

Nuneaton & Bedworth Borough Plan Review

Schedule of Matters, Issues and Questions version 2 (Blocks 1, 2 and 3) – updated July 2024

This document lists matters (topics), issues (points for consideration), and questions that will form the basis for discussions during the hearing sessions and supply the context for any further written statements. Matters and Issues may change as the examination progresses, although participants will be given an opportunity to comment on any new Matters and Issues that arise. If sufficient information is provided on any particular questions, we may decide not to pursue them further in any depth.

Answers to questions should be supported with reasons, unless exceptionally it is clear from the question that a simple yes or no answer is required. There may be some overlap between questions, in which case answers may be cross referenced as appropriate. Text that may be found in submitted evidence documents or within the Plan itself need not be repeated at length, but references (with page and paragraph numbers) to those documents should be provided where relevant. Responses to each Matter should start on a new page.

All questions should be answered by the Council. Other participants may respond to issues relevant to points they have made in their earlier representations. At the hearing sessions, opportunity will be given to participants to raise any other soundness issues set out in their previous representations and not covered in these MIQs.

Please note that where reference is made to specific paragraphs of the National Planning Policy Framework (the Framework), these relate to the September 2023 version and not the December 2023 version.

A LEGAL COMPLIANCE

Matter 1 – Compliance with statutory procedures and legal matters (Block 1)

Issue 1: Has the Council met the statutory duty to co-operate ('DtC') as set out under sections 20(5)(c) and 33A of the Planning and Compulsory Purchase Act 2004 as amended?

1. Has the Council submitted robust evidence to demonstrate that the duty to co-operate has been met?
2. Has the Council carried out effective engagement with neighbouring local authorities and other prescribed bodies on all relevant strategic matters? In particular has effective engagement taken place in respect of housing and employment needs and provision in a cross border context?
3. Are there any remaining areas of dispute between relevant authorities and bodies relating to the duty to co-operate and its fulfilment by the Council? If so, please give details? Are they resolvable in terms of soundness?

Issue 2: Does the Sustainability Appraisal (SA) adequately assess the environmental, social and economic effects of the Plan in accordance with the legal and national policy requirements?

4. Have the likely environmental, social and economic effects of the Plan's policies and proposals been adequately assessed in the SA?
5. Has the SA properly assessed the likely significant effects of all reasonable alternatives?
6. Have all potential site allocations been assessed on a comparable basis?
7. Is it clear how the SA has influenced the Plan and the choice of spatial strategy? Does it support the spatial strategy or is there anything in the SA which indicates that changes should be made to the Plan?
8. Is the methodology in the SA sound and is it consistent with relevant guidance including the National Planning Practice Guidance (PPG)?

Issue 3: Has the Habitat Regulations Assessment (HRA) been undertaken in accordance with the Regulations and is it robust?

9. Have the requirements of the Conservation of Habitats and Species Regulations 2017 as amended, as explored through subsequent case law, been satisfied in the preparation of the Plan?
10. Is it clear how the HRA has influenced the approach in the Plan?
11. Does the HRA recommend modifications to the Plan? If so, have these been made/are they being proposed by the Council?
12. Noting the findings of the HRA and representations made by Natural England, does the Plan have sufficient regard to the effect of proposals within the Borough on the River Humber, an Internationally protected site?

Issue 4: Has the Plan been prepared in accordance with other legal and procedural requirements?

13. Does the Plan conform with the Local Development Scheme?
14. The Plan period is 2021-2039. Is this sufficient and in accordance with national policy?
15. Does the Plan comply with the Statement of Community Involvement and have the minimum consultation requirements set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 been met?

16. Does the Plan accord with Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 and national policy in respect of climate change?
17. Is it clear from the Plan how it relates to any other plans that form the Development Plan for the area?
18. Has the public sector equality duty been met in the preparation of the Plan?
19. Does the Plan comply with all other relevant legal requirements, including those in the 2004 Act (as amended) and the 2012 Regulations?

