

Nuneaton and Bedworth Borough Plan Review

Hearing Statement by Marrons on Behalf of Bellway Strategic Land (part of Bellway Homes Ltd), June 2024

Matter 2 – Vision, Strategic Objectives and Development Strategy

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?

22. What does 'a steady and adequate level of suitable housing' mean in the context of strategic objective 4?

This strategic objective does not address the Vision, which is clear regarding “*offering quality housing to **meet all our residents needs***” (emphasis added). Nor does it address the requirements of national planning policy concerned with **boosting** the supply of homes (NPPF60) and having plans which are positively prepared (NPPF16 and test of soundness 35(a)). National policy seeks much more than a steady and adequate supply.

The Council's approach also fails to reflect the extent of the Boroughs' housing crisis. Drawing on the Council's own published evidence there are over 3,000 households on the housing register, a dramatic increase in homelessness, 120-125 households in emergency accommodation and increased affordable need to 407 dwellings per annum (all explained further in Bellway Homes' Regulation 19 representations to Policy DS3, paras. 5-15 in particular).

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?

Whilst the Draft Plan seeks to go beyond the minimum requirements of the Standard Method / Local Housing Need – a principle which is supported under NPPF61, NPPG002 and NPPG010 Housing and Economic Needs Assessments – the key issue is how far the plan goes to provide the best opportunity to tackle the housing crisis as part of a positively prepared plan. As explained in Bellway Homes' representations to Policy DS3, there is a compelling case to go beyond the requirements of the draft plan to tackle the Borough's housing crisis, recognising that the 712dpa option tested in the SA is the best performing option in terms of socio-economic objectives.

24. Does the Plan address/meet any identified unmet needs in neighbouring areas? If not, why not?

The Draft Plan does not seek to address unmet needs in neighbouring areas, contrary to the adopted 2019 Borough Local Plan (BLP), which incorporated a 4,020 shortfall from the Housing Market Area (HMA). With parts of the HMA, particularly Coventry, now facing a considerable increase in housing requirements as a consequence of the 'urban uplift' in the

Standard Method it is clear than Nuneaton and Bedworth may still need to help contribute in future.

25. Is it necessary for the Plan to consider the release of Green Belt land to meet identified development needs?

Before looking to the Green Belt it is clear that there are alternatives outside of the Green Belt, as explained in Bellway Homes' Regulation 19 representations.

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.

At present the development strategy is considered inflexible because there is no evidence that it is even *effective* (NPPF test of soundness 35(c)) in terms of delivery and viability. There is no evidence to understand realistic lead-in times, build rates, infrastructure delivery and viability to support the proposed strategy and its allocations, an issue which is even more important on the context of the issues which the adopted BLP faced. This conflicts with a key requirement of NPPF73(d) with respect to evidence underpinning the larger site allocations.

The strategy relies on rolled forward strategic allocations from the 2019 BLP where deliverability and developability is still not clearly evidenced (particularly SHA2 and SHA3) and new non-strategic allocations, some of which are heavily constrained. The issues with specific site allocations will be returned to under subsequent Matters.

30. Has the development strategy been fully informed by the SA and other evidence? Is it soundly based? Does it accord with the Framework?

As explained in response to Matter 1 the development strategy has not be adequately assessed through the SA process. The SA (**CD7.2**) does not give any significant consideration of the social effects of not tackling the extent of the Borough's housing crisis, and how higher growth options and those which allocate additional land and sites could support a 'positively prepared' plan (NPPF test of soundness 35(a)). The narrative at page 83 of the SA – appraising the Draft Plan strategy / Option 1 against social factors – appears to downplay or not recognise the extent of the accrued housing shortfall and housing crisis facing the Borough.

Spatial Option 4 appears the best performing option in the SA, particularly in terms of housing, economy, population, infrastructure and investment, with limited negative effects, as explained at para. 7.3.6, page 31 of the SA report **CD7.2**. It remains unclear why this Option was rejected within the context of Borough's housing crisis and need for a positively prepared plan.

