
- Aerial photography of the site and wider area (Google Earth, www.maps.google.co.uk);
- Multi Agency Geographic Information for the Countryside (MAGIC) interactive mapping (www.magic.gov.uk); and
- Public Rights of Way mapping published by Warwickshire County Council (www.warwickshire.gov.uk/rightsofway/).

2.3 Whilst surveying landscape character areas, consideration was also given to their relative sensitivity and capacity to accommodate change without detrimental effect on their character. Reference was made to guidance provided in the former Countryside Agency's Topic Paper 6: Techniques and Criteria for Judging Capacity and Sensitivity and to other published landscape assessments which address capacity and sensitivity.

3.0 The Site – Appraised against the Nuneaton and Bedworth Landscape Character Assessment (2023)

3.1 Landscape capacity (or sensitivity) refers to the degree to which a landscape can accommodate change without detrimental effects on its character. This varies with:

- Existing land use;
- The pattern and scale of the landscape;
- Visual enclosure, openness of views, and distribution of visual receptors
- The value placed on a landscape
- Extent, type and nature of vegetation present within the area.

3.2 ZLA has reviewed the site through a criterion listed below:

- Site location – land parcel noted and described relative to existing urban edge or open countryside, or between existing settlements within the borough whereby there might be the perception of, or physical, coalescence or ribbon development along vehicle routes;
- National or local landscape derived designations;
- Public access in terms of Public Access Land, Public Rights of Way which pass through the land parcel, or a promoted route such as a National Long Distance Walking Route;
- Topography is noted where appropriate i.e. elevated landform, rising landform, flat landform relative to the approximate height of the landform within Nuneaton town;
- Landscape Strategy (as published by the LPA in their Nuneaton and Bedworth Landscape Character Assessment: Supplementary Guidance) noted as a broad indication of the intactness of landscape character, landscape condition and landscape quality;
- Landscape Character (as published by the LPA in their Nuneaton and Bedworth Landscape Character Assessment: Supplementary Guidance) noted for the key features of the host landscape character, and consideration of the landscape's susceptibility to change and its sensitivities to capacity to accommodate change;
- Historic Landscape Character (as published by the LPA in their Nuneaton and Bedworth Landscape Character Assessment: Supplementary Guidance) noted for its key landscape fabric to demonstrate if these are a constraint to new development; and
- Flood Constraints noted relative to the land parcel being situated within, or outside of a flood zone (mapping information supplied via the Environment Agency).

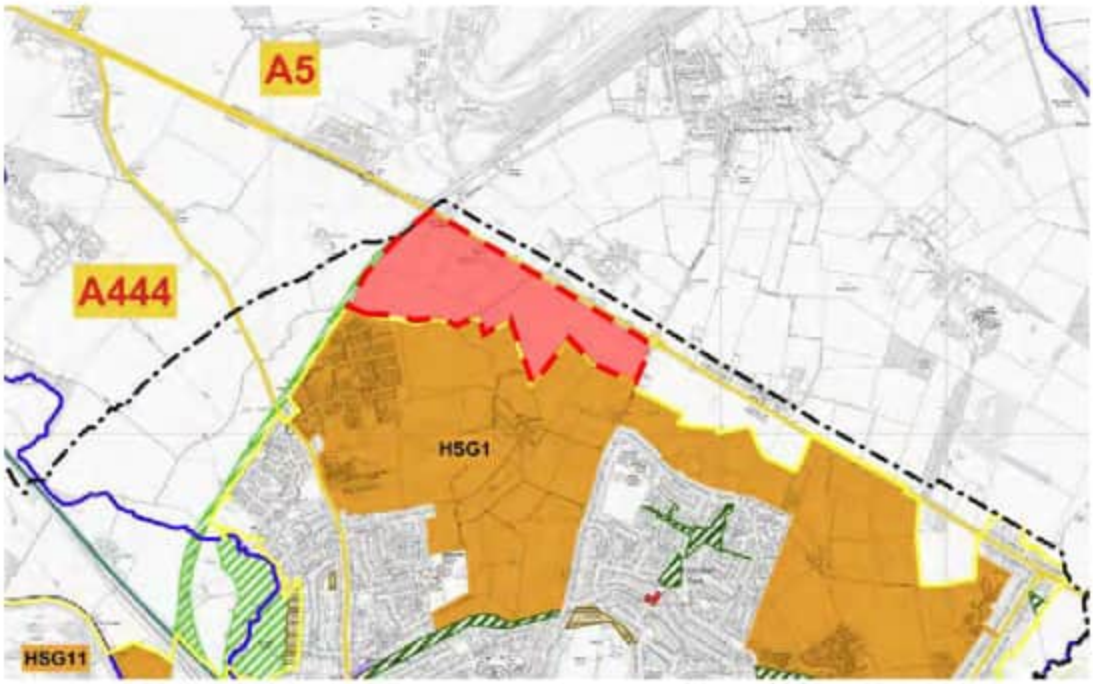
3.3 This criterion is reflective of the methodology published within Section 2 of the Nuneaton and Bedworth Landscape Character Assessment (2023). An extract is included within Appendix ZLA 1 of this appraisal.

3.4 Utilizing this criterion, we have reviewed the Site:

Site (land south of the A5 Watling Street and the Allocated Strategic Housing Site (ref: HSG1)

3.5 *Location:* The Site is situated within open countryside on the settlement edge of Nuneaton. New residential development has been, and is being built out neighbouring the site (delivered through Strategic Housing Allocation HSG1, see Image ZLA 3.1. Consequently, the Site is dynamic, in changing from open countryside outside of the town, to that bordering and adjoining the settlement edge. The site is situated below the route of the A5 Watling Street.

Image ZLA 3.1: Extract from the current Policy Map of the Nuneaton & Bedworth Borough Council Borough Plan 2011-2031 demonstrating the context for this open land. N.B. ZLA has highlighted the approximate area of the Site with a dashed red line and translucent red hatch



3.6 *Designations:* The boundary to the e Site is situated outside of the settlement edge within undesignated open countryside. Through the delivery of Strategic Housing Allocation HSG 1,

3.7 *Public Access:* There is no Public Access Land within the Site. There are no Public Rights of Way passing through the Site, although Public Rights of Way are situated to the south of the site, and run along its south eastern boundary. The Weddington Country Walk runs along the western site boundary. This is a promoted route.

3.8 There is a network of Public Rights of Way beyond the A5 Watling Street to the north; however, the discernibility of the Site is limited, or screened by intervening mature landscape fabric in the wider open countryside, and along the A5 Watling Street.

3.9 *These Public Rights of Way would be a constraint to integrating new development, although as routes do not pass through the site, the constraint is not significant.*

3.10 *Topography:* The land parcel is situated within undulating landform circa 90m AOD to 95m AOD; see Appendix ZLA 7. This landform is relative to that of the wider town area, and is not prominent in general views around the town, or within the wider open countryside. *Landform is not noted as a potential constraint to development, but not significant.*

3.11 *Landscape Strategy and Landscape Character:* With reference to the Nuneaton and Bedworth Landscape Character Assessment (2023), the land parcel is found within the Anker Valley Estates Farmland Landscape Character Area (2). The landscape strategy for the landscape strategy for this land parcel is Enhance, which is indicative of moderate landscape strength and conditions, for which the LPA notes (N.B. Emphasis added by ZLA):

'This area is a gently undulating lowland vale comprising arable farming with pasture present closer to settlement fringes. The strong pattern of hedgerows and clusters of hedgerow trees in combination with linear woodlands helps to reinforce a rural character and break up and filter views of the frequent urban edges.'

3.12 The Site is seen in combination with the new housing within the Strategic Housing Allocation HSG1 (which bounds the Site), and further housing situated off Higham Lane to the east-north east. The Nuneaton and Bedworth Landscape Character Assessment, which states:

'Built development is often visible, however the larger conurbation of Nuneaton is on slightly lower ground which, in combination with woodlands, wooded streams and trees helps to break up and soften the settlement edges often making them appear as clustered large villages rather than a wider single conurbation.'

3.13 The lower landform within the site has a clear relationship with the existing settlement edge as it is seen in combination, or adjoins the Site. With the northern site area having more open views of the settlement, for which, the Nuneaton and Bedworth Landscape Character Assessment, states:

'From higher ground along the A5 views are more extensive towards larger settlement edges. The presence of woodland and trees helps to soften and break up the scale of development.'

3.14 Key landscape features are relatively intact within the Site – these include the gently undulating lowland arable and pasture fields, clusters of hedgerow trees, medium scale field pattern enclosed by linear hedgerows (albeit hedgerows are degraded and gappy in places). The combination of these features limits views across the wider settlement areas, with small woodland blocks, linear tree belts and vegetation(especially along A5 Watling Street) reflect the wider landscape character across the open countryside.

3.15 Under the heading of Capacity to Accommodate Change, the LPA notes:

'....the landscape is rural with prominent linear woodlands. Urban edges are frequently visible although to the west around Weddington the land is more rural and retains a village edge appearance which would be adversely altered if development became more prominent in the landscape.'

3.16 The study continues and states:

'Any new development, if not complemented with advanced and established planting, would be visible in the landscape and could reduce the sense of separation potentially resulting in the coalescence of the two settlements. This separation is already diminished as ribbon development along The Long Shoot extends up to the A5 to the edge of Hinckley. This creates the perception that the development is part of one settlement when travelling along this road and the A5 into Hinckley from the north.'

3.17 Given the foregoing, *new development at the site would need to be limited regarding the potential for coalescence (physical and perceptual) as well as ribbon type development along the route of the A5 Watling Street, and appropriate measures would reduce the potential for significant constraints.*

3.18 *Landscape Condition:* The landscape condition is considered to be moderate i.e., features are mostly well managed although in places there is evidence of decline in management and loss of key features. The effects of road traffic has a negative effect on landscape tranquillity, and existing hedgerows within the Site are outgrown. The site is overlooked by existing residential areas to the north east-east and along the southern boundary. The combination of these factors reduces landscape condition.

3.19 *Strength of Landscape Character:* This character area has a moderate strength of character i.e., the landscape still has a recognisable and distinctive character although it could be altered or weakened through minor changes in land use or land cover. The features are generally consistent across the landscape and contribute to a sense of place of a gently undulating lowland arable landscape. However, the aforementioned landscape degrading factors are noted to adversely influence the strength of landscape character.

3.20 Key features are the gently undulating lowland vale (between 80 and 100m AOD gradually rising towards the north east along the A5), a watercourse passes through the periphery of the land parcel , and typically streams are frequent, and often flanked by narrow linear belts of riparian trees. Within the wider landscape character area, there are occasional field ponds in larger fields notable by wooded boundaries, which are seen across the wider area.

3.21 Given our review of the site, features are generally well maintained and contribute to a positive visual impression within the landscape. In the Nuneaton and Bedworth Landscape Character Assessment: Supplementary Guidance, the LPA specifically states for this location within the Anker Valley Estate Farmlands:

'There is intervisibility between the settlement edge of Nuneaton around St Nicholas Park and Hinckley. Any new development, if not complemented with advanced and established planting, would be visible in the landscape and could reduce the sense of separation potentially resulting in the coalescence of the two settlements. This separation is already diminished as ribbon development along The Long Shoot extends up to the A5 to the edge of Hinckley. This creates the perception that the development is part of one settlement when travelling along this road and the A5 into Hinckley from the north.'

3.22 Additionally, the Nuneaton and Bedworth Landscape Character Assessment (2023) appraises character of the area, as well as its key characteristics, which are broken down into sub-heading including Landform and Hydrology, Land Use, Landscape Features (Trees, Grassland And Woodland), Built Development.

3.23 Of the key characteristics, ZLA notes the differences between the former 2012 Landscape Character assessment (prepared by the Local Planning Authority), and that now recognised by the 2023 assessment. With consideration of the Built Development recognises how the site's context has altered in the interim period since 2012 through the following:

'Built development is often visible and recent residential developments influence the character area. The character area has accommodated several medium-large residential development and further development is planned as part of residential housing allocations, taking the settlement edge towards the A5 to the east and Weddington Country Walk to the north.

3.24 The LPA also states provides guidance to developing in this landscape character area, which is pertinent to assessing this land parcel:

'Any further development would need careful consideration, in view of the cumulative effects with the recent development on the overall character.'

3.25 Given this, in their published landscape management guidelines, the following initiatives were highlighted, which have relevance to the location of this land parcel, and are worthy of consideration as part of this appraisal:

- *'Enhance settlement fringes and integrate settlement expansion into the landscape through appropriate planting of small-scale woodlands and trees to reduce their prominence'* (i.e., The LPA notes: *'Views across farmland are often interspersed with linear woodlands, the most prominent being along the disused railway (Weddington Country Walk);*

- *Enhance settlement fringes and integrate settlement expansion into the landscape through appropriate planting of small-scale woodlands and trees to reduce their prominence (i.e.,* The LPA notes: *'Enclose new development with belts of linear tree planting, reinforcing the existing field boundaries'); and*

- *Ensure any new development does not make urban edges more prominent within the landscape which would affect rural character (i.e.,* The LPA notes: *'The natural boundaries to further expansion would be the A5 and Weddington Country Walkton Country Walk').*

3.26 Given the foregoing, new development at the site would need to be limited regarding the potential for coalescence (physical and perceptual) as well as ribbon type development along the route of the A5 Watling Street, and appropriate measures would reduce the potential for significant constraints.

3.27 *Historic landscape Character: T*his land parcel is situated within the Fieldscapes Historic Landscape Character Area, which is 'predominantly enclosed land but include medieval open fields as a previous type'. The published management recommendation states: 'in general boundaries should not be removed but appropriately managed where possible. Re-instating boundaries should also be considered carefully in the light of an area's overall historic landscape character'. *This is a potential constraint to realising development similar to that proposed by the Applicant in this land parcel as the retention of the existing hedgerow pattern representative sensitive landscape fabric.*

3.28 *Flood Zone:* No flood constraints.

3.29 *Summary:* Given all of foregoing, *there is scope to accommodate new development, but this would need to be limited to avoid coalescence effects and the impression of ribbon development along the A5 Watling Street. The retention of key landscape features would enable a development to be integrated and limit harm to the intrinsic landscape character.*

4.0 Summary of Findings – Appraised against the Nuneaton and Bedworth Landscape Character Assessment (2023)

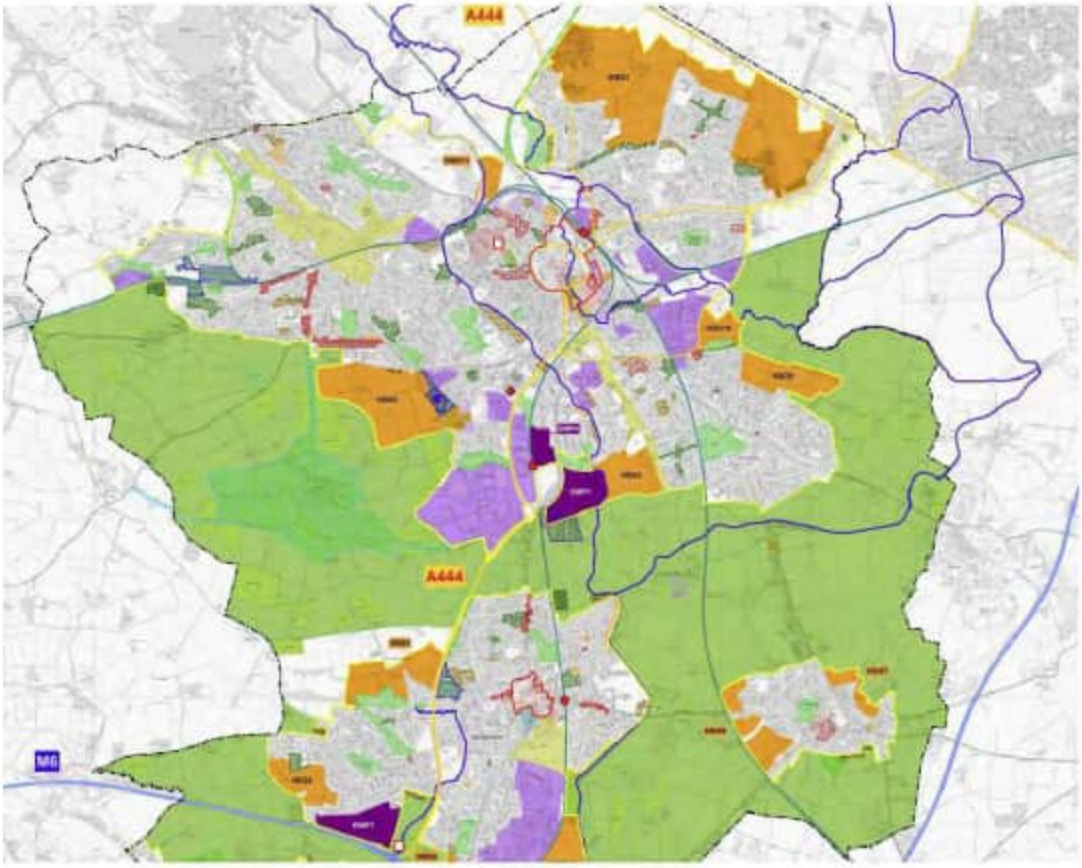
4.1 The undertaking of the Sequential Test demonstrates the following:

Land Parcel One: Land within the Green Belt outside of Nuneaton town

4.2 *Location:* This is open land south of the Long Shoot roadway on the eastern of the town and south of the railway line on the western edge of the town; see Image ZLA 4.1.

4.3 *Designations:* This land is situated within the Green Belt. This is demonstrated by the current Local Plan Policies Map, and also Appendix ZLA 2 (Figure 4.1 of the Landscape Character Assessment) a significant area of open land is situated within the Green Belt; see Image 4.1:

Image ZLA 4.1: Extract taken from the on line Policies Map of the Nuneaton & Bedworth Borough Council Borough Plan 2011-2031 (adopted in 2019). Area of Green Belt is shown by the LPA with a solid green fill



4.4 With consideration of Policy DS7 Nuneaton & Bedworth Borough Council Borough Plan 2011-2031, development in this area will be restricted to 'only that which is considered by national planning policy as not inappropriate Green Belt development except where very special circumstances can be demonstrated'.

4.5 The development of land within this area would impact the openness of the Green Belt, and is likely to lead to either physical or perceived coalescence (sensory and perception) between Nuneaton and Bedworth. The five key purposes of Green Belts are:

- *'To check the unrestricted sprawl of large built-up areas;*
- *To prevent neighbouring towns merging into one another;*
- *To assist in safeguarding the countryside from encroachment;*
- *To preserve the setting and special character of historic towns; and*
- *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'*

4.6 Given the foregoing, development within this area is likely adverse effect the essential characteristics of the Green Belt, and its function at least across three, if not four of the key Green Belt function i.e., restricting sprawl, preventing neighbourhood towns from merging, safeguarding countryside, but would not be encouraging urban regeneration. Paragraph 6.60 of the Nuneaton and Bedworth Landscape Character Assessment (2023) confirms the following relative to development in the Green Belt:

'Inappropriate development is harmful to the Green Belt and should not be considered except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'

4.7 Further to this, as demonstrated within the Nuneaton and Bedworth Landscape Character Assessment: Supplementary Guidance, Figure 7.2, the majority of open land within the Green Belt is situated within landscape strategy categories of either Conserve and Enhance, or Conserve (i.e., good landscape quality), Enhance (i.e. moderate landscape quality) or Enhance and Restore (i.e. moderate to low landscape quality), and given this, these areas have less capacity to accommodate change and new residential development than areas defined as restore and Create (i.e., poor landscape quality); see Appendix ZLA 1.

4.8 <u>*Summary:*</u> Given the foregoing, open land within the Green Belt is scoped out of this Sequential Test for the following reasons:

1. Development would be inappropriate (in this instance) within the Green Belt surrounding Nuneaton or between Nuneaton and Bedworth as it be detrimental to the function of the Greem Belt;
2. Development would be harmful to the spatial openness and visual openness of the Green Belt, as well as lead to the physical and /or perceived coalescence between Nuneaton and those settlement outlying;
3. Within this region, open land has a moderate to good landscape quality, and would have a moderate or higher susceptibility to change.