B SOUNDNESS

Matter 2 – Vision, Strategic Objectives and Development Strategy (Block 1)

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

20. Does the Plan set out an appropriate vision for the Borough based upon the evidence?
21. Are the vision and strategic objectives justified, have they been positively prepared, and do they accord with the evidence and national policy?
22. What does 'a steady and adequate level of suitable housing' mean in the context of strategic objective 4?
23. Do the vision and strategic objectives have regard to and provide for the development needs of the area as well as any identified unmet needs in neighbouring areas?
24. Does the Plan address/meet any identified unmet needs in neighbouring areas? If not, why not?
25. Is it necessary for the Plan to consider the release of Green Belt land to meet identified development needs?¹
26. Is there a need to re-designate previously allocated sites as Green Belt? If not, is this decision supported by robust evidence?

¹ This question relates to the vision and strategic objectives. Any statement made in response to it should not therefore refer to omission sites.

Issue 2: Has the development strategy and the overall distribution of development been positively prepared, is it justified by a robust and credible evidence base, and is it consistent with national policy?

27. Does the development strategy in general, and Strategic Policy DS3 incorporate sufficient flexibility within it? Particularly with regard to the potential for unmet housing and employment need arising from neighbouring areas in the future.
28. Strategic Policy DS1 requires all new development to contribute towards the need to achieve net zero carbon emissions. Does the Plan make it clear how this would be achieved?
29. Part four of Strategic Policy DS1 sets out the approach to planning applications and refers to various policy, guidance and material considerations. Having regard to s38(6) of the 2004 Act which gives primacy to the development plan, is the wording used sound?
30. Has the development strategy been fully informed by the SA and other evidence? Is it soundly based? Does it accord with the Framework?
31. Is the site selection process clear and suitably robust, supported by the SA and other evidence, with particular regard to the proposal to not allocate some sites that are allocated in the adopted Plan?
32. Have reasonable alternatives been considered and clearly discounted on the evidence?
33. Would the policies in the Plan, taken as a whole, effectively implement the vision and strategic objectives?
34. Is the overall level, pattern and distribution of development set out in the development strategy viable and deliverable in general terms?
35. Does Strategic Policy DS6 deal with strategic matters, or does it deal with more detailed matters?
36. Is Strategic Policy DS6 consistent with national policy? In particular, part three which relates to Green Belt purposes and openness?

Matter - 3 Housing (Blocks 1 and 3)

Issue 1: The approach to the housing requirement

37. Is the housing requirement figure of 545 dwellings annum/9,810 over the plan period as set out in Strategic Policy DS3 soundly based and does it accord with the evidence and national planning policy and guidance?
38. Is the proposed housing requirement consistent with the economic growth ambitions of the Plan?

Issue 2: The five year supply and overall housing supply position

39. A) Will there be a five year supply of specific, deliverable sites from the intended date of adoption of the Local Plan?
- B) Is the five year supply requirement as set out in the Updated Housing Land Supply Background Paper (UHLSBP)(CD31) calculated correctly and are the buffer, allowances and oversupply factors justified and accurate? Should it be calculated from 1 April 2025 or 1 April 2024?
- C) Are all the sites which comprise the suggested five year supply in the UHLSBP (CD31) deliverable in accordance with Annex 2 of the National Planning Policy Framework?
- D) Having regard to the UHLSBP (CD31) and other evidence, does the plan make provision for a supply of specific, developable or broad locations for growth for the subsequent years 6-10 and where possible years 11-15 of the remaining plan period?

Matter 4 – Employment (Block 2)

Issue 1: Whether the strategic policies regarding employment make sufficient provision for employment land throughout the plan period.

40. Is the amount and type of employment land set out in Strategic Policy DS3 soundly based and does it accord with the evidence and national planning policy and guidance? Given that the sub-regional HEDNA identifies a lower figure for employment land within the Borough, what evidence is the Council relying on and why is this evidence preferred/considered to be more robust?
41. Has the evidence base supporting the proposed level of employment land been prepared in accordance with advice within the PPG? In particular, has it had sufficient regard to market signals and market intelligence?
42. The employment trajectory (Appendix C) shows that all of the strategic employment allocations will be delivered by 2029? Is this trajectory realistic and supported by evidence?
43. All of the strategic employment allocations included in the Plan are brought forward from the adopted plan. Given this, is there a need to include new strategic employment allocations in the Plan? If not, why not?
44. Has the employment strategy had regard to the Coventry and Warwickshire Sub-Regional Market Signals Study 2018? If not, why not?

