

**Savills on behalf of Arbury Estate**

**Respondent ID: 106**

**Nuneaton & Bedworth Borough Plan Review MIQs**

**Matter 5 – Strategic and Non-Strategic Site Allocations**

**Matter 5, Issue 4: Strategic Employment Allocations**

This Hearing Statement has been prepared by Savills on behalf of the Arbury Estate in relation to their landholdings at Coventry Road, known as Strategic Allocation SEA4.

Arbury Estate, alongside Warwickshire County Council (WCC) control the land at Coventry Road SEA4, which is allocated for employment uses comprising B1, B2 and B8 under Policy EMP4 of the current NBBC Local Plan.

Arbury Estate and WCC, working collaboratively, submitted an outline planning application in November 2023 for up to 23,000sqm of flexible Class E(g)(iii), B2 and B8 floorspace including associated engineering and ground modelling works, landscaping, sustainable drainage system and associated works (LPA ref: 039979). The application submission demonstrates the Arbury Estate's commitment to delivery of the strategic allocation, setting parameters for achieving a new employment development on the site. The proposals have been developed in accordance with the existing EMP4 policy requirements and the Council's masterplan for the site, a material consideration in the determination of the application.

Negotiation of the application is ongoing, as the applicant seeks to address issues raised in relation to highways and ecology. It is fully anticipated that through the additional evidence being prepared and the assessments being undertaken by the consultant team, that the issues can be resolved and NBBC will be able to support the outline planning application. It is anticipated that an employment development could be delivered on the site from 2027.

Proposed Policy SEA4 broadly follows the same requirements and principles as adopted Policy EMP4. The elements where the adopted and proposed strategic policy differ are addressed in relation to the specific questions below.

This Hearing Statement responds specifically to Matter 5, Issue 4 in relation to Strategic Employment Allocations and sets out the specific questions to which the Arbury Estate would like to respond.

Savills requests to represent the Arbury Estate at the Examination Session relating to Matter 5, Issue 4.

**63. Are the last two parts of Strategic Policy DS5 necessary for effectiveness?**

The Arbury Estate considers that the inclusion of these elements are not necessary for effectiveness given SEA1 and SEA5 are now under construction. The reference to wider Bermuda Park Area, including SEA4, being of regional significance is not considered necessary for effectiveness given these are to be retained in employment use and / or to be allocated for such uses as set out on the Policies Map, ensuring the appropriate protection and / or development requirements are secured to support economic growth.

**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?**

The requirement for archaeological recording within the Policies is not considered justified. In support of the outline planning application for allocation SEA4, an Archaeological Desk Based Assessment and Archaeological Evaluation (through trial trenching) has been undertaken. The fieldwork identified no significant archaeological remains during the evaluation and as such the limited results meant the project would not contribute to any research themes or objectives and therefore no recording would be required. Given that for this specific site there is no evidenced requirement for archaeological recording, it is considered the requirement should not be set out in the proposed Policies and should be dealt with through the site specific planning applications.

**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?**

It is not clear where the increase in site area has arisen. The planning application includes a site area of 9.15ha. It is noted that at para. 7.116 of the Plan that reference is made to approximately 9ha gross for employment uses. It is considered that the Policy should be amended in relation to the site area to ensure consistency with supporting text and the planning application site area to approximately 9ha.

**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?**

Para. 7.116 references how the site was extensively quarried throughout the late nineteenth and early twentieth centuries. It is also known that the part of the site was a former landfill. A detailed Site Investigation Assessment has been undertaken and provided to support the outline planning application. Any future applications would need to take account of the site history and therefore inclusion of reference to land contamination within the Policy is not considered necessary to make Policy SEA4 effective. Notwithstanding that, reference could be made to the former landfill use and the requirement for future applications to address land contamination within para. 7116 as explanatory text.

The Environment Agency's Flood Maps for Planning and the Council's Strategic Flood Risk Assessment identify those areas at risk of fluvial flooding. It is also noted that para. 7.121 of the Plan addresses flood risk at the site. The NPPF at footnote 59 sets out the requirements for when a site specific flood risk assessment is required, including for all development within flood zones 2 and 3. Future (and current) planning applications would (and are) therefore be required by national policy to address fluvial risk through the requirement for a flood risk assessment. Inclusion of the requirement within Policy SEA4 is not therefore considered necessary to make the policy effective.

**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?**

In support of the outline planning application, a Utilities Assessment, including a developer enquiry response from Severn Trent Water as sewerage undertaker, has been submitted. This notes that there is foul drainage capacity available and that upgrades to local sewers should be undertaken by the developer.

It is noted that the IDP Project Reference 5 requires improvements to the local network in order to reduce the impact on hydraulic performance in the area to be provided by Severn Trent via developer contributions. It is suggested on this basis that reference to the financial contributions is justified.

It is noted that the Infrastructure Delivery Schedule (IDS) Project 11 /17/29 refers to The Bermuda Connectivity Project upgrades being funded and delivered by WCC, Bus Operators, WCC Capital Growth Fund and LEP Growing Places Fund. There is no reference to requiring contributions from developers and therefore the contribution towards the Bermuda Connectivity Project is not justified.

A Toucan crossing point across Coventry Road has been secured through planning permission ref: 034901 in relation to existing allocation EMP1 and is to be delivered by the County Council. Contributions towards a crossing point on Coventry Road are therefore not considered to be justified or evidenced as a reasonable request for this allocation.

Notwithstanding this, the creation of a cycle path link between Bermuda Station and Coventry Road, is proposed as part of the outline planning application. The details of the surfacing and lighting strategy will be submitted for approval as part of a future reserved matters application. It is considered reasonable to require this upgrade within the Policy given it will provide enhanced connectivity from both the site and wider area to Bermuda Park station.

**76. Part 18 of the policy requires maintenance and enhancement of habitat connectivity to the south. What is the justification for seeking enhancement?**

The existing site is designated a Local Wildlife Site; however the principle of employment development has been established through the existing EMP4 allocation. Flexibility to provide both on-site and off-site habitat and ecological enhancements, including the land to the south is welcomed. As part of the outline planning application, discussions are ongoing regarding enhancements to this area, including ecological surveys, to provide a reptile translocation site. The enhancement of habitat connectivity, given the site's existing designation as an LWS is considered to be an appropriate justification for seeking enhancements.

Notwithstanding the above, Part 6 requires a financial contribution towards deculverting Griff Brook to the south. The Council has not provided any costings or feasibility analysis for this requirement and therefore it is not considered reasonable or justified to seek such a contribution. It is suggested this item should be removed from the draft policy as well as the supporting text relevant to this item.