4.9 *This land is substantial in area, and is significantly constrained in its position within the Green Belt.*

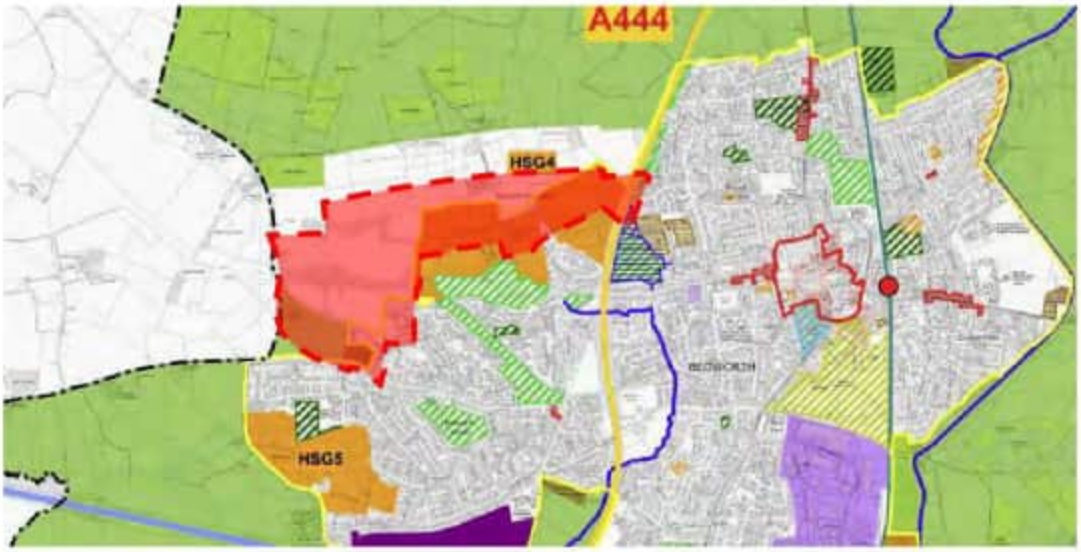
Land Parcel Two: Open Land on the north western edge of Bedworth (west of the A444 between Woodlands Lane and Bedworth Lane)

4.10 *Location:* This land parcel is situated within open countryside outside of the Green Belt designation. This land parcel is situated to the north, north east and north western periphery of Bedworth town, and outside of Nuneaton. The exception to this, is land situated on the north western edge of Bedworth (west of the A444 between Woodlands Lane and Bedworth Lane); see Image ZLA 4.2.

4.11 This land parcel is situated on the edge of Bedworth, and its development may lead to perceived coalescence, or a sense of ribbon development along the route of the A444. *This land parcel is constrained in terms of the potential for coalescence and ribbon development between Bedworth and Nuneaton and along the A444 roadway*.

4.12 *Designations:* This open land is situated within undesignated open countryside. However, this open land outside of the Green Belt contains a number of large woodland blocks, which are reported in the LPA;s published landscape Character Assessment as Sites of Important Nature Conservation (SINCs). SINCs are also known nationally as Local Wildlife Sites and are to be safeguarded and protected from direct or indirect development. *SINC designations are a potential constraint to new development.*

Image ZLA 4.2: Extract from the current Policy Map of the Nuneaton & Bedworth Borough Council Borough Plan 2011-2031 demonstrating the context for this open land. N.B. The LPA have shown Green Belt in solid green, and the quantum of Strategic Housing Allocation HSG5 shown within an orange line. ZLA has highlighted the approximate area of this land parcels with a dashed red line and red transparency



4.13 *Public Access:* There are no National Long Distance Walking Routes, or promoted routes passing through this open land parcel. *The limited network of Public Rights of Way, that provide local amenity, are a potential constraint to integrating new development.*

4.14 Furthermore, with consideration of the current Policy Map of the Nuneaton & Bedworth Borough Council Borough Plan 2011-2031, the majority of this land is allocated as a Strategic Housing site (i.e., HSG5); see Image ZLA 4.2 above.

4.15 *Landscape Strategy and Landscape Character:* With consideration of the Nuneaton and Bedworth Landscape Character Assessment (2023), this land parcel is situated within the 'Bedworth Woodlands Rural Fringe' Landscape Character Area (9). The area identified as having an Enhance landscape hierarchy with a moderate landscape strength and a moderate landscape condition.

4.16 Given this, this parcel of land would have a moderate susceptibility to change, and from our observations on site, the land has a 'rural, enclosed and intimate character through a small-scale field pattern bordered by mature hedgerows and hedgerow trees' a Fieldscape and Woodland of heritage value.

4.17 This landscape character area would have a moderate capacity to accommodate change, but does have a number of constraints, as noted in the LPA's Landscape Character Assessment (2023):

- *'Conserve the rural character of the settlement fringe ensuring that new development does not increase the prominence of built form within the landscape;*
- *Development would need to respect the scale and form of surrounding development including semi-detached and terraced cottages;*
- *Enhance urban edges through tree planting to reduce their prominence within fields;*
- *Conserve the separation between Nuneaton and Bedworth through retaining open farmland along the A444 and limiting intervisibility between settlements; and*
- *Ensure any encroachment into the character area is carefully considered for its effect upon landscape character.'*

4.18 It is noted by the LPA, that 'the landscape is sensitive to any changes resulting in loss of boundary structure and field pattern which might affect the enclosed and intimate character of the landscape and which would increase the prominence of built development in views from public rights of way and roads.'

4.19 Consequently, this landscape character area is sensitive to any changes resulting in loss of boundary structure and field pattern which might affect the enclosed and intimate character of the landscape and which would increase the prominence of built development in views from public rights of way and roads hedgerows and hedgerow trees.

4.20 Given the small pattern and extensive hedgerows, it is considered that the intactness of the landscape character in this land parcel would be a significant constraint to new development, which would otherwise, dilute, if not harm its landscape character. *Landscape Character is a potential Moderate to Significant constraint to integrating new development.*

4.21 *Landscape Condition:* Broadly, this land parcel has a moderate level of landscape condition. Features are generally intact although there is evidence of hedgerows around arable fields becoming fragmented. In places mature hedge lines along smaller fields show evidence of loss and some growing over-mature forming tree lines.

4.22 The features are relatively uniform and consistent across the landscape. The pattern of small scale primarily pastoral farming with mature hedgerows and a high concentration of hedgerow trees are features representing the older rural landscape. Consequently, features are well managed and are almost always intact and of consistent quality. There is little evidence of loss or decline in the condition of features.

4.23 *Strength of Landscape Character:* This land parcel has a moderate level of landscape character i.e., strong character is defined as a consistent distribution of distinctive characteristics such as hills, river floodplain, and woodland. These characteristics combine to create a strongly distinctive sense of place. *Minor changes in land use or land cover has the potential to detrimentally influence character. Moderate constraints at least to development.*

4.24 *Historical Landscape Character:* The Fieldscape is 'predominantly enclosed land but include medieval open fields as a previous type', and the published management recommendations for this Historic Landscape Character type states: 'in general boundaries should not be removed but appropriately managed where possible. Re-instating boundaries should also be considered carefully in the light of an area's overall historic landscape character'. *This is a potential constraint to realising new development as the retention of the existing hedgerow pattern representative sensitive landscape fabric.*

4.25 For the 'Woodland' Historic Landscape Character Type, it is noted, that 'woodland may decline due to settlement expansion or modern clearance of woods for agricultural purposes.' Woodland has declined within the County, which is noted:

'Woodland has dramatically reduced by half in the early 20th century. Part of this was due to encroachment into woodland from farming as well as the increase of industrial sites, settlement expansion and early post war population explosion.'

4.26 Consequently, the published management guidelines for this Historic Landscape Character Type states: 'Woodland management plans should aim to conserve historic woodland features'. *The emphasis on retaining and enhancing existing woodland area represent a potential constraint to integrating new development within this setting.*

4.27 *Flood Zone:* With consideration of the Site Contact Plan (ZLA_1144-L-101, Appendix ZLA 4), a watercourse runs through this land parcel (Flood Zone 2 and 3). *This constrain would limit the quantum of development.*

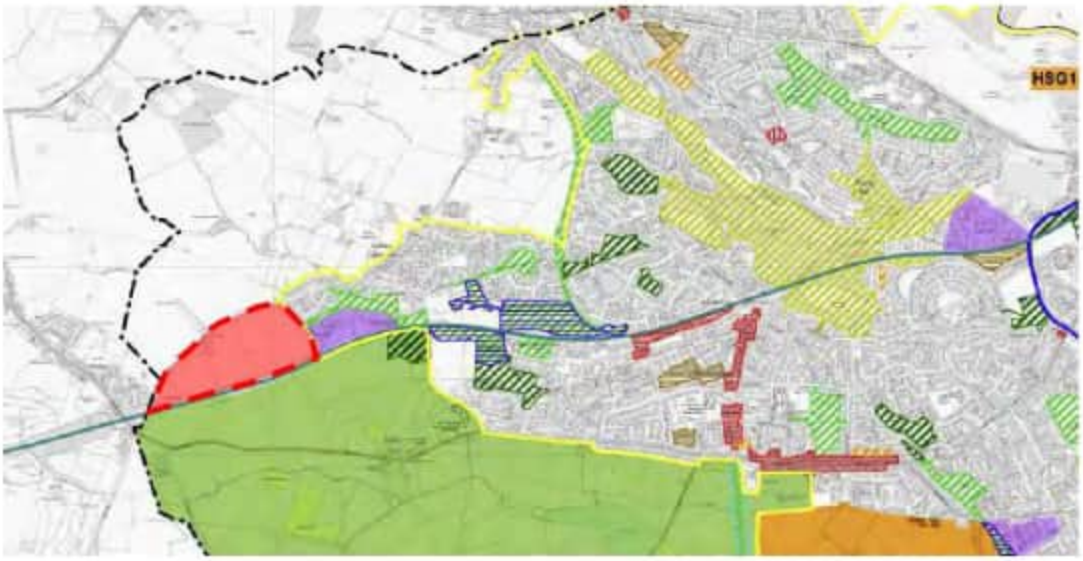
4.28 *Summary:* Given the foregoing, *this land parcel would have a limited capacity to accommodate new residential development.* There is a *significant potential for coalescence and ribbon development between Bedworth and Nuneaton.* The development of this land parcel may be considered to be housing for Bedworth, rather than Nuneaton.

Land Parcel Three: Open Land situated between Ansley Road and Tunnel Road (north western edge of Nuneaton)

4.29 *Location:* This land parcel is only the land situated outside of the Green Belt; see Image 4.3. Land within the Green Belt between Ansley Road and Tunnel Road is considered above and is scoped out of this appraisal.

4.30 *Designations:* Land outside of the Green Belt is undesignated, open countryside; see Image 4.3. *The land parcel is not situated within a National or local landscape designation. In itself, this is not a constraint to development.*

Image ZLA 4.3: Extract from the current Policy Map of the Nuneaton & Bedworth Borough Council Borough Plan 2011-2031 demonstrating the context for this open land. N.B. The LPA have shown Green Belt in solid green, existing employment site is highlighted in solid purple fill, a local nature reserve with a hatched blue line and community park with a green hatch. The wider area is open countryside. ZLA has highlighted the approximate area of this land parcels with a dashed red line and a red translucent fill



4.31 *Public Access:* There is a modest network of Public Rights of Way, including the Centenary Way Long Distance Walking Route providing a walking route to the wider open countryside setting of the town. *The limited network of Public Rights of Way potentially restricts development in so far as its integration.*

4.32 *Topography:* Landform within this open land is elevated exceeding 160m AOD towards, or around the higher positions of this hillside. For context, this landform is situated above that of Nuneaton town, circa 100m AOD (Appendix ZLA 7); see Image ZLA 4.4:

Image ZLA 4.4: Extract from Nuneaton and Bedworth Landscape Character Assessment: Supplementary Guidance, Figure 6.2 Topography

4.33 Given the foregoing, this land parcel is very discernible and is situated on rising ground readily seen from with, and along the western outskirts of the settlement. Through our field-based assessment, and from looking at aerial photograph, we also note that thus area has a medium to large field pattern and is relatively denuded of any significant tree cover, or woodland blocks, which is a constraint to integrating new development at this location.

4.34 It is noted, that in the 2006 Local Plan, this land parcel was situated within an Area of Restraint, which was a designation to protect land for its open character and the contribution it makes to the character and structure of the urban areas. This land is a relative high point when seen looking west-north westwards from Nuneaton, and new development could potentially break the skyline, and have a very dominant impact on visual amenity and landscape character. *The position of this land within the local topography is a potential constraint to new residential development.*

4.35 *Landscape Strategy and Landscape Character:* With consideration of Nuneaton and Bedworth Landscape Character Assessment (2023), the open land outside of the Green Belt in this area has a landscape strategy of Enhancement. The LPA consider this land to be of moderate landscape strength and moderate landscape condition.

4.36 This land parcel is situated within the Galley Common Hill and Robinson's End Valley Landscape Character Area (11). It is noted by the LPA, that this is 'a rural fringe valley landscape close to the urban edge'. Under the heading 'Capacity to Accommodate Change', the LPA states:

'Any new development should be complemented with an appropriate landscape scheme that achieves low visibility in valley views and in the wider landscape..... The positioning of properties below the highest ground also helps to reduce their prominence.'

4.37 Given the foregoing, *the land parcels position on elevated, rising and higher ground, is recognised as a significant constrained to new development*.

4.38 *Landscape Condition:* The landscape condition is considered to be moderate i.e., features are mostly well managed although in places there is evidence of decline in management and loss of features such as some fragmented hedgerows or dilapidated walls. Features are generally intact although around some arable fields hedgerows are becoming fragmented and in places are absent.

4.39 *Strength of Landscape Character:* Broadly speaking, this land parcel has a moderate strength of character i.e., distinctive characteristics are consistent through the area although their distribution is less obvious or less frequent. The landscape still has a recognisable and distinctive character although it could be altered or weakened through minor changes in land use or land cover.

4.40 The area exhibits positive characteristics associated with the valley landform and woodland but shows some evidence of alteration due to the man made hill, construction of modern industrial warehouse units and residential properties along the hill side. *Consequently, minor changes in land use or land cover has the potential to detrimentally influence character.*

4.41 *Historical Landscape Character:* The land parcel is made up of Fieldscape and Industrial Historic Landscape Character Type (see Appendix ZLA 5). For the Industrial, the LPA recognises the following factors for future change: 'increasing industrial activity, partly related to increase of certain industries and growth of settlement/population. Older sites are at risk of demolition and/or redevelopment as traditional industries decline.' Consequently, the future management recommendations are for the: 'conservation of older and more unique industrial sites or recording of historic features'.

4.42 When this is combined with guidance for managing the Fieldscape Historic landscape Character Type, requiring: 'boundaries should not be removed but appropriately managed where possible', and 'reinstating boundaries should be considered', *this historical landscape fabric represents a potential constraint to realising development similar to that proposed by the Applicant.*

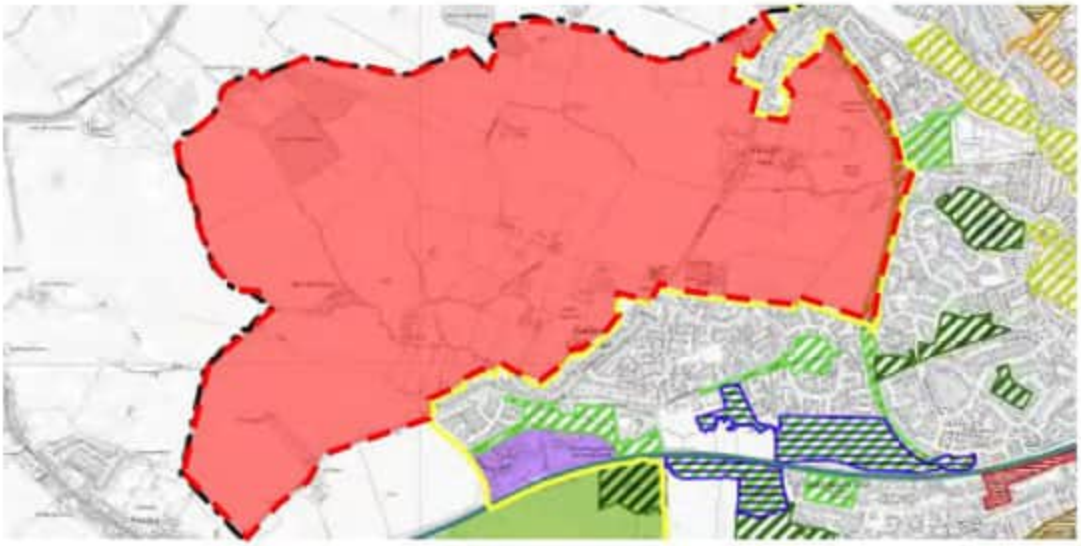
4.43 *Flood Zone:* With consideration of the Site Contact Plan (ZLA_1144-L-101, Appendix ZLA 4), a watercourse runs through this land parcel (Flood Zone 3). *This constraint would limit the quantum of development.*

4.44 *Summary:* Given all of foregoing, this land parcel has a number of significant constraints to accommodating new residential development. *This area is scoped out of this Sequential Appraisal.*

Land Parcel Four: Open Land north of Tunnel Road (north western edge of Nuneaton)

4.45 *Location:* This land is situated within open countryside outside of the existing settlement edge to north of Tunnel Road; see the below extract from the Policy Map of the Nuneaton & Bedworth Borough Council Borough Plan 2011-2031; see Image ZLA 4.5:

Image ZLA 4.5: Extract from the current Policy Map of the Nuneaton & Bedworth Borough Council Borough Plan 2011-2031 demonstrating the context for this open land. N.B. ZLA has highlighted the approximate area of this land parcels with a dashed red line and a translucent red hatch



4.46 *Designations:* This land parcel is situated in open countryside and is not designated: see Image ZLA 4.5 above. *The land parcel is not situated within a National or local landscape designation. In itself, this is not a constraint to development.*

4.47 *Public Access:* The Centenary Way Long Distance Walking Route runs through this area and connects with the wider network of Public Rights of Way. Consequently, the visual sensitivity of this area is potentially high, and new development brought forward would a dominant new feature in the open countryside surrounding the town of Nuneaton. *The level of public access within this area would potentially be a significant constraint to integrating new development without harm.*

4.48 *Topography:* Similar to the foregoing, this land parcel is situated on elevated land, circa 130m AOD to over 140m AOD; see Appendix ZLA 7. This land is a relative high point when seen looking west-north westwards from Nuneaton, and new development could potentially break the skyline, and have a very dominant impact on visual amenity and landscape character. *Topography is a potential significant constraint to new development.*

4.49 *Landscape Strategy and Landscape Character Area:* As demonstrated by the Nuneaton and Bedworth Landscape Character Assessment (2023), the land parcel is situated within the landscape character area Galley Common Hills and Valleys (12). This area has a landscape strategy of Conserve and Enhance, which is of strong landscape strength and moderate landscape condition.

4.50 With consideration of our field-based assessment, and from looking at aerial photography, the existing landscape fabric in this area is made up of robust field hedgerows, scattered hedgerow trees and small woodland copse creating a landscape of good condition and intactness.

4.51 Furthermore, the LPA describes the Galley Common Hills and Valleys (LCA 12) as having 'a strong rural character with a rapid transition from the urban edge to the rural landscape. The rolling landform, woodland and wooded streams help to reinforce this rural character. The land has a simple pattern of farmland and woodland with views of individual and small clusters of properties.' Additionally, the LPA notes (N.B. Emphasis added by ZLA):

'Views comprise undulating farmland with woodland on high ground. Small clusters of properties are frequent but are well integrated with their rural surroundings. On lower ground views are enclosed and limited to across a few fields close to settlement edges. On higher ground views extend slightly further to adjacent undulating wooded farmland with glimpses of more distant built form.'

