

Nuneaton and Bedworth Borough Local Plan Review

Post-hearing note

Introduction

1. Following the final scheduled hearing session on 8 October 2024, this note sets out our view on certain matters and what should now be done. It reflects, and should be read throughout as, our initial thinking. It is without prejudice to any findings we may ultimately come to.
2. Firstly, we thank you, and all of the Council's team, for the way in which you have assisted in the examination of the Plan, for ensuring that the hearings ran smoothly, and for the work so far to address matters raised during the examination.
3. Our view is that the Plan, as submitted, is unsound. However, we consider that the Plan is likely to be capable of being made sound via main modifications ('MMs').
4. There are a number of outstanding actions which need to be completed before the Plan can progress towards the MM consultation stage, and we thank the Council in advance for working on those. At our request, you have already helpfully prepared a schedule of potential MMs, the need for which we identified during the course of the hearings. We would like you to finalise that schedule, taking account of the points in this letter, in liaison with the Programme Officer as necessary.
5. The remainder of this letter sets out our thoughts on certain key matters which will influence the modifications required to make the Plan sound. Our report will include more detail and reasoning on these issues and will take account of any comments made during the consultation on the MMs.

Housing Supply

6. Although the Council has not formally suggested a modification to apply a stepped trajectory but has invited us to consider the option, we do not see a need for such an approach. The Plan will be subject to review later in the plan period and housing need and supply can be reviewed at that time.
7. We consider that the over-supply which has occurred since the start of the Plan period, principally as a result of a higher requirement in the Borough Plan to take account of wider housing market need accepted at that time, can be accounted for and can be spread out over the remaining plan period. The Council refer to this as a 'reverse Liverpool method'.

8. We consider that given that the adoption of the Plan is not expected before March 2025, it should show a 5 year supply of deliverable housing land from 1 April 2025 using forecast completions for 24/25 as set out in the Councils Updated Housing Land Supply Background Paper (CD31). We have some concerns about the delivery timescales in CD31 for a number of the sites which would fall within the first 5 years from adoption. We append a table showing these sites and require the Council to update the housing land supply information accordingly to support the consultation on the modifications. The update to the non-strategic sites table in CD31 should also correct the error which has two columns for years 29/30.
9. An updated housing trajectory graph, as discussed at the hearing sessions, needs to be prepared to replace the one in Appendix B of the submitted Plan. This will be a MM. The detailed supporting evidence tables do not need to be included within the Plan but should be updated and made available at the time of the modifications consultation. Essentially this is an update to CD31 (by way of an addendum if necessary to reflect the updated housing supply and individual site trajectories following the hearing sessions).
10. Notwithstanding our concerns about delivery timescales for the listed sites, we consider that there will be a five year supply of housing sites on the adoption of the Plan.

Strategic Housing and Employment Allocations

11. The policies which support the Strategic Housing and Employment Allocations follow a format which has been carried over from the adopted Plan. We do not therefore intend to alter that approach especially since nearly all of the strategic sites now have planning permission. However, we are concerned about some of the requirements as discussed at the hearings and in particular the requirements for financial contributions towards policing and justice. We do not have enough evidence before us to determine whether such contributions are justified. We therefore require modifications to either remove such requirements or where they are considered to be justified, to make it absolutely clear that any financial contributions have to meet the necessary tests for planning obligations.
12. We agree with the suggestion put forward by the Council that the East of Bulkington site should be a strategic residential allocation in the Plan. There are soundness reasons to make this a MM. The Council should prepare a detailed policy for the allocation as a MM, based upon the wording it has already suggested and taking account of the points made by us at the hearing sessions. The policy should include a plan showing the allocation boundary, following the format of the other strategic allocations.

Development Policies

13. Paragraph 16(d) of the National Planning Policy Framework (Sept 2023 version) states that policies must be clearly written and unambiguous so it is

evident how a decision maker should react to development proposals. We have some concerns about some of the development policies in this regard, as we expressed at the hearing sessions. The Council agreed to look at modifications which may address our concerns. We urge you to continue with this work and liaise with the Programme Officer to incorporate them into the schedule of modifications for consultation.

Plan Review

14. Policies DS7 and DS8 deal with the monitoring of housing delivery and the need for a Plan review. The adopted Plan included similar policies. The Council has suggested a number of modifications to these policies and at the hearings suggested that it may be appropriate to combine the necessary and modified requirements into one policy.
15. Having reflected on the evidence and the discussion at the hearing sessions, we consider that the policies should remain separate as they are dealing with different matters. However, we consider that they should be linked. We therefore ask you to prepare modifications based on your suggestions and our comments during the hearing sessions and liaise with the Programme Officer to finalise the modifications to these two policies.

Next steps

16. The Council should now continue to work up the draft schedule of MMs incorporating the comments set out in this note. Please liaise with the Programme Officer and take account of any subsequent responses from us that she will forward to you. The Council has already made good progress on the draft MM schedule following the hearing sessions.
17. Once there is a finalised version of that schedule, it should be provided in full to us for comment. For information we would also like to see a finalised separate schedule of additional modifications (AMs) in time, which do not go to soundness, that the Council is proposing.
18. Once we are satisfied with the schedule of MMs, it will need to be the subject of additional Sustainability Appraisal and Habitats Regulations Assessment work. The finalised schedule will need to be the subject of consultation for a minimum of 6 weeks.
19. Other than correspondence from the Council, we are not inviting comment from others in respect of this note. There will be opportunity for anyone to comment subsequently on any MMs.

Beverley Wilders and Mike Worden

INSPECTORS

Table of 5 year supply changes required based on trajectories in CD31

Strategic Sites	
SHA3 Tuttle Hill	Do not include in the 5 year supply. Reprofile with delivery starting 30/31
SHA4 Hospital Lane	Move to start completions in 27/28 (80 dwellings) and reprofile.
Non-Strategic Sites	
NSRA2 Former Manor Park Community School	Move start date to 28/29 and reprofile with completions 28/29 and 29/30.
NSRA4 Vicarage Street Development Site	Remove from 5 year supply and reprofile with completions contributing from 30/31
NSRA5 Land rear of Burbage Lane	Remove from 5 year supply and reprofile with completions contributing from 30/31
NSRA6 Land at Bucks Hill	Remove from 5 year supply and reprofile with completions contributing from 30/31
NSRA7 Abbey Street	Remove from 5 year supply and reprofile with completions contributing from 30/31
NSRA8 Land r/o Lilleburne Drive and Willow Close	Remove from 5 year supply and reprofile with completions contributing from 30/31
NSRA9 Former New Inn Public House	Remove from 5 year supply and reprofile with completions contributing from 30/31
NSRA10 Land at Bermuda Road	Remove from 5-year supply and reprofile with completions contributing from 30/31
NSRSA14 Mill Street/Bridge Street	Remove from 5-year supply and reprofile with completions contributing from 30/31