Is this document being reviewed? If so, when is an update to it likely to be published?

45. Does the Plan make sufficient provision for B8 strategic warehousing to the end of the plan period having regard to the fact that no new employment allocations are proposed? Paragraph 6.46 of the plan refers to the strategic B8 need being met by the Faultlands development. Given that the Faultlands development is not an allocated site (it is stated that it was removed due to the site being under construction), how is the Plan meeting the strategic B8 need identified in Strategic Policy DS3?

Matter 5 – Strategic and Non-Strategic Site Allocations (Block 2)

Issue 1: Strategic Policy SA1 – Development Principles on strategic sites

46. Are the requirements within requirement 1 justified? Is this requirement a duplication of the requirement in policies H5, BE3 and to some extent policies H1 and H2 and is there consistency between the policies on the matters covered by requirement 1?
47. Is it reasonable and justified for requirements 6 and 8 to require conservation/retention and enhancement or is more flexibility required with regard to enhancement?
48. Requirement 7 requires the protection of local wildlife sites. Is this approach justified and consistent with other policies in the Plan and with national policy?
49. With regard to requirement 12, is it clear how proposals will be assessed against the Sport England's Active Design Guidance and its checklist?
50. Is the water efficiency standard referred to in requirement 13 justified and if so, should it be referred to as a minimum standard (see question 160) in relation to Policy BE3.
51. Is requirement 15 justified by evidence?
52. Is requirement 16 requiring compliance with SPDs and design codes necessary and justified?

Issue 2: Strategic Housing Allocations

- Policy SHA1 Land at Top Farm, North of Nuneaton
- Policy SHA2 Arbury
- Policy SHA3 Land at Tuttle Hill
- Policy SHA4 Hospital Lane
- Policy SHA5 Land West of Bulkington
- Policy SHA6 Land at former Hawkesbury Golf Course

53. A) Are each of the Strategic Housing Allocations and their policy requirements soundly based? Are they justified, deliverable/developable and supported by the evidence?
- B) Is the Council's suggested main modification to allocate HSG7 East of Bulkington as a Strategic Housing Allocation justified on grounds of soundness? Are its suggested policy requirements soundly based? Is it deliverable/developable and supported by the evidence?
54. Which of the Strategic Housing Allocations now have planning consent and for those which do, does this alter any of the key development principles which apply?
55. Does the evidence support the expected delivery trajectory on each site?
56. Are the requirements for contributions towards Warwickshire Police and Nuneaton Justice Centre justified, in accordance with national policy and supported by evidence?
57. Do the key development principles adequately reflect the evidence in respect of sports provision and archaeology?
58. Is key development principle 30 in Strategic Policy SHA2, in respect of a wildlife and wetland habitat, justified?

Issue 3: Non-Strategic Housing Allocations

59. Are the Non-Strategic Housing Allocations and their policy requirements soundly based? Are they justified, deliverable/developable, and supported by the evidence?
60. Does the evidence support the expected delivery trajectory on each site?
61. How will the supporting text be used in the determination of planning applications? Should any of the supporting text, particularly for those sites without planning permission, be expressed as policy rather than guidance?
62. Is the guidance in respect of Policy/Site allocation NSRA10 sufficiently clear so as to be effective particularly in the case of demonstrating that a need for a GP surgery is no longer needed and the requirements of Sport England in relation to the playing field?

Issue 4: Strategic Employment Allocations

63. Are the last two parts of Strategic Policy DS5 necessary for effectiveness?
64. Should all of the strategic employment allocations (SEA2 – SEA4 and SEA6) make reference to the requirement for a programme of archaeological recording? Is this justified by evidence?