4.52 Under the heading Capacity to Accommodate Change, the LPA notes (N.B. Emphasis added by ZLA):

'This is a landscape which retains a strong rural and remote character despite its close proximity to the urban edge..... It is also important to ensure that development does not become prominent within the landscape and where visible appears as individual properties or small clusters along a village edge. Built development tends to appear as clusters of properties on lower ground and individual properties or linear ribbon development on higher ground such as Ansley and Ansley Common. The positioning of properties just below the highest ground also helps to reduce the prominence of development.'

4.53 It is considered, that new development within this area, particularly along the higher landform, would increase the prominence of built form would alter the strong transition from the urban to rural environment. This is demonstrated by a recent Planning Appeal for up to 70 new homes (Appeal ref: APP/W3710/W/22/3301839, Site 46a010). The site is located to the rear of 89-169 Tunnel Road, Galley Common, Nuneaton, Warwickshire. The appeal was held in 2022, and was dismissed and planning permission refused; see Appendix ZLA 6.

4.54 The Planning Inspector commented on the landscape character and visual amenity of this area, and stated (N.B. Emphasis added by ZLA)

'....the proposal would result in development where there presently is none and would fundamentally change the rural character of the site, resulting in an intrinsic loss of open countryside to a suburban form of development which would extend the settlement in an uncharacteristic manner and scale and result in the substantial loss of significance to the identified NDHA. Whilst I accept that the visual effects would be localised, they would nevertheless be harmful to the landscape character of the area.'

4.55 The finding of this Appeal concur with the findings of our field-based assessment and desk top analysis for this Sequential Appraisal. *New development would be significantly constrained when positioned on rising and higher landform.*

4.56 *Landscape Condition:* The landscape condition is considered to be moderate with features generally intact.

4.57 *Strength of Landscape Character:* Broadly speaking, this land parcel, has a strong character. The area has a distinct sense of place along the watercourses and within the woodland although in areas of grassland close to the urban edge the character is typical of many open spaces in the urban area. The LPA notes: 'features are relatively uniform and consistent across the landscape. The pattern of arable and pasture farming with woodlands; hedgerow trees; wooded streams; and clusters of built form combine to create a rural agricultural character which has a sense of place relating to the Ancient Arden character.'

4.58 *Consequently, the landscape still has a recognisable and distinctive character although it could be altered or weakened through minor changes in land use or land cover.*

4.59 *Historical Landscape Character:* The Fieldscape is 'predominantly enclosed land but include medieval open fields as a previous type', and the published management recommendations for this Historic Landscape Character type states: 'in general boundaries should not be removed but appropriately managed where possible. Re-instating boundaries should also be considered carefully in the light of an area's overall historic landscape character'. This is a potential constraint to realising development similar to that proposed by the Applicant in this land parcel as the retention of the existing hedgerow pattern representative sensitive landscape fabric.

4.60 For the 'Woodland' Historic Landscape Character Type, it is noted, that 'woodland may decline due to settlement expansion or modern clearance of woods for agricultural purposes.' Woodland has declined within the County, which is noted:

'Woodland has dramatically reduced by half in the early 20th century. Part of this was due to encroachment into woodland from farming as well as the increase of industrial sites, settlement expansion and early post war population explosion.'

4.61 Consequently, the published management guidelines for this Historic Landscape Character Type states: 'Woodland management plans should aim to conserve historic woodland features'. *The emphasis on retaining and enhancing existing woodland area represent a potential constraint to integrating new development within this setting.*

4.62 *Flood Zone:* No constraint.

4.63 *Summary:* Given all of foregoing, new development in *this land parcel is significantly constrained by its rising landform and topographical position, and would potentially be harmful to its landscape character.*

Land Parcel Five: Land east of the B4114 to the Coventry Canal

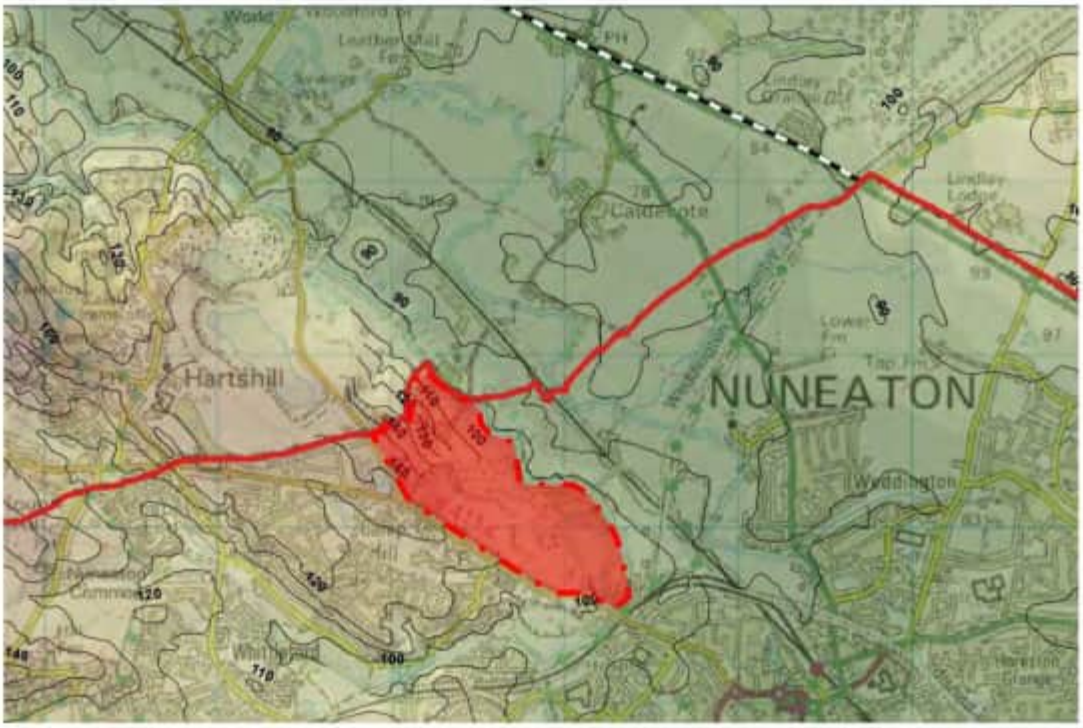
4.64 *Location:* This land is situated on the northern edge of the town on landform sloping west to east from the B4114 to the Coventry Canal; see Image ZLA 4.6.

4.65 *Designations:* Under the current Borough Plan, there are no designations within this land parcel. *The land parcel is not situated within a National or local landscape designation. In itself, this is not a constraint to development.*

4.66 *Public Access:* Limited network of Public Rights of Way pass through the land parcel. The Coventry Canal passes along the eastern edge of the land parcel, and those right affords views across the area from its towpath. ***Potential Moderate Constraint.***

Topography: This land is situated on the northern edge of the town on landform sloping west to east from the B4114 (circa 140m AOD to 100m AOD) to the Coventry Canal (circa 90m AOD, see Appendix ZLA 7); see Image ZLA 4.6. *Elevated and rising landform (predominantly to the west and north west of the area) significantly constrains new development.*

Image ZLA 4.6: Extract from Nuneaton and Bedworth Landscape Character Assessment: Supplementary Guidance, Figure 6.2 Topography. ZLA has highlighted the approximate area of this land parcels with a dashed red line and a translucent red hatch



4.67 *Landscape Strategy and Landscape Character:* This area includes Judkins Quarry and wider open space beyond. The Nuneaton and Bedworth Landscape Character Assessment (2023) finds the land parcel to be situated within the Harthill Ridge Landscape Character Area (1). This landscape character areas has a strategy of enhance and restore, which is indicative of the area's moderate landscape strength, but poor landscape condition.

4.68 In the current Local Plan, Housing Application HSG 11 has been adopted for new housing up to 400 new dwellings. This site is situated in lower lying landform than that of the wider land parcel (circa 90m AOD to 100m AOD). However, development within the wider area would be within rising landform, and would be very prominent above the town, and likely to break the skyline.

4.69 The landscape character of the Hartshill Ridge is described the LPA as follows (N.B. Emphasis added by ZLA):

'This area comprises the southern part of Hartshill Ridge which extends north-west into North Warwickshire. This distinctive upland landscape has been modified as a result of extensive quarrying of hard escarpment rock and the creation of a visually prominent cone shaped spoil mound, Mount Jud adjacent to Judkins Quarry.'

4.70 The LPA continues, and states:

'Views comprise a quarried ridge line with woodland, with open arable farmland sloping down towards Coventry Canal with linear woodland. Mount Jud, the man made mound at Judkins Quarry, is a prominent feature and reminder of the landscape's industrial heritage in views from the wider landscape particularly from the Anker Valley in the east.'

4.71 Under the heading Capacity to Accommodate Change, the LPA states (N.B. Emphasis added by ZLA):

'This character area has experienced significant change over the years due to quarrying of the ridge rock. New housing developments have also begun to encroach on the perimeter of the character area. Additional change should be minimised and should aim to enhance the area's sense of place and distinctiveness by appropriately restoring the modified ridgeline and by interpreting the area's post-industrial heritage for the benefit of the public.'

4.72 Similarly, the published landscape guidelines for this landscape character also warn of inappropriately located development, an the likely significant impact which could be experienced across the landscape character area, and the wider context:

- *'Ensure built development is not visible on the ridgeline within the wider landscape; and*

- *Ensure any new development is enclosed with a wooded edge to reflect local character.'*

4.73 Given the foregoing, *development on the rising and elevated ridgeline would be prominent. Landform is a significant constraint to new development.*

4.74 *Landscape Condition:* The landscape condition is considered to be poor i.e., typical features are degraded and less intact giving an untidy and disjointed appearance.

4.75 Quarrying in this character area has degraded the condition of Hartshill Ridge. This character area is a ridgeline which is visible in the wider landscape to the north east often providing a wooded backdrop in views.

4.76 Few features are intact or well managed. Loss or decline of features is frequent. Boundaries such as hedgerows are rarely intact and other boundaries are often of variable style and condition. Such elements combine to give an untidy or disjointed appearance to the landscape.

4.77 *Strength of Landscape Character*: This character area has a moderate strength of character i.e., the landscape still has a recognisable and distinctive character although it could be altered or weakened through minor changes in land use or land cover. This upland landscape has a unique character that has been modified and heavily influenced by past industrial activity. *Consequently, the landscape still has a recognisable and distinctive character although it could be altered or weakened through minor changes in land use or land cover.*

4.78 *Historic Landscape Character:* This land parcel is made up of three Historic Landscape Character Areas – predominantly the Extractive, the Industrial and also the Unimproved. Within the Extractive Landscape Character Area, the potential for archaeology is considered high, and is such a potential constraint.

4.79 For the Industrial, it is recommended that, conservation of older and more unique industrial sites or recording of historic features is undertaken, and whether this is a constraint to development could realistically only dealt with on am individual site basis. Regard the Unimproved Historic Landscape Character Area, it is noted:

'As an HLC type this type is very rare and declining critically and soon there may be no examples of these types left. Those that remain may be unimproved scrubland, a more modern creation from lack of use of land rather than a continuity of unimproved land such as common or heathland. These types should be retained where possible, with consideration given to encourage reversal to these types in areas where suitable.'

4.80 *Given the foregoing, this is a potential significant constraint to accommodating new development.*

4.81 *Flood Zone:* There is no flood zone constraint in this land parcel.

4.82 *Summary:* Given the potential for new development to be visually prominent on the rising and elevated landform, and seen in combination with Mount Judd (local landmark), as well as the landscape management constraints of the Unimproved Historic Landscape Character Area, it is considered hat *this land parcel is significantly constrained for new development.*

Land Parcel Six: Open land between the Coventry Canal, Weddington Lane (A444), the A5 arterial route and Weddington Country Walk

4.83 *Location:* This land is situated on the northern edge of the town, stretching from the settlement boundary of Nuneaton to the administrative boundary of the LPA which runs along the A5 arterial route to the north east.

4.84 *Designations:* This area is situated within undesignated, open countryside. The main railway line from Nuneaton to Coventry and Birmingham runs through the land parcel, as well as the River Anker; see Image ZLA 4.7. *The land parcel is not situated within a National or local landscape designation. In itself, this is not a constraint to development.*

Image ZLA 4.7: Extract from the current Policy Map of the Nuneaton & Bedworth Borough Council Borough Plan 2011-2031 demonstrating the context for this open land. N.B. ZLA has highlighted the approximate area of this land parcels with a dashed red line and translucent red hatch

4.85 *Public Access:* There is public access along the towpath of the Coventry Canal with views outwards rom the route. There is a network of PRoW routes which connect with the Weddington Woods Walk. *The level of public access within this area would be a significant constraint to integrating new development without harm.*

4.86 *Topography:* This land parcel is situated circa 90m AOD to 95m AOD (see Appendix ZLA 7), and is managed for agriculture which is predominantly arable crop fields. The field pattern in medium to large in scale, with fields enclosed with native field hedgerows and scattered hedgerow trees, with tree belts and small copse along the course of the river, and tree belts along the Coventry Canal. This landform is relative to that of the wider town area, and is prominent in general views around the town, or within the wider open countryside. *Landform is not noted as a potential constraint to development.*

4.87 *Landscape Strategy and Landscape Character:* The Nuneaton and Bedworth Landscape Character Assessment (2023) finds this landscape parcel to be situated within the Anker Valley Estates Farmland Landscape Character Area (2) which has a landscape strategy of Enhancement. This is indicative of the landscape character area's moderate landscape strength and moderate landscape condition.

4.88 The Landscape Character Assessment noted the following typical characteristics (N.B. Emphasis added by ZLA):

'This area is a gently undulating lowland vale comprising arable farming with pasture present closer to settlement fringes. The strong pattern of hedgerows and clusters of hedgerow trees in combination with linear woodlands helps to reinforce a rural character and break up and filter views of the frequent urban edges.'

4.89 The area has a discernible rural character, and through the combined effect of extensive tree groups along the Weddington Country Walk, to the River Anker and tree belts to the main railway line, there is limited intervisibility with the settlement edge of Nuneaton.

4.90 Under the heading of Capacity to Accommodate Change, the LPA notes:

'The character area has accommodated several medium-large residential development and further development is planned as part of residential housing allocations, taking the settlement edge towards the A5 to the east and Weddington Country Walk to the north.'

The LPA continues:

'....the landscape is rural with prominent linear woodlands. Urban edges are frequently visible although to the west around Weddington the land is more rural and retains a village edge appearance which would be adversely altered if development became more prominent in the landscape.'

4.91 This land parcel is situated within open countryside beyond the Weddington Walk, and as such there is less intervisibility with the wider settlement edge of Nuneaton, and the more contemporary developments along the settlement edge of the town. Consequently, views across this area are less likely to see Nuneaton, and the wider town, with recognition of the wider open countryside more discernible.

4.92 This area has a stronger relationship to the wider open countryside, and is experienced as divorced and separated from the town. This is further reinforced through the intactness of landscape character with key features of the host landscape character area observed as intact.

4.93 However, it must be noted, that this land parcel is situated to the west of the landscape character, and as such is away from the area around The Long Shoot, which the LPA highlights as having a degree of sensitivity regarding the coalescence (physical, sensory of perceived)between Nuneaton and Hinckley:

'This separation is already diminished as development along The Long Shoot extends up to the A5 to the edge of Hinckley. This creates the perception that the development is part of one settlement when travelling along this road and the A5 into Hinckley from the north.'

4.94 Within the published landscape guidelines for this landscape character area, the LPA notes:

- *'Enhance settlement fringes and integrate settlement expansion into the landscape through appropriate planting of small-scale woodlands and trees to reduce their prominence; and*

- *Ensure any new development does not make urban edges more prominent within the landscape which would affect rural character.'*

4.95 Given the foregoing, as this site is situated on the peripheral edge of the town and perceived as more open with moderate intactness of landscape fabric, with features 'generally well maintained and contribute to a positive visual impression within the landscape.' Consequently, the development of this land parcels has the potential to fundamentally change the rural character of this area.

4.96 Potentially, new development would extend urban built form into the open countryside and result in an intrinsic loss of open countryside to a suburban form of development. This is potentially a significant constraint to new development.

4.97 Further to this, the Weddington Country Walk, promoted route, passes through this area, and connects with the modest network of Public Rights of Way locally. *There are a number of Sites of Importance for Nature Conservation (SINC's) with in this area, which would be a constraint to integrate development within.*

4.98 *Landscape Condition:* The landscape condition is considered to be moderate i.e., features are mostly well managed although in places there is evidence of decline in management and loss of features.

4.99 *Strength of Landscape Character:* This character area has a moderate strength of character i.e., the landscape still has a recognisable and distinctive character although it could be altered or weakened through minor changes in land use or land cover. The features are generally consistent across the landscape and contribute to a sense of place of a gently undulating lowland arable landscape.

4.100 Features are generally well maintained and contribute to a positive visual impression within the landscape. In the Nuneaton and Bedworth Landscape Character Assessment: Supplementary Guidance, the LPA specifically states for this location within the Anker Valley Estate Farmlands:

'Around Weddington there are views of Weddington Church which in combination with small-scale pasture fields creates an intimate village character with few urban influences. Elsewhere development borders two or three sides of farmland.'

4.101 Given the foregoing, *there is a limited capacity to accommodate new development in this landscape setting would potentially harming the landscape character.*

4.102 *Historic Landscape Character Area:* This land parcel is situated within the Fieldscapes Historic Landscape Character Area. The Fieldscape is 'predominantly enclosed land but include medieval open fields as a previous type', and the published management recommendations for this Historic Landscape Character type states: 'in general boundaries should not be removed but appropriately managed where possible. Re-instating boundaries should also be considered carefully in the light of an area's overall historic landscape character'. *This is a potential constraint to realising development similar to that proposed by the Applicant in this land parcel as the retention of the existing hedgerow pattern representative sensitive landscape fabric.*

4.103 *Flood Zone:* There is no Flood Zone constraint in this land parcel.

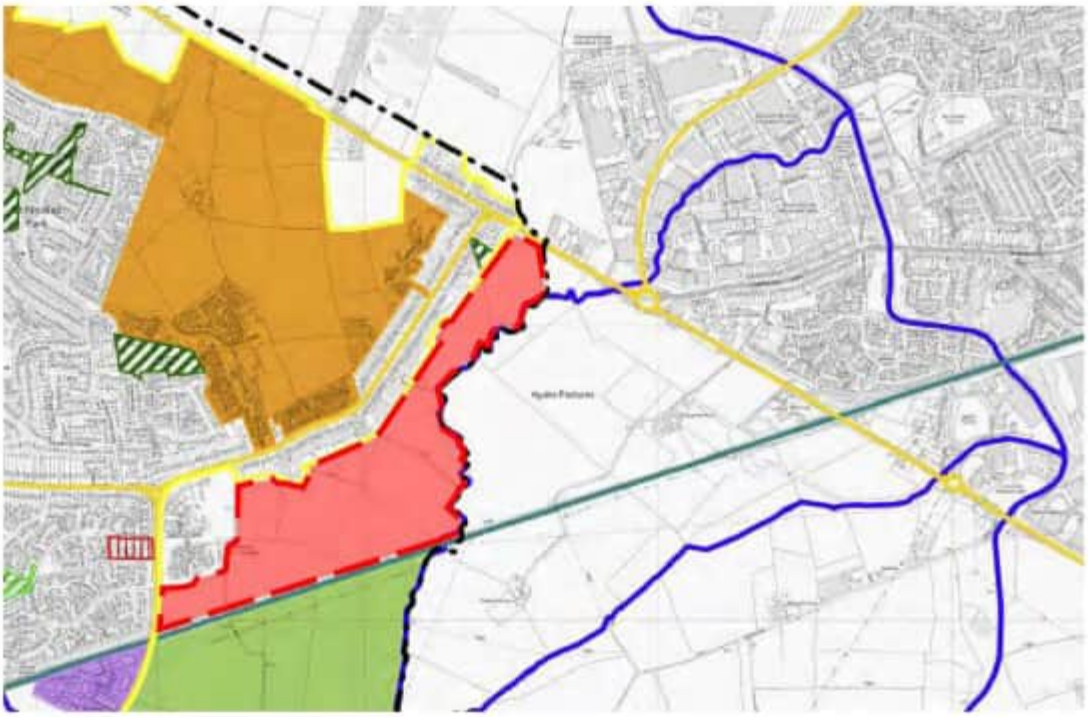
4.104 *Summary:* Given all of foregoing, this land parcel is less constrained other to accommodate new development; however, the potential impact on PRoW users and harm to the intrinsic landscape character is likely to be a constraint.