With respect to housing and the economy, page 81 of the SA report identifies that for Option 4 *"The additional housing provision under this option is likely to create more housing*

options in the market including the provision of more affordable housing. This is also likely to have positive effects on employment...". This is reiterated on page 91 of the SA under the population and human health objective. The viability and deliverability advantages of Option 4 are also identified at page 85 of the SA, noting proximity to public transport nodes, local shops and services as sustainability advantages too. Neutral effects are expected for biodiversity (SA, page 89) and neutral effects are also identified with respect to soil and land resources (SA, page 94), with the trade-off in use of greenfield land offset by the de-allocation of other greenfield sites. Uncertain and minor negative effects are identified with respect to air quality, where sites are close to existing AQMAs (page 99), but potential major positive effects are identified with respect to climate change. Some potential minor negative effects are envisaged with respect to landscape.

In addition, the strategy as a whole is not considered effective (NPPF test of soundness 35(c)) given the lack of evidence as to its deliverability and viability, contrary to NPPF and NPPG requirements. This relates to the lack of evidence underpinning both the strategic site allocations, non-strategic allocations, whether or not a 5-year housing land supply can be demonstrated and the assumptions underpinning the housing trajectory, which Bellway Homes will return to under subsequent Matters.

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?

No. As explained in response to Matter 1 there is no rationale behind the appraisal of site allocation options in the SA. The relationship with the HELAA is also unclear.

There are particular flaws in the HELAA process, as explained in Bellway Homes' Regulation 19 representations to Policy DS4, paragraphs 11-24. There are three critical issues with the site selection process.

- The approach to incorporated 'mitigation' as part of the appraisal process is inconsistent. Various sites are proposed for allocation that will require mitigation works to the highway network to be modelled, identified and delivered alongside new development, as is clear throughout the submitted IDP Appendix (**CD9.2**).

However, other sites have been rejected specifically on the basis that they will require mitigation to a local junction. There is a fundamental lack of consistency and objectivity in the site assessment process (GAL-4, for example, is rejected on the basis of mitigation being required to a local junction (a matter which is not uncommon) and a mitigation scheme is identified in the Council's Infrastructure Delivery Plan in any event (**CD9.2**, page 3)).

For favoured site allocations the Council also makes assumptions that where there are other deficiencies in transport performance the situation may improve (second para, page 83 of SA report **CD7.2**) – again, an assumption that does not appear to have been applied to rejected allocations.

- Evidence underpinning the SA's conclusions is out-of-date or applied selectively. For example, the SA's appraisal of landscape matters apparently draws on the findings of a 2023 Landscape Assessment which uses out-of-date OS mapping to conclude that land is within the countryside when it has already been developed for housing (a particular issue for the west of Nuneaton, as explained in Bellway Homes' Regulation 19 representations to Policy DS4 Residential allocations, paragraph 24).
- The evidence is difficult to follow in terms of how choices and decisions were made, as explained in paragraph 11 to Bellway Homes' Regulation 19 representations to Policy DS4. This is contrary to NPPG035 – Plan-making. It should also be noted that there are considerable difficulties reviewing and interpreting the HELAA in its complex spreadsheet format. There are conflicting and different reference numbers used in different documents making it unclear which sites are being referred to and what references relate to what allocation (e.g. what allocations do the references on page 83 of the SA **CD7.2** refer to etc.).

32. Have reasonable alternatives been considered and clearly discounted on the evidence?

As explained in response to Matter 1 and in Bellway Homes' Regulation 19 representations evidence is clearly lacking with respect to the extent to the potentially significant *social effects* of the preferred strategy, particularly in terms of the Draft Plan's ability to tackle the Borough's housing crisis.

Why Option 4 – which appears the best performing option in the SA with limited negative effects – was rejected in favour of Option 1 (the Draft Plan) is not evidenced.

33. Would the policies in the Plan, taken as a whole, effectively implement the vision and strategic objectives?

If the Vision is to meet the housing needs of residents in full, the Draft Plan fails to do that in the context of addressing the Borough's housing crisis.

34. Is the overall level, pattern and distribution of development set out in the development strategy viable and deliverable in general terms?

In general terms, there is no evidence to suggest that the development strategy is viable and deliverable.