65. Allocations SEA2 and SEA6 which are mixed employment/housing allocations require a contribution towards increased personnel and vehicles for Warwickshire Police. Is this requirement justified by evidence?

Strategic Policy SEA2 – Wilsons Lane

66. Strategic Policy SEA2 proposes the provision of 19.09 ha of employment land, this is 1.09 ha more than the previously adopted allocation (EMP2) – what is the reason for this increase given that the employment area does not appear to have changed in size?
67. Should Strategic Policy SEA2 make reference to the requirement for protected species/wild bird surveys? Is this justified by evidence?
68. Do the plans, policy wording and supporting text of Strategic Policy SEA2 provide sufficient flexibility with regard to the provision of the housing and employment area? Particularly given that it appears that outline planning permission has been granted for development on the site.
69. Part 5 of the policy requires developer contributions to either divert existing bus services or to secure bus infrastructure at prominent locations to the site. This differs from the requirement to provide both within the adopted plan – what is the reason for this?
70. Part 8 of the policy requires financial contributions towards education provision. Whilst contributions were required as part of the adopted allocation, the contributions now proposed are more detailed/extensive. What is the reason/justification for this?

Strategic Policy SEA3 – Prologis extension

71. Strategic Policy SEA3 proposes the provision of 3.58 ha of employment land, this is 1.72 ha less than the previously adopted allocation (EMP3) – what is the reason for this decrease given that the employment area does not appear to have changed in size?
72. Part 11 of the policy requires contributions to increase capacity to the sewage treatment works. This did not form part of the previous adopted policy. What is the reason/justification for this?

Strategic Policy SEA4 – Coventry Road

73. Strategic Policy SEA4 proposes the provision of 9.59 ha of employment land, this is 0.59 ha more than the previously adopted allocation (EMP4) – what is the reason for this increase given that the employment area does not appear to have changed in size?

74. Should Strategic Policy SEA4 refer to land contamination and fluvial flood risk given the previous uses of the site and its inclusion of areas of floodplain?
75. Parts 8 and 9 of the policy require contributions not previously sought by the adopted policy. What is the reason/justification for these contributions?
76. Part 18 of the policy requires maintenance and enhancement of habitat connectivity to the south. What is the justification for seeking enhancement?

Strategic Policy SEA6 – Bowling Green Lane

77. Allocation SEA6 has a smaller site area than the previously adopted allocation (EMP7). What is the reason for this? Does this explain the reduction in the amount of employment land from 26 ha to 19.89 ha?
78. Is there a requirement to amend the red line boundary of allocation SEA6 to reflect current planning applications?
79. Are the key development principles set out within Strategic Policy SEA6 justified and consistent with national policy?
80. Paragraph 7.129 refers to flooding and states that sequential and exception tests are required for allocation SEA6. Is this justified by evidence and if so, is this guidance or should it form part of the key development principles?
81. Is the proposed development on allocation SEA6 justified having regard to traffic generation, the effect on highway/pedestrian safety, the character of the area, heritage assets, flooding, pollution and ecology?
82. Should the Strategic Policy SEA6 make specific reference to the moat at Exhall Hall and to the need for a hydro-ecological study?
83. Part 7 of the policy requires contributions to increase capacity to the sewage treatment works to support growth. This did not form part of the previous adopted policy. What is the reason/justification for this?

Issue 5 – Other Strategic Allocation

84. Is Policy CEM1 soundly based and justified?

Matter 6 – Detailed Policies (Block 2)

Issue: Whether the non-strategic detailed policies reflect the Plan's vision, strategic objectives and development strategy and accord with national policy and evidence?

General

- 85. Which policies in the Plan ensure that the residential amenity of existing residents is appropriately protected from new development?
- 86. Is it appropriate for detailed policies to make reference to Supplementary Planning Guidance or should these be referred to in the supporting text?