Land Parcel Seven: Open Land between the A47 The Long Shoot and the main railway line

4.105 *Location:* The land parcel is situated within open countryside. This land is located between the eastern edge of Nuneaton and the south western edge of Hinckley. Along its western edge, this land parcel adjoins the settlement edge of Nuneaton, with the route of the A5 arterial route to the north west, with residential and commercial land use situated on the A5 at this location.

4.106 The south western edge of Hinckley is extensively developed with residential employment and commercial built form (around the A47 and B4666), including extensive B2 and B8 buildings. A main railway line linking Nuneaton, Hinckley and beyond runs along the eastern periphery of the land parcels with extensive open countryside beyond with broad open views; see Image ZLA 4.8:

Image ZLA 4.8: Extract from the current Policy Map of the Nuneaton & Bedworth Borough Council Borough Plan 2011-2031 demonstrating the context for this open land. N.B. ZLA has highlighted the approximate area of this land parcels with a dashed red line and translucent red hatch



4.107 *The site's location, between Nuneaton and Hinckley, is very sensitive. The development of the land parcel is likely to lead to perceived, if not physical coalescence between the two towns.*

4.108 Additionally, the site bounds the A5 arterial route and is opposite existing residential and commercial build form, and close to extensive B2 and B8 buildings. This built form is readily seen along the route of the A5 locally too the land parcel. *The development of this land parcel likely to lead to ribbon type development. The location of this land parcel is a significant constraint to new development.*

4.109 *Designations:* This land parcel is situated within open countryside within the administrative are of the LPA; see Image ZLA 4.8 above. *This is not a significant constraint to development.*

4.110 *Public Access:* The area is crossed by Public Rights of Way, which connect the urban setting with the wider open countryside; none of these routes are promoted i.e. Long Distance Walking Route. Passage along these PRoW routes are influenced by the existing settlement of Nuneaton seen in combination with built form around the south western edge of Hinckley, which is experienced sequentially as one progresses along these routes. These route are of similar landform to that of the land parcel.

4.111 *The site's location, between Nuneaton and Hinckley, is very sensitive. Development of the land parcel is likely to lead to perceived or physical coalescence between Nuneaton and Hinckley for users of these route. Furthermore, the development of this land parcel likely to lead to ribbon type development along the A5 arterial route, and this would be seen as PRoW users progress along these route. Development of the land parcel would significantly impact the visual amenity of PRoW users.*

4.112 *Topography:* The land parcel is situated within undulating landform circa 90m AOD to 95m AOD; see Appendix ZLA 7. This landform is relative to that of the neighbouring residential area along The Long Shoot, However, the land parcel is located on land situated above the wider town area, and is seen against the wider backdrop of the A5 arterial route (and built along its route), as well as the wider development of Hinckley to the north-north east. *Landform (in combination with the site's location) is a significant constraint to development.*

4.113 *Landscape Strategy and Landscape Character:* With consideration of the Nuneaton and Bedworth Landscape Character Assessment (2023), the landscape strategy for the landscape strategy for this land parcel is Enhancement, which is indicative of moderate landscape strength and condition. The LPA notes (N.B. Emphasis added by ZLA):

'This area is a gently undulating lowland vale comprising arable farming with pasture present closer to settlement fringes. The strong pattern of hedgerows and clusters of hedgerow trees in combination with linear woodlands helps to reinforce a rural character and break up and filter views of the frequent urban edges.'

4.114 The western edge of the land parcel has an urban edge location. The wider land area is open with a broad, large field patter with extensive views across the wider open countryside. This gives the eastern edge of the site, a character which is more remote and rural.

4.115 Consequently, this area has a stronger relationship to the wider open countryside, and is experienced as divorced and separated from the town. This is further reinforced through the intactness of landscape character with key features of the host landscape character area observed as intact.

4.116 Under the heading of Capacity to Accommodate Change, the LPA notes:

'....the landscape is rural with prominent linear woodlands. Urban edges are frequently visible although to the west around Weddington the land is more rural and retains a village edge appearance which would be adversely altered if development became more prominent in the landscape.'

4.117 Given the foregoing, a similar development (as proposed by the Applicant) in this area, has the potential to fundamentally change the rural character of this area. *Potentially, new development would extend urban built form into the open countryside and result in an intrinsic loss of open countryside to a suburban form of development. This is potentially a significant constraint to new development, and would fail to enhance the landscape character at this location.*

4.118 *Landscape Condition:* The landscape condition is considered to be moderate i.e., features are mostly well managed although in places there is evidence of decline in management and loss of key features.

4.119 *Strength of Landscape Character:* This character area has a moderate strength of character i.e., the landscape still has a recognisable and distinctive character although it could be altered or weakened through minor changes in land use or land cover. The features are generally consistent across the landscape and contribute to a sense of place of a gently undulating lowland arable landscape.

4.120 Key features are the gently undulating lowland vale (between 80 and 100m AOD gradually rising towards the north east along the A5), a watercourse passes through the periphery of the land parcel , and typically streams are frequent, and often flanked by narrow linear belts of riparian trees. Within the wider landscape character area, there are occasional field ponds in larger fields notable by wooded boundaries, which are seen across the wider area.

4.121 Given our review of the site, features are generally well maintained and contribute to a positive visual impression within the landscape. In the Nuneaton and Bedworth Landscape Character Assessment: Supplementary Guidance, the LPA specifically states for this location within the Anker Valley Estate Farmlands:

'There is intervisibility between the settlement edge of Nuneaton around St Nicholas Park and Hinckley. Any new development, if not complemented with advanced and established planting, would be visible in the landscape and could reduce the sense of separation potentially resulting in the coalescence of the two settlements. This separation is already diminished as ribbon development along The Long Shoot extends up to the A5 to the edge of Hinckley. This creates the perception that the development is part of one settlement when travelling along this road and the A5 into Hinckley from the north.'

4.122 The land parcel has a relatively large field pattern, and within this, there is limited hedgerow and scattered hedgerow trees within the land parcel. The site has a backdrop of tree belts along the Harrow Brook, which in combination afford established landscape fabric for integrating new development within. The development of the whole land parcel has the potential for physical and sensory perception of coalescence between Nuneaton and Hinckley, as well as the experience of ribbon development along the A5 route (approaching The Long Shoot from the east, as well as within land between The Long Shoot and Higham Lane).

4.123 Specifically, in the section entitled Capacity to Accommodate Change, the LPA refers to the area within which the land parcel is situated, as follows (N.B. Emphasis added by ZLA):

'Any new development, if not complemented with advanced and established planting, would be visible in the landscape and could reduce the sense of separation potentially resulting in the coalescence of the two settlements. <u>This separation is already diminished as development along The Long Shoot extends up to the A5 to the edge of Hinckley. This creates the perception that the development is part of one settlement when travelling along this road and the A5 into Hinckley from the north'</u>.

4.124 Given the foregoing, <u>*there is a limited capacity to accommodate new development in this landscape setting. However, due to the site's location, it would lead to coalescence and ribbon development which would be harmful to the prevailing landscape character.*</u>

4.125 *Historic Landscape Character:* This land parcel is situated within the Fieldscapes Historic Landscape Character Area. The Fieldscape is 'predominantly enclosed land but include medieval open fields as a previous type', and the published management recommendations for this Historic Landscape Character type states: 'in general boundaries should not be removed but appropriately managed where possible. Re-instating boundaries should also be considered carefully in the light of an area's overall historic landscape character'. *This is a potential constraint to realising development similar to that proposed by the Applicant in this land parcel as the retention of the existing hedgerow pattern representative sensitive landscape fabric.*

4.126 *Flood Zone:* The Harrow Brook runs through this land parcel. And with consideration of ZLA's Site Context plan (ref: ZLA_1144_L101, Appendix ZLA 4), the flood zone of this brook influences the quantum of this land that could be developed, which is a compromise to bring development forward at the land area.

4.127 *Summary: This land parcel is located within a sensitive location, and, due to the site's location, it would lead to coalescence and ribbon development which would be harmful to the prevailing landscape character. The land parcel has a number of significant constraints to new development.*

4.128 This point is reflected by the LPA's Case Officer in their report to Planning Committee for a scheme submitted for planting at this land parcel (LPA Planning Application ref: 039213); see Appendix ZLA 8. The planning application was for up to 500 new homes with public open space, landscaping, sustainable drainage system SUDS and vehicular access points. All matters reserved except for access. The Case Officer comments reflect on the previously refused scheme at this land parcel (for up to 650 new homes), as this application was previously refused and later dismissed at Planning Appeal (LPA Planning Application ref: 35033):

'.....to the east of the Long Shoot (A47) is particularly sensitive where ribbon development along the road almost joins with Hinckley and the approach to Hinckley along the A5 across farmland in both directions remains important in retaining separation. The recommendation stated that the land retention was considered important to "ensure distinction between Nuneaton and Hinckley is retained". It went on to say that "emphasis should be placed on conserving farmland contained by intact hedgerows and clusters of hedgerow trees, linear copse woodlands and wooded streams. Any change which made urban development more prominent would have a negative effect on rural character.'

4.129 The LPA's Case Officer concluded, that the proposed scheme for up to 500 dwellings (LPA Planning Application ref: 039213) would be 'detrimental to the local landscape character. Given the site's locations, it was considered that 'mitigation (therefore) is likely to be least achievable/sympathetic in high quality landscapes, and more achievable where the landscape character is of a lesser quality. For this reason, the council will take a more restrictive approach to development in the highest quality landscapes, and direct development to landscapes of lesser value.

5.0 The Site - Nuneaton and Bedworth Landscape Sensitivity Study (2023)

5.1 The Nuneaton and Bedworth Landscape Sensitivity Study (2023) forms part of the evidence base for the Publication version of the Borough Plan Review (Regulation 19 consultation).

5.2 This study was prepared on behalf of the Local Planning Authority. The external Landscape Consultants who undertook this work was FPCR Environment and Design Limited.

5.3 In the introductory section of this study, at page 1, the purpose for the study being is states as:

'In 2022, Nuneaton and Bedworth Borough Council commissioned FPCR to undertake a Landscape Sensitivity Study to inform the review of the Nuneaton & Bedworth Borough Plan. The Sensitivity Study focuses on nineteen sites being considered for allocation within the Borough Plan.'

5.4 The Site has not specifically been reviewed through this study, and consequently, this document can be considered pertinent to the undertaking of this Sequential Appraisal. Hence, the Nuneaton and Bedworth Landscape Sensitivity Study (2023), will not be considered any further.

6.0 Conclusion of the Sequential Appraisal

6.1 The findings of this Sequential Appraisal are summarised in Tabel ZLA 5.1 for the Site, and Table ZLA 5.2 for the wider land parcels surrounding Nuneaton.

6.2 Given the foregoing, this appraisal demonstrates that the majority of open land outside of the Green Belt area is significantly constrained for new residential development. Factors such as the potential for coalescence and ribbon development, as well as elevated and rising landform are constraint to realising new development due to site location, and its relationship with the existing town of Nuneaton.

6.3 Additionally, the strength of landscape character, intactness and landscape quality are further factors in significantly constraining development, especially to the south west, west and north west of the Site. However, the Site is situated adjoining the Allocated Housing Site HSG1, which has delivered new housing to the periphery of the site, and thus this dynamic situation has altered the focus of the site's position relative to the existing town, and its relationship with the wider open countryside.

6.4 Land to the north of town (the Site) appropriate for new development. Here the landscape condition and the strength of landscape character are sub-optimal, and the landform is similar to that of the townscape. The Site is potentially constrained in part by the possibility of leading to coalescence and ribbon development (relative to the A5 Watling Street). However, in the case of the Site, these effects can be designed out, and/or mitigated through landscape mitigation measures, or imbedded mitigation measures. Consequently, with consideration of all the open land beyond Nuneaton, the Applicant Site is more appropriate for accommodating new residential development.

Table ZLA 5.1: Summary of Sequential Appraisal for the Site

Factor:	Summary Position of Appraisal – Potential Constraints (significant constraint/moderate constraint/lower constraint/least constraint/no constraint)
Location:	Noted as 'dynamic' changing from open countryside to settlement edge
Designation/s:	**Potentially Lower constraint** Outside of the settlement edge within undesignated open countryside. Lesser constraint
Public Access:	**Potentially Lower constraint** No Public Access within the Site area. The Weddington Country Walk (promoted route) runs outside of the western site boundary
Topography:	**Potentially Lower constraint** This landform is relative to that of the wider town area, and is not prominent in general views
Landscape Strategy:	**Potentially Moderate constraint** Enhance
Landscape Condition:	**Potentially Moderate constraint**
Strength of Landscape Character:	**Potentially Moderate constraint**
Historic Landscape Character:	**Potentially Lower constraint**
Flood Zone:	No constraint
Summary:	**Potentially Moderate to Lower Constraint**: There is scope to accommodate new development. Limit development to avoid coalescence or ribbon development along the A5 Watling Street. The retention of key landscape features would enable a development to be integrated and limit harm to the intrinsic landscape character.

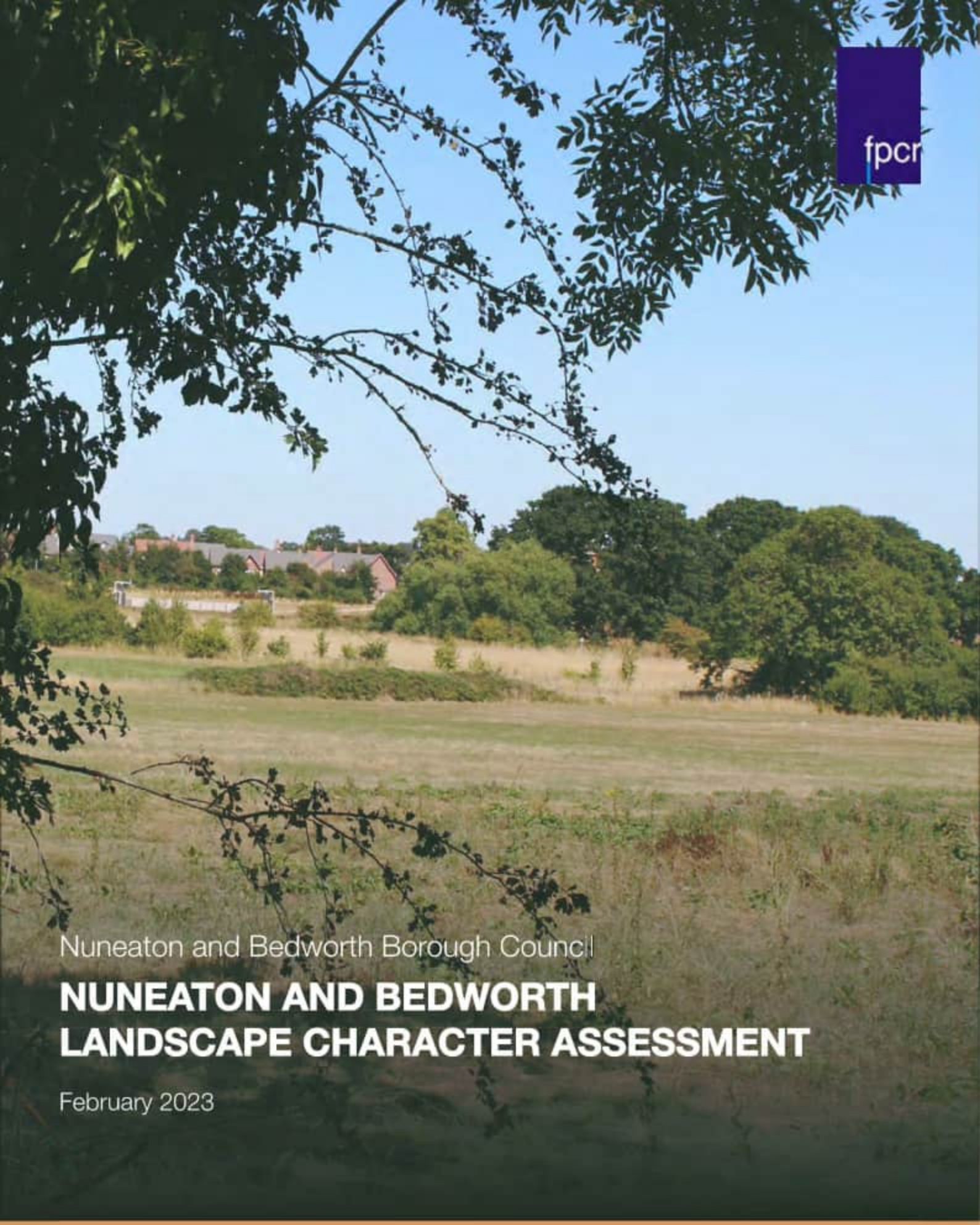
Table ZLA 5.2: Summary of Sequential Appraisal for the wider land parcels surrounding Nuneaton

Factor:	Summary Position of Appraisal – Potential Constraints (significant constraint/moderate constraint/lower constraint/least constraint/no constraint)						
	Land Parcel						
	Land Parcel 1	*Land Parcel 2*	*Land Parcel 3*	*Land Parcel 4*	*Land Parcel 5*	*Land Parcel 6*	*Land Parcel 7*
Location:	Settlement edge and open countryside	North, north east and north western periphery of Nuneaton town and outside of Nuneaton within the intervening open countryside.	Settlement edge within open countryside	Settlement edge within open countryside	Settlement edge within open countryside	Settlement edge within open countryside (close to HSG1 Strategic Housing Allocation)	Settlement edge within open countryside (neighbouring HSG1 Strategic Housing Allocation) Potential significant constraint due to likely coalescence and ribbon development
Designation/s:	Green Belt	Undesignated open countryside. A number of SINC designations are situated within the land parcel. SINC designations are a potential **Moderate Constraint.**	Undesignated open countryside	Undesignated open countryside	Undesignated open countryside	Undesignated open countryside	Undesignated open countryside
Public Access:	-	No promoted routes. Limited network of Public Rights of Way. **Potential Moderate Constraint**	Public Rights of Way, Centenary Way Long Distance Walking Route. **Potential Moderate Constraint**	Centenary Way Long Distance Walking and wider PRoW network. **Potential Moderate to High Constraint**	No promoted routes. Limited network of Public Rights of Way. **Potential Moderate Constraint**	Coventry Canal towpath and network of PRoW routes. **Potential Moderate to Significant Constraint**	Network of Public Rights of Way. **Potential Significant Constraint – users likely to experience coalescence and ribbon development**
Topography:	-	**Potential Lower Constraint**	Elevated landform up to 160m AOD. **Potential Significant Constraint**	Elevated landform (130m to 140m AOD). **Potential Significant Constraint**	Elevated and rising landform. **Potential Significant Constraint**	Landform similar to the town. **Potential Lower to Least Constraint**	Landform similar to the town. **Potential Significant Constraint due to landform on the periphery of town. Land parcel seen in combination with Hinckley and A5**

Table ZLA5.2 (continued): Summary of Sequential Appraisal for the wider land parcels surrounding Nuneaton

Factor:	Summary Position of Appraisal – Potential Constraints (significant constraint/moderate constraint/lower constraint/least constraint/no constraint)						
	Land Parcel						
	LP1	*LP2*	*LP3*	*LP4*	*LP5*	*LP6*	*LP7*
Landscape Strategy:	-	Potential Moderate to Significant Constraint	Potential Moderate to Significant Constraint	Potential Significant Constraint	Potential Moderate to Low Constraint	Potential Significant Constraint	Potential Significant Constraint
Landscape Condition:	-	Potential Moderate to Significant Constraint	Potential Moderate to Significant Constraint	Potential Significant Constraint	Potential Significant Constraint	Potential Significant Constraint	Potential Significant Constraint
Strength of Landscape Character:	Green Belt land has a moderate to good landscape quality, and would have a moderate or higher susceptibility to change	Potential Moderate to Significant Constraint	Potential Moderate to Significant Constraint	Potential Significant Constraint	Potential Moderate to Significant Constraint	Potential Significant Constraint	Potential Significant Constraint
Historic Landscape Character:	-	Potential Moderate constraint	Potential Moderate constraint	Potential Moderate Constraint	Potential Significant Constraint	Potential Moderate Constraint	Potential Moderate to Lower Constraint
Flood Zone:	No Constraint	**Potential Constraint** limiting the quantum of development	**Potential Constraint** limiting the quantum of development	No Constraint	No Constraint	No Constraint	**Potential Constraint** limiting the quantum of development
Summary:	This land is substantial in area, and is **Significantly Constrained** in its position within the Green Belt	This land parcel would have a limited capacity to accommodate new residential development. There is a **significant potential for coalescence and ribbon development** between Bedworth and Nuneaton. **Significantly Constrained**	The position of this land within the local topography is a potential constraint to new residential development. **Significantly Constrained**	**Potential Significant Constrained** by landform	Potential for new development to be visually prominent on the rising and elevated landform. **Potential Significant Constraints**	Limited capacity to accommodate new development. **Potential Moderate Constraint**	**Potential Significant Constraint.** Potential for coalescence and ribbon development which would be harmful to the prevailing landscape character

APPENDIX ZLA 1



Nuneaton and Bedworth Borough Council

NUNEATON AND BEDWORTH LANDSCAPE CHARACTER ASSESSMENT

February 2023

1 Introduction

In 2022, Nuneaton and Bedworth Borough Council commissioned FPCR to undertake a review of the Nuneaton and Bedworth Landscape Character Assessment (2012). The updated Landscape Character Assessment presented here is based upon the original assessment, prepared by TEP in 2012, updated as required. This Landscape Character Assessment will replace the 2012 version as the most up to date study of landscape character within the Borough.

The main purposes of this document are;

- To inform landscape and spatial strategies within the Borough;
- To help guide planning decisions;
- To encourage local distinctiveness within potential developments;
- To provide guidelines on landscape management;

The document will also provide local communities information about the landscape in which they live and assist with community led planning such as through neighbourhood development plans and village design statements.

2 Methodology

This updated assessment follows guidance as set out within Natural England's 'An Approach to Landscape Character Assessment' (2014).

The 2012 Nuneaton and Bedworth Landscape Character Assessment identified 13 Landscape Character Areas (LCAs) based upon factors including; physiography, ground type, settlement pattern, historic enclosure and land cover. This landscape character assessment has refined and updated the LCAs from the 2012 assessment through desk-based methods and field study.

This assessment has taken into account changes in the landscape since 2012 including extensions to settlements, changes in land use and boundaries, establishment of wooded areas, changes to the condition of the landscape and changes in views. The assessment focuses on the landscape character of landscape outside of urban areas and therefore areas developed areas have been removed from the LCAs. However, discussion of adjacent development and its influence on landscape character remain an important consideration.

While the changes outlined above have had an influence on landscape character, it is considered that the LCAs set out in the 2012 assessment are still relevant and with appropriate revisions to their descriptions and amendments to their site boundaries as presented in this document they are an accurate record of landscape character within the Borough.

It is important to stress that the boundaries between landscape types, or between character areas, are rarely distinct. Instead, they tend to be a best approximation of a gradual but discernible change in character.

The updated Area Character Areas are shown on figure 9 and described in Section 5.

The LCA descriptions include a landscape strategy determined by judgements on the strength of landscape character combined with the condition of landscape features.

The strength of character is determined by a range of criteria including;

- An assessment of how characteristic features and elements combine to form a sense of place,
- How distinctive and recognisable are the pattern of elements that make up the character,
- Presence and quantity of distinctive features, and
- Identification of historic patterns and features which may have declined or become fragmented but which could be reinstated.

A three-point scale has been used to make judgements as to strength of character; Strong; Moderate; and Weak as defined below.

In terms of landscape condition, a judgement is made on the state or intactness of landscape features, elements and characteristics and how these combines. This includes elements such as hedgerows, woodlands, field pattern, urban influences, infrastructure and restored landscapes. A three-point scale was used to make judgements: Good, Moderate and Poor as defined below.

Judgements on Landscape Character and Condition

LANDSCAPE CHARACTER

Strong Character

A consistent distribution of distinctive characteristics such as hills, river floodplain, and woodland. These characteristics combine to create a strongly distinctive sense of place. Limited influence of detracting features.

Moderate Character

Distinctive characteristics are consistent through the area although their distribution is less obvious or less frequent. The landscape still has a recognisable and distinctive character although it could be altered or weakened through minor changes in land use or land cover.

Weak Character

A landscape where features and patterns are present which help to define character, however, there are often numerous influences none of which are overriding or consistent across the landscape; and many features show signs of alteration or decline. There may be a number of detracting elements.

LANDSCAPE CONDITION

Good Condition

Features are well managed and are almost always intact and of consistent quality. There is little evidence of loss or decline in the condition of features.

Moderate Condition

Features are mostly well managed although in places there is evidence of decline in management and loss of features such as some fragmented hedgerows or dilapidated walls.

Poor Condition

Few features are intact or well managed. Loss or decline of features is frequent. Boundaries such as hedgerows are rarely intact and other boundaries are often of variable style and condition. Such elements combine to give an untidy or disjointed appearance to the landscape.

2 Methodology

A landscape quality and strategy matrix, shown below is used as a basis for guiding landscape judgements and forming management recommendations for the character areas.

Table 1: Landscape Quality and Associated Landscape Strategy Matrix

Landscape Condition			
GOOD	**MODERATE** ENHANCE	**MODERATE-GOOD** CONSERVE AND ENHANCE	**GOOD** CONSERVE
MODERATE	**POOR-MODERATE** ENHANCE AND RESTORE	**MODERATE** ENHANCE	**MODERATE-GOOD** CONSERVE AND ENHANCE
POOR	**POOR** RESTORE/CREATE	**POOR-MODERATE** ENHANCE AND RESTORE	**MODERATE** ENHANCE
	WEAK	MODERATE	STRONG

Strength of Landscape Character

The strategic categories used in this assessment for landscape quality are:

Conserve:

Where the landscape quality is considered to be good (due to good condition and strong character) and there should be an emphasis on protecting or safeguarding the key features and characteristics of the landscape in their present form.

Enhance:

Emphasis should be to improve existing features which may not be currently well-managed or where existing features are of good quality but could be of greater benefit if improved. This may include improvements to landscape management practices or the introduction or removal of elements or features in order to strengthen character and/or improve perceived condition.

Restore:

Emphasis should be on repairing or re-establishing features that have been lost or are in a state of severe decline.

Create:

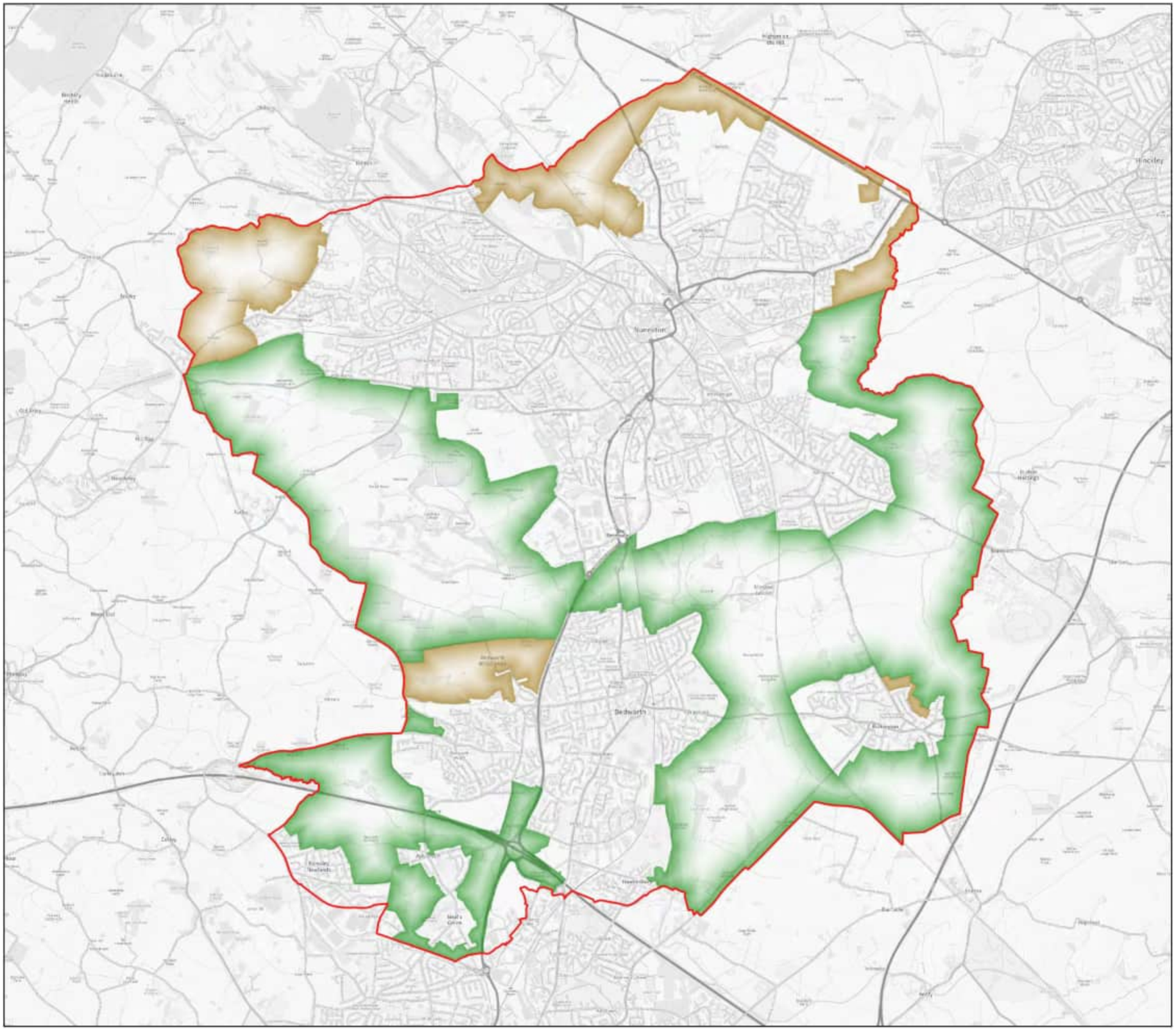
Where the landscape quality is poor (due to poor condition and weak character) and the original landscape pattern is no longer evident. In such places there is potential to re-create landscape features appropriate to the area to form new and different landscapes. An example of this is a landscape which has been heavily influenced by quarrying and industry, where field pattern and features are no longer evident and the land form is markedly altered through changes such as new mounding or large waterbodies which prevent the re-creation or restoration of the former landscape character.

Using the information gathered in the desk and field studies and taking into account the overall management strategy from Table 1, landscape guidelines and management strategies were suggested for each character area. These are based on guidelines to conserve and protect the positive characteristics of the area and recommendations on how to enhance and restore aspects of the landscape in order to strengthen landscape character and reduce the influences of features which detract from landscape quality and condition.

Consideration is also given to the LCAs capacity to accommodate change without detrimental effect on their character. Rather than set out sensitivity and capacity for LCAs based on scale and types of development this assessment has considered the key features within landscape character areas and identified the important characteristics that should be protected and where possible enhanced or increased. It addresses capacity to accommodate change by highlighting these key characteristics.

It considers that all landscapes have the potential to accommodate change provided that it is in keeping with their key characteristics. Changes which do not respect these features would be detrimental to the local landscape character.

APPENDIX ZLA 2



Key

- Nuneaton and Bedworth Borough Boundary
- NBBC Green Belt
- Countryside (NBBC Borough Plan)

FPCR Environment and Design Ltd, Lockington Hall, Lockington, Derby, DE74 2RH ▪ t:01509 672 772 ▪ f:01509 674 565 ▪ e: mail@fpcr.co.uk ▪ w: www.fpcr.co.uk

masterplanning ▪ environmental assessment ▪ landscape design ▪ urban design ▪ ecology ▪ architecture ▪ arboriculture

\\fpcr-fs-01\Projects2\11000\11020\ECO\QGIS\QGIS 2.14\Plans\consultation plans\11020 - Landscape Character Assessment.qgz

0 1 2 km

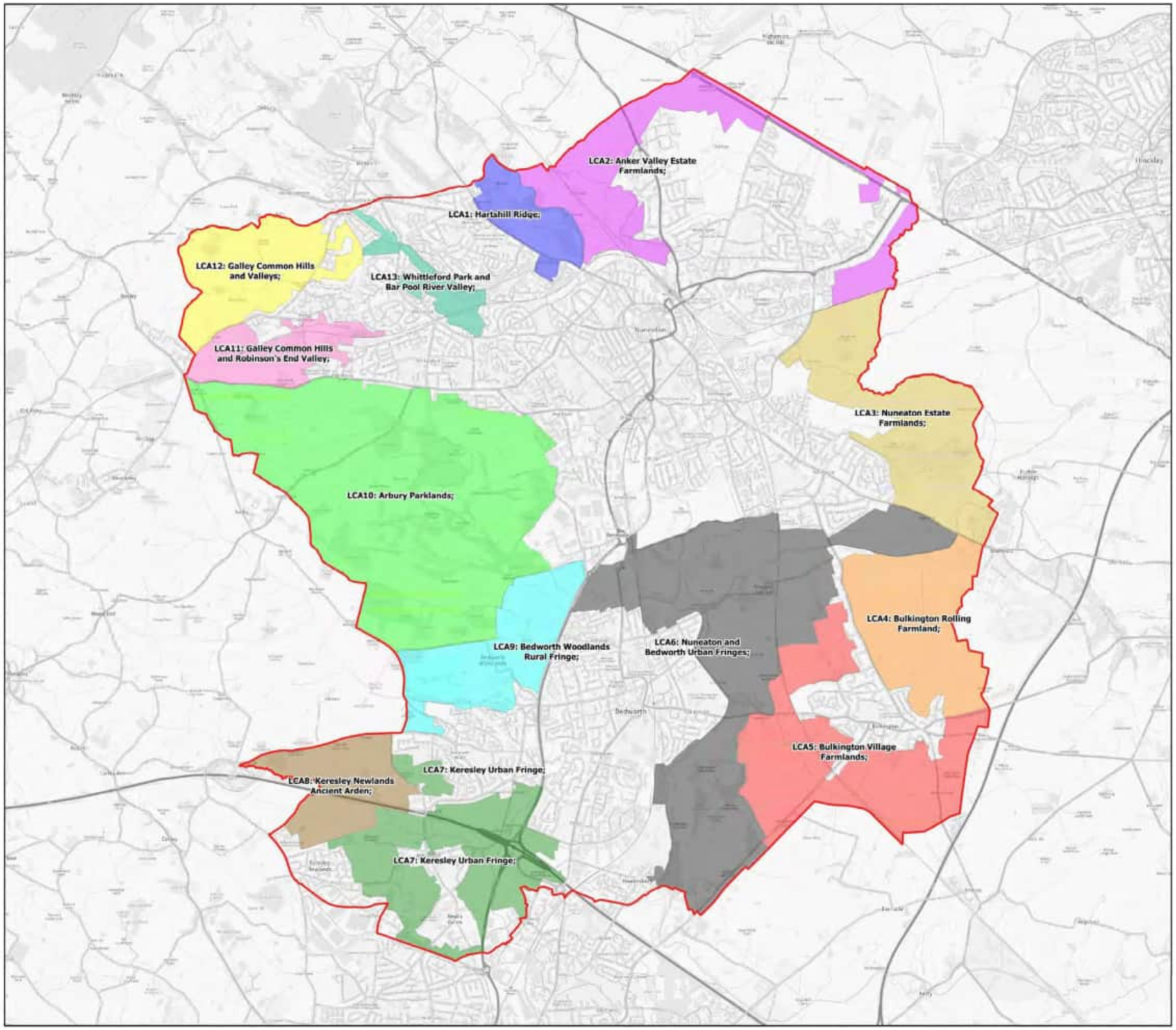
client
Nuneaton and Bedworth Borough Council

project
Landscape Character Assessment

drawing title
Green Belt & Countryside

drawing / figure number	scale @ A3	drawn	issue date
Figure 7	1:50000	EH	10/11/2022

APPENDIX ZLA 3



Key

- Nuneaton and Bedworth Borough Boundary

Landscape Character Areas

- LCA1: Hartshill Ridge;
- LCA2: Anker Valley Estate Farmlands;
- LCA3: Nuneaton Estate Farmlands;
- LCA4: Bulkington Rolling Farmland;
- LCA5: Bulkington Village Farmlands;
- LCA6: Nuneaton and Bedworth Urban Fringes;
- LCA7: Keresley Urban Fringe;
- LCA8: Keresley Newlands Ancient Arden;
- LCA9: Bedworth Woodlands Rural Fringe;
- LCA10: Arbury Parklands;
- LCA11: Galley Common Hills and Robinson's End Valley;
- LCA12: Galley Common Hills and Valleys;
- LCA13: Whittleford Park and Bar Pool River Valley;

FPCR Environment and Design Ltd, Lockington Hall, Lockington, Derby, DE74 2RH t:01509 672 772 f:01509 674 565 e: mail@fpcr.co.uk w: www.fpcr.co.uk
masterplanning • environmental assessment • landscape design • urban design • ecology • architecture • arboriculture

\\FPCR-VM-04\Projects2\11000\11020\ECO\QGIS\QGIS 2.14\Plans\consultation plans\11020 - Landscape Character Assessment.qgz