Policy H1 – Range and mix of housing

- 87. Is Policy H1 justified and consistent with the evidence and national policy?
- 88. Is there a need for the first part of the policy to refer to housing tenure as well as type and size?
- 89. Is the requirement for homes for older people and other specialised housing to comply with M4(3) higher building regulations standards justified by evidence and consistent with national policy?
- 90. Is the requirement to 'strongly adhere to' emerging technical guidance justified and effective?
- 91. The last part of the policy relating to self-build and custom build homes refers to them being 'sustainably located' – what is meant by this? As worded is it sufficiently precise and unambiguous?

Policy H2 - Affordable housing

- 92. Is Policy H2 justified, and consistent with the evidence and national policy? Does the evidence indicate that a 25% requirement is deliverable?
- 93. Are the requirements for affordable home ownership/First Homes clear and unambiguous so as to be effective?
- 94. Is the requirement of two affordable dwellings to be provided on schemes of 11-14 dwellings justified?
- 95. Are the requirements relating to M4 (2) compliance justified?
- 96. What does 'considered constructively' mean? It is it clearly understood and necessary?
- 97. Is the approach to exceptions clear, effective and justified?
- 98. Is the reference to the Affordable Housing SPD justified?

Policy H4 Nationally Described Space Standards

99. Is Policy H4 justified, effective and consistent with the evidence and national policy?
100. Is the policy sufficiently flexible?
101. Is there duplication with Policy BE3 which also requires compliance with the NDSS?
102. Is the first part of the policy actual policy or background on the standards? If the latter, should it be in the supporting text rather than the policy itself?

Policy H5 Accessible and adaptable homes

103. Is Policy H5 justified, effective and consistent with the evidence and national policy?
104. Is there unnecessary repetition of requirements in relation to standards set out in other policies which may make the policies unclear and ineffective?

Policy E1 – Nature of employment growth

105. Should part 2 of the policy refer to logistics development?

Policy E2 – Existing employment sites

106. Paragraph 4 of the policy refers to 'protected employment sites' – is this referring to the sites listed in Table 19?

Policy TC1 – Town centre requirements

107. Unlike the adopted plan, Policy TC1 does not set out specific requirements for town centre uses in Nuneaton and Bedworth town centres. Is this change in approach justified and is the policy sufficiently precise?

Policy TC2 – Nature of town centre growth

108. Reference is made within the second part of the policy dealing with defined town centres and primary shopping areas to the effect of proposals on the 'primary frontages'. The glossary defines primary frontages as 'shopping frontages that include a high proportion of retail uses'. Is this sufficiently clear and unambiguous?

Policy TC3 – Hierarchy of centres (including district and local centres)

109. Part 1 of the policy refers to an 800m walking distance to a district or local centre. This is a reduced distance when compared to the adopted plan (1200m). What is the justification for this?
110. Should the policy also refer to cycling distance?

111. Is the list of local centres comprehensive? Have any centres been omitted?

Policy HS1 – Ensuring the delivery of infrastructure

112. Is the policy wording sufficiently clear and are all of the policy requirements necessary or would it be more appropriate for some (e.g. part 4 of the policy) to be included in supporting text?

113. Is there a need for this policy and/or supporting text to refer to foul drainage and the water cycle study or is this addressed by Policy BE3?

114. Should the policy refer to EV charging stations?

Policy HS2 – Strategic accessibility and sustainable transport

115. Should the policy refer to EV charging stations?

116. As currently worded, are the requirements of part 5 of the policy too onerous? Is more flexibility required?

117. The policy refers to support being given to lorry parking facilities in specific locations. Does this need to be caveated? For example, only where they meet the relevant policies in the Plan, a phrase used in other policies?

Policy HS4 – Retaining and expanding community facilities

118. Is this policy consistent with the Framework? In particular, given that it relates to the loss of open space and sports facilities, is it consistent with paragraph 99 of the Framework?

119. Bullet point three of the policy requires better replacement facilities nearby. Is this justified given that the Framework requires equivalent or better facilities?

120. Would it be more appropriate/effective for the loss of open space/sports facilities to be dealt with by either Policy HS6 -Sport and exercise and/or Policy NE2 – Open space and playing fields?