0 1 2 km

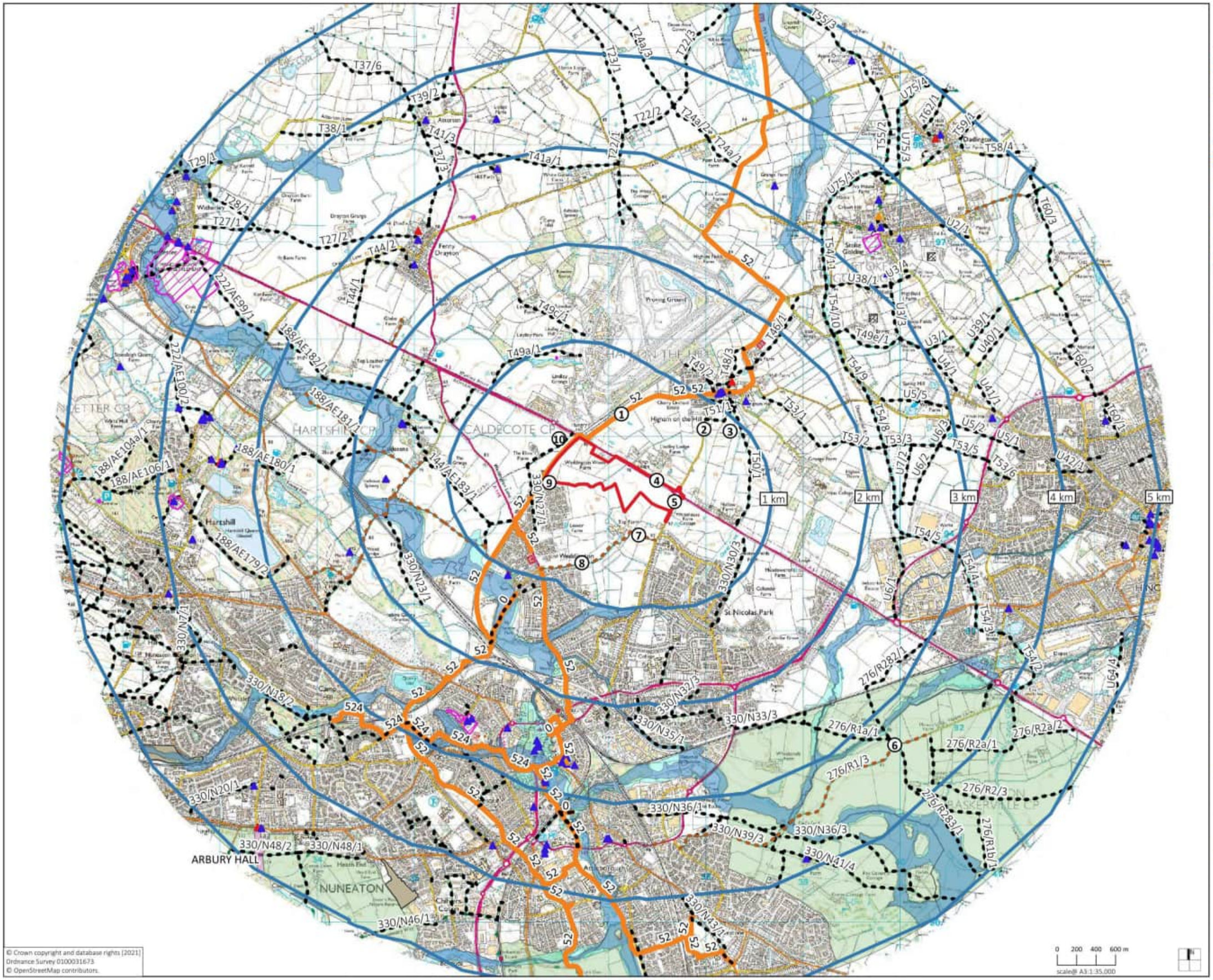
client
Nuneaton and Bedworth Borough Council

project
Landscape Character Assessment

drawing title
Landscape Character Areas

drawing / figure number	scale @ A3	drawn	issue date
Figure 9	1:50,000	EH	14/12/2022

APPENDIX ZLA 4



Key

- Viewpoints (1-10)
- Application Site
- Distance Intervals
- Leicestershire Footpaths
- Leicestershire Bridleways

Warwickshire PRoW

- Footpath
- Bridleway
- National Cycle Network
- Parks and Gardens

Listed Buildings

- I
- Grade II
- Grade II*
- Scheduled Monuments
- SEPA Flood Zone 2
- SEPA Flood Zone 3
- Local Nature Reserves
- Green Belt

zebra
LANDSCAPE ARCHITECTS

RICHBOROUGH ESTATES LIMITED

ZLA 1144

Land South of Watling Street

Nuneaton

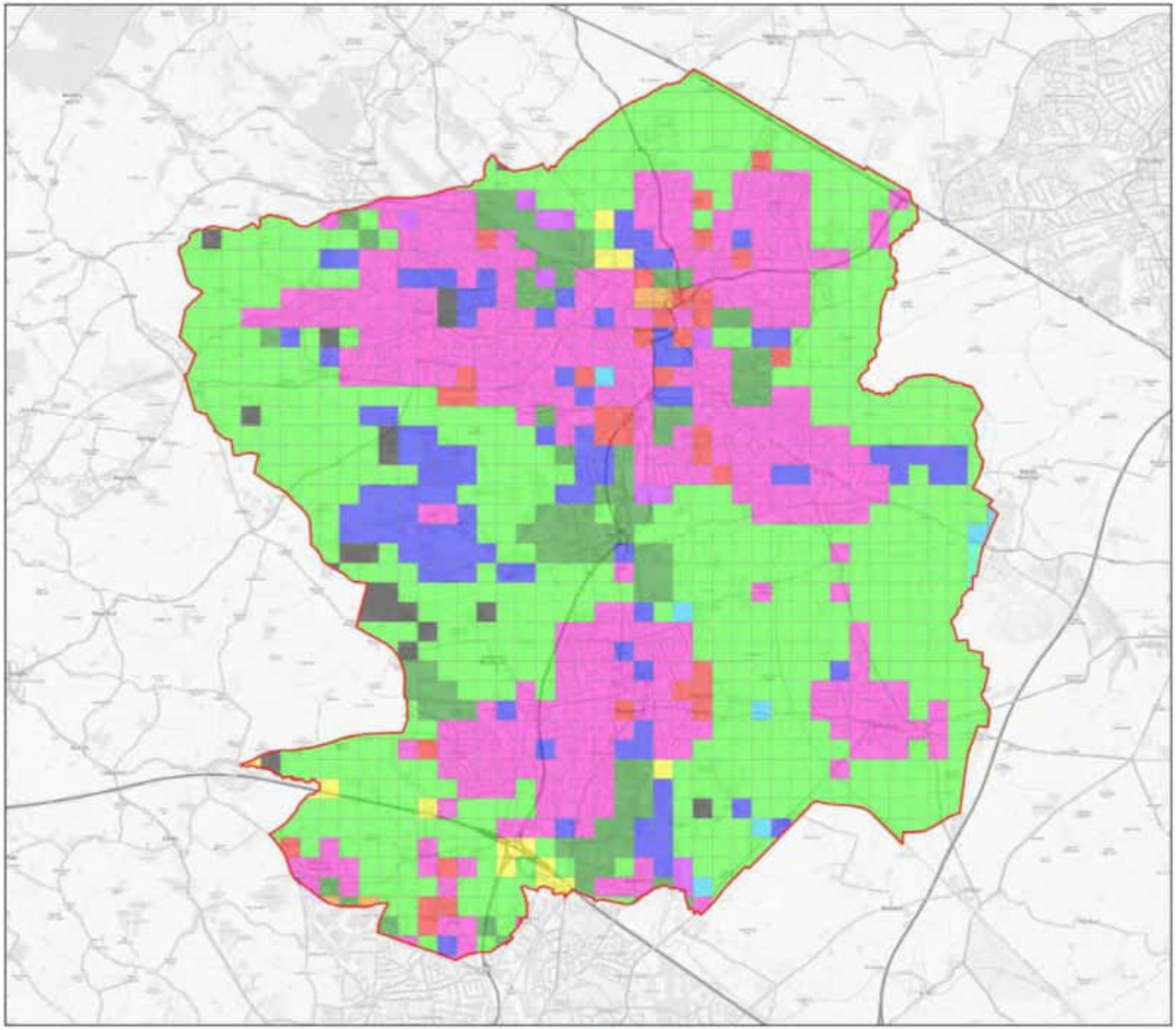
L-101

Site Context

December 2021

zebra landscape architects ltd is part of zebra group consulting ltd.
zebra landscape architects ltd | 30 st georges square | worcester
wr1 1hx | hello@zebralandscapes.co.uk | 01905 947 558

APPENDIX ZLA 5



Key

- Nuneaton and Bedworth Borough Boundary

Historic Landscape Types

- CIVIC PROVISION
- COMMERCE
- COMMUNICATIONS
- ENCLOSED AGRICULTURE
- INDUSTRY
- MILITARY
- ORCHARDS HORTICULTURE AND AQUACULTURE
- RECREATION
- SETTLEMENT
- UNIMPROVED LAND
- WOODLAND AND FORESTRY

FPCR Environment and Design Ltd, Lockington Hall, Lockington, Derby, DE74 2RH • t: 01509 672 772 • f: 01509 674 565 • e: mail@fpcr.co.uk • w: www.fpcr.co.uk

masterplanning • environmental assessment • landscape design • urban design • ecology • architecture • arboriculture

0 1 2 km

client: Nuneaton and Bedworth Borough Council

project: Landscape Character Assessment

drawing title: Historic Landscape Types (250m Grid)

drawing number	scale (at A1)	drawn	date
Figure 5	1:50000	EH	10/11/2022

APPENDIX ZLA 6

The Planning Inspectorate

Appeal Decision

Hearing held on 5 October 2022

Site visits made on 5 and 7 October 2022

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2022

Appeal Ref: APP/W3710/W/22/3301839
Site 46a010, Rear of 89-169 Tunnel Road, Galley Common, Nuneaton, Warwickshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission
- The appeal is made by A R Cartwright Limited against Nuneaton and Bedworth Borough Council.
- The application Ref 037294 is dated 17 July 2020.
- The development proposed was originally described as 'up to 70 dwellings with all matters reserved except for access.'

Decision

1. The appeal is dismissed and planning permission is refused.

Preliminary Matters

2. The application was made in outline with only the matter of access to be considered in detail at this stage. I have determined the appeal on that basis and whilst I have had regard to the submitted layout plan and site cross sections, I recognise these are for illustrative purposes only.

3. A signed unilateral undertaking has been submitted by the appellant. I shall return to this later in my decision.

Main Issues

4. The main issues in this case are:

    - Whether the proposal would represent a suitable location for housing, having regard to relevant local and national planning policy;
    - Whether the Council can demonstrate a five year supply of deliverable housing sites;
    - The effect of the proposal on the landscape character and appearance of the area, having regard in particular to the effect on non-designated heritage assets;
    - The effect of the proposal on highway safety, with reference in particular to:

      i. The capacity of the road network, and

      ii. The safety of the site access and parking arrangements.

Reasons

Site and Policy Context

5. The appeal relates to a site of some 3.6 hectares located to the rear of dwellings on Tunnel Road in the settlement of Galley Common, a suburb to the west of Nuneaton. The site comprises four individual fields of grazing land enclosed and separated by hedgerows and presently used as paddocks, with several small structures to the eastern side of the site. A public footpath runs from Tunnel Road through the centre of the site.

6. The proposal is for development of up to 70 dwellings, with access to be taken between the dwellings at 147 and 155 Tunnel Road. For the avoidance of doubt, it was clarified at the hearing that No 147 would not be demolished as part of the proposal.

7. The development plan for the area is the Nuneaton & Bedworth Borough Council Borough Plan 2011-2031 (June 2019) (the NBBP).

8. The site has been the subject of appeal decisions in 2013[1] and 2017[2], to which I have had regard as material planning considerations.

Location for housing

9. It is common ground between the main parties that the site lies outside of the settlement boundary of Galley Common and within the open countryside for planning purposes.

10. Policy DS3 of the NBBP sets out that new unallocated development outside the settlement boundaries is limited to agriculture, forestry, leisure and other uses that can be demonstrated to require a location outside of the settlement boundaries. The proposal for market-led housing does not fall into any of these categories, and there would be conflict with Policy DS3 in this respect.

Housing land supply

11. The National Planning Policy Framework (the Framework) states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. Consequently, the Framework sets out that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement.

12. The Council's position at appeal was that it can demonstrate a deliverable supply of 6,819 dwellings, or 5.67 years. The appellant employed two alternative approaches to calculating deliverability with supply put at either 4.68 years or 4.94 years. At the hearing, the appellant confirmed that they sought to rely upon the lower figure of 4.68 years.

13. Annex 2 of the Framework sets out that to be deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. Where a site has outline planning permission for major

[1] APP/W3710/A/13/2195900, dismissed 22 November 2013
[2] APP/W3710/W/16/3156950, allowed 20 January 2017

development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

14. For the purposes of the appeal, the parties agree that the five year period runs from 1 April 2022 to 31 March 2027 and the required level of supply over this period is 6,012 units, inclusive of past shortfalls and applying a 20% buffer. The parties also agree on the deliverability of 2,282 dwellings[3], with the dispute being solely in respect of several allocated sites within the development plan.

15. Of the disputed sites identified, it was confirmed at the hearing that the appellant was not challenging the deliverability of sites at School Lane (HSG6), West of Bulkington (HSG8), Former Hawksbury Golf Course (HSG12) and Wilsons Lane (EMP2). Cumulatively, these sites add 1,082 dwellings to the supply. In addition, there is no challenge to the deliverability of 1,545 units at Land North of Nuneaton (HSG1). This results in agreement on a total of 4,909 units and leaves eight sites in dispute.

16. In each case, the appellant has based its estimates on the time taken by the Council to deal with recent large scale applications. A general timescale of four years from the making of an outline application to the start of works on site has been adopted. This is a somewhat broad-brush approach, and in general, I am not inclined to accept it as a sure means of determining deliverability of a site. However, I acknowledge that the appellant's evidence indicates a pattern of long timescales for developments to move through the planning system in Nuneaton & Bedworth, and I have taken this into account in reaching conclusions on individual sites. I have also had regard to the Council's explanations for the time taken; its indication that applications are moving faster since the adoption of the NBBP in June 2019; and that its rate of housing completions has seen steady increase from a low of 153 in 2013/14 to 809 in 2021/22, just 3 short of its current annual requirement as per the stepped trajectory of the NBBP.

17. The appellant's alternative approach referred to a study by consultants Lichfields, which looked at delivery rates and timescales of 97 large sites nationally. The Council is critical of this study, citing its small sample size, lack of context for each development, and the authors' statement that the study is not definitive. Though illustrative of the factors which affect delivery timescales for large developments, the study is limited in its scope and does not form part of recognised local or national planning guidance, and thus attracts limited weight. However, the appellant ultimately sought to rely at the hearing on calculations derived from the timescales of local examples of other schemes determined, or still to be determined, by the Council.

18. I consider the individual sites below, having regard to the definition of deliverability in the Framework, and also the Planning Practice Guidance[4] in terms of the evidence that may demonstrate deliverability. In general, the evidence presented to me by the Council is in the form of brief summaries of progress, with no additional site specific evidence advanced to substantiate the stated position, such as records of communication or written agreements

[3] Sites with full planning permisison (1,449), outline planning permission (268), prior notification (9), SHLAA sites (536), windfalls and prior approvals (110), less 10% deduction for non-completion on small sites (90).
[4] Paragraph: 007 Reference ID: 68-007-20190722

between the Council and site developers regarding the timelines for applications, reserved matters, start dates or build-out rates.

19. *Arbury (HSG2)* – This is a large site allocated for a total of 1,525 dwellings, of which the Council estimates 330 will be delivered within the five year period. The appellant contends no housing will be delivered in this time. It is indicated that the site is in single ownership and that an outline application is expected in the first quarter of 2023. The Council adds that enabling works to construct a bridge to access the site are ongoing, though this is not essential for the first phases of development. The site was also selected as a pilot for the Government's Design Code programme and supplementary planning documents have been prepared for the site. However, I was also told that, unlike some other disputed sites, no technical studies that would inform an application have been undertaken to date, and the appellant pointed to the lack of a developer as being likely to add to the timescales for delivery.

20. Despite the Council's assurances that an outline application will be made in early 2023, there is no firm evidence before me that this will occur. The absence of meaningful pre-application discussions also leads me to question that an application will be forthcoming by this time, much less one that has addressed all technical concerns. Also, although strong developer interest is indicated, there is no confirmation that one is on board, and this raises considerable doubt that the timescales set out by the Council can realistically be achieved, as the landowner would not ultimately be in control of a start date on site or build-out rates. The scale of the site and the potential that it will have to be phased or split into smaller schemes adds to the likelihood of delivery being later than anticipated. Given these factors, I consider that delivery by Year 3 as set out by the Council is optimistic and delivery of the first homes in Year 5 is more realistic. Therefore, I deduct 280 dwellings from the Council's supply.

21. *Gypsy Lane (HSG3)* – Outline permission has been granted for 585 dwellings in January 2021. A reserved matters application is with the Council for decision, which I was told was due to be presented shortly to committee, although it has yet to be confirmed on an agenda. The Council estimates delivery of 285 units within five years, based on the first dwellings being delivered in Year 2, by March 2024. The appellant estimates a start one year later, citing the need to discharge conditions and mobilise on site, and calculates delivery of 185 dwellings within five years.

22. There is clear evidence of progress in this case, given the submission of reserved matters, and I have no firm reasons to doubt they will be granted. However, given these applications have been with the Council for over one year, and other conditions still fall to be discharged, I consider that the delivery of dwellings in Year 2 as estimated by the Council is optimistic at this point, particularly given the scale of the site and the time likely to be required to commence works. Therefore, I consider the appellant's estimates of delivery commencing in Year 3 to be reasonable in the circumstances and I deduct 100 dwellings from the supply.

23. *Woodlands (HSG4)* – The site is in dual ownership. Both owners are indicated to have commenced pre-planning discussions, with some initial ecology and highways studies having been undertaken. The scale of the allocation, at 689 dwellings, would require new infrastructure including a school and a new access

to the A444, The Council anticipates the more advanced of the two proposals to deliver the first 170 dwellings, for delivery to occur within 18 months, and for a total of 200 dwellings to be provided within 5 years. The appellant disputes whether an application will be made and approved in the time anticipated, and notes that the site is not being taken forward as an allocation in preparation of the emerging local plan. The appellant predicts delivery of just 9 dwellings on a small parcel of land within the wider site which have permission.

24. Neither parcel has reached an application, and there is limited evidence of front loading of technical studies that would smooth the passage of one or more applications through to permission. Nor is there clarity as to how delivery of necessary infrastructure would be divided between the different schemes. As such, there appears to me to be a number of outstanding matters which could delay the granting of planning permission and subsequent commencement of works. In light of this, the Council's estimates of delivery commencing in Year 3 appear quite optimistic. Rather, delivery commencing in Year 5 appears more realistic at this stage. This would have the effect of reducing supply within 5 years by 141 dwellings, assuming the 9 dwellings with planning permission are separately developed.

25. *Hospital Lane (HSG5)* – An outline application for 455 dwellings is indicated to be close to a recommendation for approval. The Council states that all technical matters have been addressed, and that the appellant has indicated a reserved matters application will be made promptly once the outline permission has been issued. The appellant points to potential delay in the completion of the legal agreement, and to the need to first agree a phasing plan before reserved matters are dealt with.

26. There is evidence of the application being progressed and an indication that this will continue. However, a resolution to grant is still pending, along with relevant legal agreements, and it is uncertain as to when permission will be granted, or how quickly subsequent applications for reserved matters and conditions will be made. Nor is it clear that there is a developer attached to the site. This leads me to the view that the Council's anticipated delivery starting in Year 2 is overly optimistic, and I find that delivery starting in Year 4 is more realistic. Therefore, I deduct 100 dwellings from the supply.

27. *Bulkington (HSG7)* – An outline application for 230 dwellings is with the Council, against an allocation for 196 dwellings. The Council points to the front loading of technical studies, but it was also stated that different access points were being proposed to those originally envisaged in the development plan, which are still under consideration. There is also a question mark over a strip of land needed to provide a secondary access. The Council conceded at the hearing that delivery is likely to be one year later than their original estimate of Year 2. The appellant considers the timelines optimistic and projects no dwellings within five years, also pointing out that this site has not been taken forward in the emerging local plan. In light of the uncertainty regarding access, and the lack of a firm timeline for an outline permission to be granted, it strikes me as optimistic for delivery even in Year 3, with Year 4 more realistic. Therefore, I deduct 100 dwellings from the Council's total.

28. *Land off Golf Drive (HSG9)* – The site has full planning permission for 621 dwellings. I was told some conditions are discharged with others submitted to the Council. Some delay has occurred in processing these due to staff absence.

The evidence otherwise indicates that the developer is intent on bringing development forward, though the delay in resolving the conditions suggests that the appellant's estimates of the first homes being delivered in Year 3 is more realistic. Therefore I deduct 75 homes from the delivery on this site.

29. *Attleborough Fields (HSG10)* – The site is under construction for a total of 360 dwellings. The Council indicates that the first dwellings will be available by December 2022, and that 60 will be delivered in Year 1, by March 2023. The appellant estimates 20 in Year 1, based on progress to date on site. I visited the entrance to the development but this was inconclusive as to the number of dwellings that are complete or nearing completion. However, given works are ongoing, I have no firm evidence to dispute the Council's overall predicted delivery rates, which apart from Year 1 are agreed by the appellant. Therefore, I make no deduction in respect of this site.

30. *Judkins Quarry (HSG11)* – The site is allocated for 200 dwellings. Two applications are under consideration by the Council, one for nearly three years and the other for over four years, without decisions being made. The Council conceded at the hearing that the site encompasses part of a local wildlife site, with the implication being that this was proving a significant constraint. The Council accepted that its estimates of delivery were optimistic, and could be set back by one year to Year 3. The appellant argues delivery would occur a further year later in Year 4. Given the particular constraints of this site, and the length of time already taken trying to resolve them, I find the appellant's estimates more realistic. Therefore, I deduct 80 dwellings from the Council's supply.

Conclusions on housing land supply

31. Overall, for the reasons set out, I discount a total of 876 dwellings. This reduces the Council's supply from 6,819 to 5,943. Set against the agreed requirement of 6,012, this equates to some 4.94 years supply. Therefore, on this main issue, and based on the evidence that is before me, I conclude that the local planning authority is unable to demonstrate a five year supply of deliverable housing sites. I address the implications of this for the overall planning balance below.

Effect on landscape character and non-designated heritage asset

32. The field pattern within the site is defined by a series of curved, reverse 'S'-shaped hedgerows, which it is suggested is an example of an early phase of the enclosure of open fields dating from the medieval period. Examples of ridge and furrow earthworks are also present on site.

33. The Council considers these features in combination constitute a non-designated heritage asset (NDHA). It further refers to the effect of the proposal on what it considers the wider historic landscape of the area, forming part of the Warwickshire Arden, historically characterised by wood-pasture within a varied, undulating topography and an ancient pattern of small to medium-sized fields. The strips of land within the appeal site are considered an example of a later medieval open field system, with hedgerow patterns to the north also indicating the historic presence of open field systems in the surroundings. At appeal in 2013, the Inspector concluded that the grouping of fields had clear regional and/or local value in heritage terms, and that it fell within the terms of an NDHA as defined in the Framework.

34. The appellant points to subsequent ploughing out of much of the ridge and furrow earthworks as diminishing the value of the asset, and that the proposed retention of around 90% of the hedgerows within the site would enable the historic field pattern to still be understood and would temper the effect of the proposal on its surviving significance.

35. The parties dispute the relative significance of the site as an example of medieval field enclosure. On the one hand, the Council points to it being a rare landform within its administrative area, amounting to some 1.22% overall, and to the proposal resulting in the loss of some 50% of the surviving piecemeal enclosure in the north and west of the borough. Conversely, the appellant points to piecemeal enclosure being 'abundant' in Warwickshire, with the proposal resulting in the loss of just 0.01% of the total amount. The appellant also advances that the ridge and furrow earthworks score poorly in terms of quality when assessed against published guidance[5]. As such, the appellant suggests the remaining features of the site are not significant enough to warrant consideration as an NDHA.

36. I saw on site that the hedgerow pattern remains well intact, and is prominent in views from a number of vantage points, including the footpaths through the site (N54) and through the field to the west (N52). The field is also clearly discernible in views along Tunnel Road approaching Galley Common from the west. From these viewpoints, the compact pattern of the hedgerows and small enclosures between them form a distinctive feature which contrasts with the wooded backdrop to the north and the large, open agricultural field to the west.

37. I recognise that some of the ridge and furrow has been lost and note the Council's view that this was deliberate and should not be taken into account, per the guidance of Paragraph 196 of the Framework. However, as was acknowledged in the appeal in 2013, there is no statutory protection for the ridge and furrow earthworks, which could be ploughed out. However, there remains a limited extent of it which can be discerned on site, and this adds modestly, but still positively, to the overall significance of the site. I concur with the previous Inspector that continued use of the land for grazing by horses, whilst not ideal for the maintenance of the ridge and furrow which survives, would maintain its pastoral quality.

38. Piecemeal enclosure may be more prevalent across the wider county of Warwickshire, but the evidence before me indicates that it is rarer in the local area. Having regard to the totality of surviving features, I find that even with the partial loss of ridge and furrow earthworks, the grouping of features, in particular the hedgerows and field pattern, retain historic significance at a local level, and should be considered as an NDHA.

39. This being the case, the proposal to develop the land for housing would result in substantial loss of significance. Most notably, the field pattern which is visible at distance within the surroundings would be completely lost to built development. The retention of the hedgerows may allow some interpretation of a historic field pattern on a plan of the site, but on the ground it would no longer be discernible amid a modern residential layout.

40. Moreover, whilst my considerations in this respect are similar to those of the Inspector in 2013, the current proposal would go further than that scheme,

[5] Turning the Plough, 2001 (NCC)

which proposed to leave the westernmost field undeveloped and the ridge and furrow earthworks within it intact. Similarly, the scheme approved in 2017 involved development over a limited extent of the site to the eastern side, with no significant adverse effect on the significance of the NHDA or its constituent features. In short, the proposal before me would have a more harmful effect than either of these schemes.

41. In more general terms, the site occupies a position behind a strong, consistent linear pattern of development which terminates the built form of Galley Common on this side of Tunnel Road. Open countryside extends beyond the dwellings to the west, north-west and north where a demonstrably rural character takes over, interspersed with isolated buildings. This rural impression is reinforced when walking the public footpaths through and around the site, and from other viewpoints of the appellant's Landscape and Visual Impact Assessment (LVIA) which I took in during my site visit.

42. I understand that the submitted site layout is indicative at this stage, though given the quantum of development proposed and the desire to retain the hedgerows, it is reasonable to consider that the development would not depart fundamentally from what is shown. This would create a substantial residential estate in a clustered layout that would extend noticeably into the open countryside. The scale and shape of development would be in sharp contrast to the narrow linear pattern which characterises this side of Tunnel Road and represents a tapering off of the built form at the edge of the settlement where it transitions to the open countryside.

43. In terms of visual impact, the appellant's LVIA identifies a high magnitude of change at Viewpoint (VP) 1 looking into the site from the public footpath, with other viewpoints regarded as having medium to negligible impacts. However, having looked from these viewpoints, I consider the magnitude of change would be greater than indicated, particularly for VP2 and VP11 to the west of the site where the development would be in plain view at short range and would significantly alter the rural landscape seen from these vantages. Having viewed from these and other points, I am not persuaded that landscaping would soften or screen the development to the extent that its altering effect on the rural character of the area would be sufficiently moderated.

44. Indeed, the LVIA states that there would be Major–Major/Moderate Adverse effects after Year 10 at VP1, with several others categorised as Major-Moderate Adverse or Moderate Adverse. These categorisations affirm my observations that landscaping would have limited effect in mitigating the visual impact of the proposal or integrating the proposal into its surroundings, and it would remain prominent in the landscape in the long term.

45. Taking these considerations together, the proposal would result in development where there presently is none and would fundamentally change the rural character of the site, resulting in an intrinsic loss of open countryside to a suburban form of development which would extend the settlement in an uncharacteristic manner and scale and result in the substantial loss of significance to the identified NDHA. Whilst I accept that the visual effects would be localised, they would nevertheless be harmful to the landscape character of the area.

46. Therefore, the proposal would conflict with Policies BE3 and BE4 of the NBBP, which require development to contribute to local distinctiveness and character

by reflecting the positive attributes of the neighbouring area; and that development affecting a designated or non-designated heritage asset and its setting will be expected to make a positive contribution to its character, appearance and significance.

47. There would also be conflict with the Framework's recognition of the intrinsic character and beauty of the countryside[6] and the need to ensure developments are sympathetic to local character and history, including the surrounding built environment and landscape setting[7].

48. Paragraph 203 of the Framework adds that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The asset has local significance, but given the degree to which its significance would be lost, it is a matter to which I afford considerable weight in the planning balance.

Effect on highway network

49. The Council's concern relates to the capacity of the highway network to accommodate additional traffic generated by the development. In particular, it is argued that the existing junction at Plough Hill Road/Coleshill Road, some 1.4 miles to the north-east, operates over capacity during the morning peak, based on assessments carried out using industry-recognised PICADY software.

50. The appellant has questioned the approach of Warwickshire County Council (WCC) as the local highway authority to using mobile network data to ascertain traffic distribution levels to and from the appeal site, as it suggests the 89% distribution rate from the site to the junction does not reflect the situation on the ground. As a result, it has applied a lower distribution rate based on the PM peak. On this basis, the appellant states that the Plough Hill Road/Coleshill Road junction is operating at 103% RFC[8] during the AM peak, with an average queue length of 17 vehicles and a delay of 164 seconds. The proposal would add 11 2-way movements during the AM peak, resulting in the junction being at 106% RFC, with some 21 queuing vehicles and a wait time of 192 seconds.

51. WCC in its appeal submissions sets out that where the RFC exceeds 85%, mitigation schemes should be considered to improve capacity. It adds that existing wait times are already excessive and I heard at the hearing that drivers can resort to cutting through the estate roads from Waggestaff Drive to Skey Drive to avoid delays at the junction and reach Bucks Hill. If the higher trip rate data is used as advocated by WCC, the proposal would add 22 two-way movements in the AM peak through the junction, with queues and waiting times greater than suggested by the appellant.

52. Even taking the appellant's more moderate figures, the evidence suggests that the junction is already over capacity and additional traffic generated by the development would add further to queue lengths and waiting times. I acknowledge the appellant's point that cars are in a rolling queue, and the waiting time is that for the whole time queuing, not the time spent at the give way line waiting to turn onto Coleshill Road. However, the proposal would still

[6] Paragraph 174
[7] Paragraph 130
[8] Ratio to Flow Capacity

add to traffic at a junction already acknowledged to be over capacity in the morning peak.

53. I was told at the hearing about other developments under construction on Plough Hill Road which would add to traffic at the junction. One of these includes as yet unimplemented traffic calming measures. I was also told that proposals to amend the junction layout were still being explored, with no solution yet identified. However, these are ultimately separate matters relevant to other developments. The evidence before me suggests that the present scheme would lead to additional stress on the highway network at the Plough Hill Road/Coleshill Road junction.

54. I am mindful of the Framework which sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this case, whilst there would be a worsening of a junction already over capacity, the increase in the number of vehicles and the length of queuing times would not be significant and they would only occur for a short period within the morning peak. This would not amount to a severe impact on the highway network such that this alone would be reason to dismiss the appeal.

55. Nonetheless, in the absence of any form of mitigation for the additional pressure the proposal would create, there would still be moderate harm arising in terms of the operation of the highway network. This would conflict with Policy HS2 of the NBBP, which requires proposals to demonstrate whether they will meet acceptable levels of impact on existing highways networks and the mitigation measures required to meet this acceptable level.

Access and parking

56. Access is proposed to be taken between the dwellings at 147 and 155 Tunnel Road. The Council's concerns relate to intervisibility at the junction, particularly when large vehicles, such as refuse lorries, are attempting to enter or exit the site. Whilst I have had regard to the points raised by the Council, it was established at the hearing that it would be possible to adjust the visibility splays at the corners of Nos 147 and 155 to achieve better sightlines and minimise the risk of conflict between large vehicles and other traffic. Given that refuse collections are indicated to occur at most twice a week, and traffic into and out of the development would not be constant, the potential for this conflict to arise is limited, and would be further minimised with adjustments to the visibility splays being made. This could be secured by condition.

57. Moreover, I note that the size of the access meets relevant design standards, and is 0.5 metres wider than that proposed as part of the 2017 scheme. It was also pointed out that whilst the bellmouth could be widened, this would have a negative effect on the environment for pedestrians. I also note that access was found to be acceptable under the 2013 appeal for a larger number of dwellings.

58. The appellant accepted at the hearing that the proposed on-street parking spaces on Tunnel Road may not be feasible due to constraints with land ownership. However, it would be possible to secure additional parking spaces within the site itself, as layout is reserved matter. These could replace existing spaces lost by the suggested implementation of bollards and/or double yellow lines either side of the junction to ensure visibility.

59. In other respects, I agree that traffic calming measures are necessary to ensure safe access is provided to the site, in view of the indicated traffic speeds on Tunnel Road, and I agree with the conclusions of the Inspector in 2013 that this would represent a modest benefit in terms of reducing speeds generally. The Council's concerns with the details shown on the plans relate to minor matters which could be addressed by condition.

60. Overall, I am satisfied that safe access could be provided to the development, and no conflict would therefore arise with Policy HS2 of the NBBP in terms of its requirement that developments demonstrate how they would ensure adequate accessibility in relation to all principal modes of transport.

Other Matters

Planning Obligation

61. A signed and dated unilateral undertaking has been submitted by the appellant. This provides for 25% on-site affordable housing and financial contributions towards provision and/or maintenance of hospital and local primary care services, sports facilities, secondary education places and public rights of way. I am satisfied that each sought obligation meets the tests set out in Paragraph 57 of the Framework for planning obligations. As a result, I have taken the completed agreement into account.

Other Issues Raised

62. I have had regard to other concerns raised in correspondence and at the hearing by interested parties, beyond those already addressed. However, none of these concerns are significant enough to alter my conclusions on the main issues or weigh materially for or against the proposal in the planning balance. Consequently, I do not address them further.

Planning Balance

63. I find that the local planning authority is unable to demonstrate a five year supply of deliverable housing sites. In this circumstance, Paragraph 11(d) of the Framework sets out that the policies that are most important for determining the application should be considered as out-of-date, and the 'tilted balance' is engaged. Given this position, the aforementioned development plan policies are out-of-date. I afford the conflict with these policies therefore diminished weight in decision-making terms. Nonetheless, identified conflict with development plan policies does still weigh against allowing the proposal.

64. Whilst I have identified harm in a number of respects, there are no policies in the Framework of relevance to this appeal that protect areas or assets of particular importance that provide a clear reason for refusal. Therefore, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

65. The proposal would deliver distinct benefits, principally the provision of up to 70 dwellings which would support the national objective to increase the supply of housing and would make a meaningful contribution to the shortfall in the Council's overall housing supply. As such, the delivery of housing merits significant weight in favour of the proposal. The provision of up to 25% affordable dwellings is also a benefit attracting positive weight.

66. In addition, there would be moderate economic benefits from the construction of the dwellings, though this would be a temporary benefit, and from subsequent use of local services by future residents. There would be minor environmental benefits from additional tree planting across the site and proposed biodiversity enhancements, and in the traffic calming measures on Tunnel Road reducing traffic speeds.

67. Set against these benefits, there would be significant harm arising from the conflict with the spatial strategy of the development plan. There would also be significant environmental harm due to the intrinsic and permanent adverse effect on landscape character and significant harm to the heritage significance of a NDHA. The adverse impact identified to the local highway network would be a further harm of limited weight.

68. Other issues where no material harm has been identified, or where impacts could be suitably addressed through a condition or undertaking, are neutral considerations in the overall planning balance.

69. In my judgement, the adverse effects of the proposed development, including conflict with development plan policies, would significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the Framework taken as a whole. The proposal would not therefore represent a sustainable form of development and, as a material consideration, the Framework does not indicate that permission should be granted.

70. I appreciate that my finding about the housing land supply position is one where I consider that the LPA is just under the minimum five year supply requirement. Even if one were to disagree with this finding and determine there is more than a five year supply, up to and including the 5.67 year supply suggested by the Council, I would still have concluded that the proposal was unacceptable on balance given the clear conflict with policies DS3, BE3, BE4 and HS2 of the NBBP, and that conflict with these policies was a matter of overriding concern that outweighed the identified benefits of the proposal.

Conclusion

71. Therefore, I conclude that the appeal should be dismissed and planning permisison for the development refused.

K Savage

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Debbie Jones BSc(Hons) MSc MRTPI	Associate, Frampton Town Planning Ltd
Stuart Dunhill BEng(Hons) PhD CEng MICE	Director, ADC Infrastructure Limited
Dr Michael Dawson BA(Hons) MPhil DPhil FSA MCIfA	Director, RPS
Nicola Lea BSc(Hons)	Land Manager - A R Cartwright Ltd

FOR THE LOCAL PLANNING AUTHORITY:

James Gellini	Principal Planner, ET Planning
Neil Glover	Planning Policy Officer, NBBC
Paul Kinsella	Transport Planner, WCC
Tony Burrows	Development Management Engineer, WCC Highways
John Robinson	Senior Historic Environment Officer, WCC
Jeff Brown	Head of Development Control, North Warwickshire Borough Council

INTERESTED PARTIES:

Cllr Mandy Tromans	Borough/County Councillor
Mark Sullivan	CPRE Warwickshire

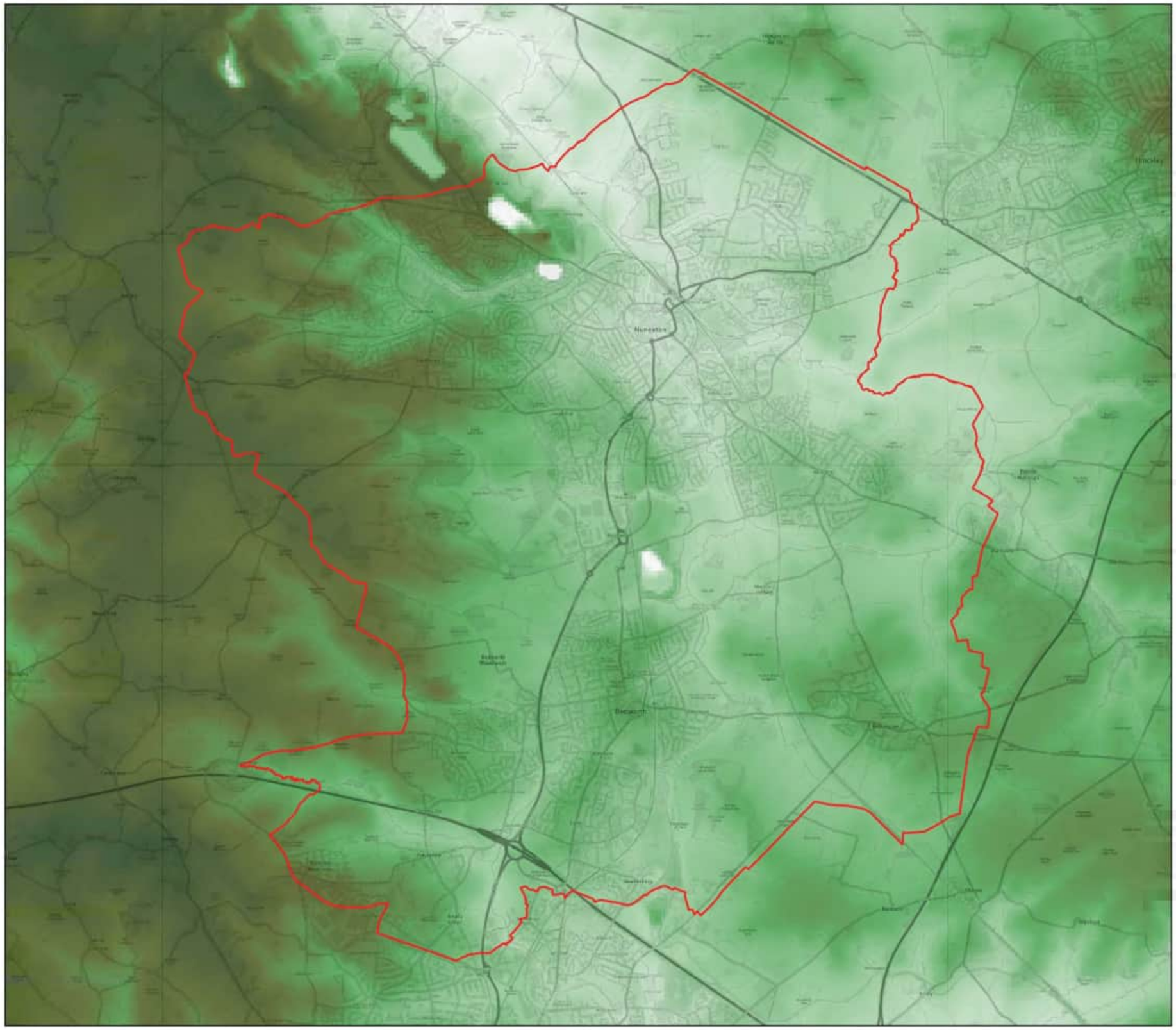
Documents submitted at the hearing

1. Copy of site photographs dated 2013 and 2020

Documents submitted after the hearing

1. Email dated 6 October 2022 from LPA attaching:
    a. Copy of Council's housing land supply position as at 1 April 2022
    b. Copy of 2022 Housing Trajectory
2. Email dated 6 October 2022 from LPA with clarifying remarks on appellant's housing land supply methodology
3. Email dated 7 October 2022 from appellant in response to Council's housing land supply information and comments on methodology, and attaching:
    a. Copy of Policy HSG11 of the NBBP
    b. Site Location Plan for outline permission Ref 035595
    c. Site Location Plan for outline permission Ref 035647
    d. Amended Appendix 1 to HSoCG
4. Email from WCC dated 6 October attaching analysis of observed conditions at Plough Hill Road/Coleshill Road junction
5. Transport Technical Note by ADC Infrastructure, received 13 October
6. Signed unilateral undertaking, received 17 October

APPENDIX ZLA 7



Key

Nuneaton and Bedworth Borough Boundary

Elevation (m)

- 70
- 80
- 90
- 100
- 110
- 120
- 130
- 140
- 150
- 160
- 170
- 180
- 190

FPCR Environment and Design Ltd, Lockington Hall, Lockington, Derby, DE74 2RH ▪ t:01509 672 772 ▪ f:01509 674 565 ▪ e: mail@fpcr.co.uk ▪ w: www.fpcr.co.uk

masterplanning ▪ environmental assessment ▪ landscape design ▪ urban design ▪ ecology ▪ architecture ▪ arboriculture

\\fpcr-fs-01\Projects2\11000\11020\ECO\QGIS\QGIS 2.14\Plans\consultation plans\11020 - Landscape Character Assessment.qgz

0 1 2 km

client
Nuneaton and Bedworth Borough Council

project
Landscape Character Assessment

drawing title
Topography

drawing / figure number	scale (at A1)	drawn	issue date
Figure 8	1:50000	EH	10/11/2022

APPENDIX ZLA 8

REFERENCE No. 039213

Site Address: Poplar Farm The Long Shoot Nuneaton Warwickshire CV11 6JG

Description of Development: Outline application for the erection of up to 500 dwellings with public open space, landscaping, sustainable drainage system SUDS and vehicular access points. All matters reserved except for access.