121. Is it appropriate to refer to a use no longer being viable in the policy?

Policy HS5 – Health

122. The policy refers to Health Impact Assessment Screening Report and Health Impact Assessment. A Health Impact Assessment is defined in the glossary to the Plan, but a Health Impact Assessment Screening Report is not. In order for the policy to be effective should it be?

Policy HS6 – Sport and exercise

123. Is this policy consistent with the Framework and Policy HS4 – Retaining and expanding community facilities? Is it necessary for the loss of sports pitches and playing fields to be addressed in both Policy HS4 and Policy HS6?

124. Is the policy sufficiently clear about when sport and exercise facilities will be required to be provided on and off site?

125. Paragraph 11.54 refers to the need for developers to collaborate on the provision of infrastructure which is needed to serve more than one site. Is there sufficient detail within the Plan about how this collaboration should be done?

Policy HS7 – Creating and healthier food environment

126. Is this policy justified and consistent with the Framework and PPG particularly with regard to the 400m exclusion zone around education establishments?

127. What is meant by the last sentence of the policy?

Policy NE1 – Green and blue infrastructure

128. Green infrastructure is defined in the glossary to the Plan, but blue infrastructure is not. Should it be?

129. Does the wording of the policy provide sufficient flexibility?

130. The first part of the policy states that new development proposals will enhance, sustain and restore existing green and blue infrastructure. Is it possible to achieve all three of these outcomes?

131. Are the second and fourth parts of the policy actual policy requirements or are they statements that should be included in the supporting text?

132. Part 5 of the policy refers to various set-backs. What justification is there for these?

133. Is there a need for the policy to address flood resilience schemes within green infrastructure?

Policy NE2 – Open space and playing fields

134. Is this policy consistent with the Framework and other policies within the Plan relating to open space and playing fields (HS4 & HS6)?

135. Does the wording of the policy provide sufficient flexibility?

136. Is the sentence after part 9 of the policy relating to climate change a policy requirement or a statement? Is it possible to demonstrate compliance with it?

Policy NE3 – Biodiversity and geodiversity

137. Is the policy sufficiently flexible?
138. Is the first part of the policy which refers to legislation necessary? Would it be more appropriate to refer to this legislation in the supporting text rather than in the policy itself?
139. Should the policy or supporting text refer to the Local Nature Recovery Strategy?
140. Is the policy consistent with national legislation and policy including the Framework, particularly with regard to the mitigation hierarchy and biodiversity net gain (BNG) requirements?
141. Is the term LBAP defined anywhere in the Plan?
142. Have the likely additional costs associated with BNG been accounted for in the viability assessment of the Plan?
143. Is it acceptable to require replacement habitat to be provided in the Borough.
144. With regard to monitoring ref NE3a, is it realistic to expect no deterioration to a local wildlife site when it is affected by a strategic allocation?

Policy NE4 – Managing flood risk and water quality

145. Is the policy consistent with the Framework? In particular, should it seek to improve water quality wherever possible in accordance with paragraph 174?
146. Is the 3rd paragraph under the heading SuDS a policy requirement or is it advice?
147. Should the policy refer to pedestrian access for more vulnerable development where overnight accommodation is proposed and to opportunities for flood risk reduction and ordinary/un-modelled watercourses?
148. Is the policy requirement for above ground SuDS techniques justified and does it provide sufficient flexibility?

Policy BE1 – Contamination and land instability

149. Does part 2c of the policy need amending for effectiveness? As drafted, it does not refer to a document type.

Policy BE2 – Renewable and low carbon energy

150. Does the first part of the policy offer sufficient flexibility for other types of renewable and low carbon technologies to be supported and should it specifically refer to hydro power?
151. The policy requires development to connect to any existing community/district heating schemes where appropriate or to consider installing new schemes. Is this approach justified, effective and consistent with national policy?
152. The policy refers to “low carbon” and “zero carbon”, is it clear what is meant by these terms?
153. Does paragraph 3 of the policy provide sufficient clarity about how this part of the policy could be met?
154. Is the reference to higher building regulations requirements justified and appropriate?
155. Does the last part of paragraph 4 relating to the approval of community led initiatives need to be caveated to if in accordance with other policies in the Plan?
156. Is it necessary for the policy to refer to which locations low carbon developments and EV charging stations may be acceptable e.g. outside of settlement boundaries and/or to allocate specific sites?
157. Should the policy include a specific requirement for renewable/low carbon technologies in new residential development?