Applicant: Gladman

Ward: SN

RECOMMENDATION:

It is recommended to refuse planning permission, for the reasons as printed.

INTRODUCTION:

This application seeks outline planning permission for the erection of up to 500 dwellings with public open space, landscaping, sustainable drainage system SUDS and vehicular access points at The Long Shoot, Nuneaton Warwickshire CV11 6JG.

This is an outline application and the following matters are to be considered at this stage:

- Access – accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

The following matters are reserved to be considered at a future stage and do not form part of the application:

- Appearance – the aspects of a building or place within the development which determine the visual impression it makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

- Landscaping – treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences and walls.

- Layout – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.

- Scale – the height, width and length of each building proposed in relation to its surroundings.

BACKGROUND:

This site has been subject to a previous planning application (reference 035033) which was for the erection of up to 650 dwellings with public open space, landscaping, sustainable urban drainage system and vehicular access- this application was in outline form with access only for consideration. The application was recommended for refusal and the planning committee resolved to refuse permission. The single reason for refusal related to highway safety with the reason for refusal reading:-

'1 (i) Paragraph 108 of the National Planning Policy Guidance 2019 states: In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
b) safe and suitable access to the site can be achieved for all users; and
c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

ii) Paragraph 109 of The National Planning Policy Framework states:

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

(iii) Paragraph 110 of the National Planning Policy Framework states:

Within this context, applications for development should:
a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians. cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

(iv) The proposal is contrary to these paragraphs in that it has not been demonstrated that a safe and suitable access can be achieved to the site and that the significant effects of the proposal on the highway network in terms of capacity and safety can be safely or acceptably mitigated, resulting in a potential unacceptable impact on highway safety and the residual impact on the road network would be severe.'

This application now seeks permission for a reduced number of dwellings of up to 500, as opposed to the originally proposed up to 650 sought under application reference 035033.

The submitted Planning Statement sets out that since the refusal, the applicant has undertaken a 'comprehensive programme of additional highways work which has addressed the previous concerns.'

It should also be noted that the application was previously also recommended for refusal on grounds that it had not been demonstrated that there would be no net loss to biodiversity resulting in a detrimental impact on biodiversity in the area. The Council's planning committee did not resolve to refuse permission on this basis and the application was refused with a single reason for refusal relating to highway safety.

In addition, it should also be noted that the previous application was not recommended for refusal on the basis of its location outside of the development boundary and this was due to the fact that the Council did not have an up-to-date development plan, and therefore, the application was assessed in accordance with the guidance set out within the National Planning Policy Framework which was in place at the time which advised that permission should be granted unless the NPPF advises against doing so or the impacts of granting permission are so adverse that they would demonstrably outweigh the benefits.

Additionally, the Council could not demonstrate a 5 year supply of deliverable housing sites as required in the NPPF, and this matter weighed in favour of the application, subject to there being no adverse impacts from granting permission.

- The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

Whilst the scheme relates to an urban development on a site of more than 5 hectares, the proposal would fall within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It is recognised that such development will only require the submission of an Environmental Statement (ES) if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

It is noted that the previous proposal relating to a greater number of residential units was not considered to require the submission of an ES and based on the reduced numbers now proposed on this site, the Local Planning Authority see no reason to depart from this previous assessment.

It should also be noted that whilst the applicant attempted to submit additional information to the Council on 1st and 2nd February 2023 to address a number of concerns raised by consultees, a decision had already been taken by the Local Planning Authority to determine the application and the applicant had already been informed via formal letter (which is required as part of the Council's scheme of delegation) that the Council would be issuing a decision on the basis of the originally submitted information. Therefore, the amended plans have not been accepted by the Council and have not been consulted upon in this particular case.

RELEVANT PLANNING HISTORY:

- 035033 - Residential development of up to 650 dwellings with public open space landscaping sustainable urban drainage system (SuDS) and vehicular access off The Long Shoot and Eastboro Way (Outline to include access) – Refused on 1st May 2019.

The County Highway Authority have confirmed that site access assessments should be undertaken in accordance with the modelling protocol and the inputs to isolated junction modelling should be informed by the NBWA microsimulation modelling for the reasons already stated above. As such, the County Highway Authority have confirmed that none of the assessments submitted relating to site accesses are acceptable and the Highways Officer considers that the way they have been presented is considered to be misleading and does not account for Local Plan and committed development growth accurately.

- *Scheme Assumptions*

The Highways Officer has confirmed that any amendments made to the submitted transport assessment must be in accordance with WCC modelling protocol in order to be acceptable. Further, they have advised that it is not possible to draw any conclusions as to the acceptability of these proposals based upon the submitted information.

The Highways Officer has advised that should this additional work be undertaken, the County Highway Authority would recommend checking scheme assumptions as there have been significant recent changes to the affordability of schemes included in the IDP and on WCC capital programme.

Additionally, the Highways Officer has also set out that there have been previous NBWA Paramics modelling assessments undertaken for this same site in 2018/19 for 650 dwellings (planning application reference 035033) at Poplar Farm and at this time severe impacts were noted across the highway network.

The Highways Officer has advised that it is not clear how this application for 500 dwellings significantly differs from the previous proposals and currently offers no form of highways mitigation, especially when having regard to the proposed further growth within the Borough and increased uncertainty over local scheme delivery.

- *Impacts upon Public Rights of Way*

The County Council Public Rights of Way team have been consulted on the application and have confirmed that there are no recorded public rights of way currently crossing the application site, but that the current alignment of public footpath N33 crosses the railway at the south-western corner of the site boundary.

The Rights of Way officer has also confirmed that part of this public footpath formerly ran within the site boundary, but was legally diverted to instead run along the southern side of the railway,

The Rights of Way team has no objection to the proposal, subject to the imposition of a note to applicant advising them of their requirements to include ensuring the footpath remains available for public use at all times (unless closed by legal order).

- *Highway Safety Summary*

In summary, the County Highway Authority is not satisfied that the development proposals will not have a detrimental impact on the safety, operation or capacity of the local highway network and therefore the application is not considered to accord with the guidance set out within Paragraphs 110, 111 and 112 of the NPPF (2021), the requirements of Policy HS2 of the Borough Plan 2019 and policies LUT3, LUT4 and LUT5 of Warwickshire Local Transport Plan 3 (2011-2026).

4. Landscape Character

Policy NE5 (Landscape character) of the Borough Plan 2019 sets out that major development proposals must demonstrate how they will conserve, enhance, restore or create a sense of place, as well as respond positively to the landscape setting in which the development proposal is located. The Policy goes on to state that Developers must take account of the Land Use Designations Study and landscape guidelines when preparing their landscape strategy.

Further, the policy sets out that major development proposals must demonstrate that they are in balance with the setting of the local landscape, respect the key characteristics and distinctiveness of that landscape, and in particular show how the proposal will:

1. Conserve or enhance important landmark views.
2. Conserve, enhance or create boundary features and field patterns.
3. Conserve and where necessary enhance the strength of character and landscape condition.

In terms of landscape hierarchy, the Policy sets out that major development proposals must take account of the landscape strategy set out in the Landscape Character Assessment. Outside of the strategic sites and urban area, developers must show they have sequentially considered development opportunities in areas of least landscape value first, prior to any development proposals being permitted in higher value landscape character areas. The areas of search will follow the landscape hierarchy in the order set out below:

1. Restore and create
2. Enhance and restore
3. Enhance
4. Conserve and enhance
5. Conserve

Paragraph 174 of the NPPF (2021) states that planning decisions should contribute to and enhance the natural and local environment by:
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;
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; and
f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

- *Position on previous planning application 035033*

The Council's decision relating to the previous application on this site is a material planning consideration in the assessment of this application.

The planning case officer for this previous application assessed the landscape impacts of the scheme and concluded that it was not apparent that the sequential approach to development had been applied.

The case officer went on to state that the supporting text of the emerging policy (now adopted policy NE5) states that "the policy will ensure that any suitable development will take account of landscape character and that the Land Use Designations Study will be used to determine decisions in this respect." The case officer went on to state that it had not been adequately demonstrated that there would be no undue impact on the landscape character from this proposal. However, as the policy to which this requirement relates was not adopted at the time of assessing the previous application, it was considered that there were no strong grounds to refuse the previous application on landscape setting.

- *Differences between this application and application 035033*

With regard to the differences between the two schemes, the red line boundary denoted on the submitted site location plan is only slightly smaller than that previously submitted in relation to application 035033. This change to the red line boundary results in some of the land and buildings associated with Poplar Farm itself being excluded from the application site, whereas in application 035033 further land associated with the farm site and its buildings were included. Therefore, in terms of the developable area, the two applications are largely the same when having regard to the area and extent of countryside affected and this change to the proposal number of residential units from up to 650 to 550 dwellings could, in principle (and depending upon the precise layout), result in changes to the density of the development.

- *Assessment*

Policy NE5 of the Borough Plan 2019 is adopted and relevant to the determination of this application. In order to inform the Borough Plan 2019, the Council commissioned a Land Use Designations Study 2012 which uses Landscape Character Assessment as a decision-making tool to classify the landscape into distinctive areas based on the interaction between landform, geology, land use, vegetation pattern and human influence. Its role is to ensure that future change does not undermine the characteristics or features of value in a landscape.

The application site forms part of a parcel of land referred to as NB10. The parcel forms part of the Anker Valley Estate Farmlands which contains four other parcels of land (NB11- NB14). The site is defined by the A47 Long Shoot and ribbon development along the road to the north; the borough boundary to the east; the railway to the south and the edge of Nuneaton to the west. It is on land bordering the Green Belt and is important in providing separation between Hinckley and Nuneaton. Views across farmland help to reinforce this separation.

In the Land Use Designations Study, the 13 identified local landscape character areas each have their own set of key characteristics and key features. Some character areas have retained much of their characteristics and features, and have developed higher levels of strength of character, resulting in better landscape conditions. The Land Use Designations Study 2012 relates the Landscape Character of the land including parcel NB10 as 'Moderate' strength in terms of landscape

character and states; "features are generally consistent across the landscape and contribute to a sense of place of a gently undulating lowland arable landscape". The landscape condition of parcel NB10 is considered to be 'moderate' with a recommendation to 'enhance.' Additionally, parcel NB10 has been identified as 'land important to retaining separation' with the Nuneaton and Bedworth Land Use Designations Study Volume 3: Site Analysis and Selection document. The document further sets out that the landscape to the east of the Long Shoot (A47) is particularly sensitive where ribbon development along the road almost joins with Hinckley and the approach to Hinckley along the A5 across farmland in both directions remains important in retaining separation.

The recommendation stated that the land retention was considered important to "ensure distinction between Nuneaton and Hinckley is retained". It went on to say that "emphasis should be placed on conserving farmland contained by intact hedgerows and clusters of hedgerow trees, linear copse woodlands and wooded streams. Any change which made urban development more prominent would have a negative effect on rural character." Furthermore, this parcel (NB10) is identified as a 'sensitive landscape' and 'land important to retaining separation'. Subsequently, the parcel is identified as achieving 'high conformance with Green Belt criteria'. It should also be noted that the first stage of landscape work which was carried out to inform the Borough Plan 2019 set out that only one parcel was considered to perform strongly to criteria 2 or 4 of Green Belt function which was parcel NB10.

Following the first stage of landscape work which informed the Borough Plan 2019 which comprised of a landscape character assessment of the Borough, landscape policy review and a study to identify the likely constraints to future development within the Borough that involved site analysis and selection, a second stage was carried out which involved an individual landscape and visual appraisal of potential development areas that have been identified by Nuneaton and Bedworth Borough Council. The application site, nor NB10 as a whole, was not taken forward for the assessment within the Nuneaton and Bedworth Stage 2 – Individual Site Assessment document and was not included as part of the Potential Development Area 1, as other land within the Anker Valley Estate Farmlands has. The Council's Planning Policy Team have confirmed that the findings of the Landscape Character Assessment 2012 fed into the site allocation decision making process for the Borough Plan 2019 and was one of the reasons for the site's exclusion.

The supporting text provided at paragraph 12.67 of the Borough Plan 2019 sets out that new development proposals will need to take full account of the development guidelines set out in the Land Use Designations Study.

With regard to landscape hierarchy, paragraph 12.68 of the Borough Plan 2019 states that it is recognised that some areas in landscape terms are less able to adapt to accommodating development than others. This is reflected in the landscape strategies. Landscape character assessment assumes that all landscapes have the potential to accommodate development, provided it is in keeping with their key characteristics. However, changes which do not respect the landscape's key characteristics and features are likely to be detrimental to the local landscape character. Mitigation therefore is likely to be least achievable/sympathetic in high quality landscapes, and more achievable where the landscape character is of a lesser quality. For this reason, the council will take a more restrictive approach to development in the highest quality landscapes, and direct development to landscapes of lesser value.

The applicant has submitted with the application and Landscape and Visual Impact Assessment document (LVIA). The document provides a development framework plan (provided within Appendix F of the LVIA) and this plan shows the proposed development of up to 500 dwellings and how the scheme would accommodate these dwellings, along with the associated public open space, parks, play provision and allotments.

The application does not appear to have considered development areas of least landscape value first and so does not meet the requirements of Policy NE5 of the Borough Plan 2019. A Landscape Assessment has been submitted in support of the application which states most existing landscape features on site can be retained within the proposed development. The assessment goes on to state that the development of the site will cause change to the character, from that of arable fields to residential development and open space and there will be adverse landscape effects. The LVIA does however set out that 'this does not mean that the scheme will be unattractive or out of character with the surrounding area.' The submitted LVIA states that the proposals will result in a moderate adverse effect on the landscape character of the site, with negligible adverse to neutral effects on the landscape / townscape character of the immediate surroundings and wider landscape character.

The submitted LVIA concludes that 'given the site's strong relationship with the existing townscape areas to the north and west and its physical separation from the sider countryside to the south by the railway line, the site is capable of accommodating development as shown on the development framework plan without resulting in long term material harm to the surrounding area's landscape and visual character.'

- *Conclusion*

In conclusion, the submitted LVIA sets out that the proposed development would have a strong relationship with the existing residential areas and whilst the scheme may well achieve acceptable densities and a design in isolation, the application should assess the impacts upon landscape character. The proposed development of the site for up to 500 dwellings with associated facilities on a greenfield site, albeit with some areas of open space and landscaping in place, would represent a substantial adverse change for the site itself and would not conserve or enhance the strength of character and the sites landscape condition. The application does not appear to have considered development areas of least landscape value first and so does not meet the requirements of Policy NE5 of the Borough Plan 2019. The scheme would fail to enhance the character of the landscape in this location and the residential development of the site would fail to accord with the recommendations of the Land Use Designations Study 2012 and is not considered to be accordance with the requirements of Policy NE5 of the Borough Plan 2019. Additionally, the proposal would also fail to accord with the requirements of paragraph 174 of the NPPF (2021) which seeks to contribute to and enhance the natural and local environment and recognise the intrinsic character and beauty of the countryside.

5. **Ecology, Biodiversity, Landscaping and Open Space**

The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework, Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05. In the UK the requirements of the EU Habitats Directive is implemented by the Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations 2010). Where a European Protected Species ('EPS') might be affected by a development, it is necessary to have regard to Regulation 9(5) of the

Monitoring and Administration	The County Council requires a monitoring fee for the monitoring and administration of County Council obligations, due upon signing of the agreement.	£2,000 + (5 hours x £40 Officer time x Number of triggers)	No discussions have taken place in respect of this request.

The developer has not confirmed if they are willing to pay any of the S106 obligations that would be required for this site and no detailed negotiations have taken place between the applicant and the Local Planning Authority given the application has not been recommended for approval.

11. Conclusion and Planning Balance

In conclusion, the NPPF (2021) promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an up-to-date adopted Development Plan, unless material considerations indicate otherwise.

The Council can currently demonstrate a 5 year housing land supply as set out within the above report and therefore the development of this site for residential housing would fail to accord with the provisions of Policy DS3 of the Borough Plan 2019 given its location outside of the settlement boundary.

Further to the above, the County Highway Authority are not satisfied that the development proposals will not have a detrimental impact on the safety, operation or capacity of the local highway network, and therefore the application is not considered to accord with the guidance set out within Paragraphs 110, 111 and 112 of the NPPF (2021), the requirements of Policy HS2 of the Borough Plan 2019 and policies LUT3, LUT4 and LUT5 of Warwickshire Local Transport Plan 3 (2011-2026).

With regard to Air Quality, the Air Quality details submitted do not make the interpretations clear with regard to 'committed developments' and in the absence of traffic modelling, the submitted air quality assessment is considered to be incomplete. On this basis, whilst the applicant may be able to demonstrate that the air quality impacts of the scheme could be acceptable, the details submitted to support the proposal are insufficient to determine the air quality impacts in full and that the air quality impacts of the proposal would be acceptable when having regard to the threats to human health. Therefore, the application fails to demonstrate that the proposal would be compliant with the requirements of Policy HS2 of the Borough Plan 2019, or the guidance set out within paragraphs 174 and 185 of the NPPF (2021).

Further, the application fails to demonstrate that the proposal would be acceptable from a flood risk and drainage perspective and fails to accord with the requirements of Policy NE4 of the Borough Plan 2019 or the guidance set out within section 14 of the NPPF (2021).

The application has not been supported by sufficient information to demonstrate the full biodiversity impacts of the proposal. In the absence of a detailed biodiversity offsetting metric to quantify the impact, and to calculate an appropriate level of compensation to replace the lost habitat, it cannot be ascertained that the proposal would result in a biodiversity net gain which would accord with the biodiversity mitigation hierarchy. Therefore, the application fails to demonstrate that the scheme would accord with the requirements of Policy NE3 of the Borough Plan 2019, the