Policy BE3 – Sustainable design and construction

158. As worded, does the policy provide sufficient flexibility?
159. Part 1 of the policy refers to the ten characteristics of the National Design Guide and National Model Design Codes. Is this necessary or does it introduce duplication with national policy?
160. Part 3 of the policy refers to water consumption not exceeding 110 litres/person/day. Is this justified and supported by evidence? Is a lower maximum than this justified, and should this maximum be referred to as a minimum standard in order to encourage improved water efficiency standards? (110 litres/person/day is also referred to in Strategic Policy DS1 – Sustainable development)
161. Part 4 of the policy requires adherence to the Future Homes and Buildings Standard prior to its introduction in 2025. Is this justified?

162. Is the Heritage assets section of the policy guidance or policy? How would a proposal demonstrate compliance with it?
163. Is it necessary and justified to refer to 95% of residential development meeting M4(2) and 5% meeting M4(3) Building regulations standards for access? Is this requirement a duplication of the requirement in policies SA1, H5 and to some extent policies H1 and H2?
164. Is it necessary and justified for the policy to require compliance with the NDSS?
165. Is it necessary and justified for major development proposals to meet all of the 12 considerations in Building for a Healthy Life (part 17 of the policy)? Is it clear what would be required to meet this policy requirement?
166. Does the last paragraph of the policy just refer to sustainable construction or to the wider policy? Is it necessary and justified to submit a viability assessment where a developer considers that meeting the requirements is not suitable to local circumstances?

Policy BE4 – Valuing and conserving our historic environment

167. The policy requires proposals to sustain and enhance heritage assets; to conserve and enhance heritage assets and to make a positive contribution to the character, appearance and significance of it. Is this approach sufficiently flexible and consistent with national policy and legislation?
168. Is the approach taken to non-designated assets consistent with national policy? In particular, having regard to paragraph 203 of the Framework should the harm be weighed against public benefits in the same way as for designated heritage assets?
169. Should the second paragraph under the 'conserve the asset and its setting' part of the policy also refer to the removal or destruction of scheduled monuments as well as those considered to be of equivalent significance?
170. Is the approach to dealing with harm to other important archaeological remains justified and consistent with national policy?
171. Is it necessary for all heritage assets and/or their settings to be lost to be recorded and analysed? Is this consistent with paragraph 205 of the Framework?
172. What is the justification for the last paragraph of the policy regarding changes of use in conservation areas?

Matter 7 - Monitoring and Review (Block 3)

Policy DS7 – Monitoring of housing delivery

173. Does the policy provide a suitable mechanism to monitor the delivery of housing throughout the Plan period? Is a more detailed housing trajectory required to do this?
174. If housing delivery rates fail to meet the targets set out within the Plan, are the actions set out within the policy sufficient to ensure that the required housing delivery is provided during the Plan period?
175. Are the 4 bullet point actions set out within the policy intended to be ranked in order of preference? Is the policy sufficiently clear in this regard?

Policy DS8 - Review

176. Is the policy sufficiently clear and responsive in setting out under what circumstances a full or partial review of the Plan would be triggered?
177. Does the policy need to be more explicit about what evidence and what level of change would be required regarding housing and employment need in order to trigger a review?
178. Does the policy have sufficient regard to and set out the approach to dealing with the possibility of unmet housing and employment need arising in the housing market area/region?

Monitoring General

179. Does the Plan have clear and effective mechanisms for monitoring?
180. Do the monitoring tables contain relevant and measurable indicators?
181. Should the monitoring tables include “triggers” which would alert the Council to consider a review of the relevant matter?