

Nuneaton and Bedworth Local Plan Examination

Hearing Statement on behalf of Jelson Homes

Matter 6: Detailed Policies (Block 2)

August 2024

Report title: Nuneaton and Bedworth Local Plan Examination – Hearing Statement – Matter 6

Prepared by: Tim Evans / Bethany Overall

Status: Final

Draft date: August 2024

For and on behalf of Avison Young (UK) Limited

Matter 6 – Detailed Policies

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

Policy H1: Range and mix of housing

1. **Q87 - Is Policy H1 justified and consistent with the evidence and national policy?**
 - 1.1 Jelson remains opposed to the inclusion in the Plan of a Policy that imposes a Borough-wide restriction as to the type and sizes of market homes that housebuilders will be permitted to deliver over the Plan period.
 - 1.2 Market demands and needs will differ across different local market areas within the Borough, and there will be different requirements within and adjacent to the main towns compared to more rural locations. For example, smaller properties will be in demand around the main urban areas and transport hubs, and larger homes will be in demand in the more rural areas. Therefore, a 'one size fits all' approach cannot be appropriate. Moreover, housebuilders are not in the habit of constructing homes that the market doesn't want; they can be relied upon to know and understand the market and deliver for the customers.
 - 1.3 Jelson has no objection to the Council providing *guidance* as to the types of homes that it believes will benefit a particular part of the Borough the most however it is not the role of the planning system to dictate the market mix of properties. This is an unnecessary intervention in the open market, and housebuilders remain best placed to determine what is appropriate for any particular market area.
 - 1.4 Even if such interventions were appropriate, it is not acceptable for policies to be worded such that a specific mix must be met on every site, or be "*required to provide*" as Policy H1 sets out.
 - 1.5 Whilst Jelson acknowledges the proposed modification to Policy H1 which sets out that developers will also need to consider the character of the local area surrounding the site, in terms of the type and sizes of new housing, it is reiterated that this is common practice amongst housebuilders.
 - 1.6 The policy also states that development is required to provide an appropriate mix of housing types and sizes based on the need and demand identified in the "*most up-to-date HEDNA or equivalent*". The evidence has to be 'up to date', not the 'most up to date'. It is the Council's responsibility to keep evidence up to date and if it does not it cannot rely on it.
 - 1.7 Jelson therefore feels that the policy should be amended to ensure it is able to be applied in a flexible manner, and so that it is positively prepared to be consistent with national policy.

Policy H5: Accessible and adaptable homes

2. **Q103 – Is Policy H5 justified, effective and consistent with the evidence and national policy?**
 - 2.1 A policy requirement for M4(2) and M4(3) dwellings must be justified by credible and robust evidence.
 - 2.2 The requirements for 95% compliance with M4(2) and 5% compliance with M4(3) exceed the minimum building regulation requirements and should therefore be based on specific local evidence of need.

- 2.3 The PPG is clear that local planning authorities should not *"impose any additional information requirements (for instance provision of furnished layouts) or seek to determine compliance with these requirements, which is the role of the Building Control Body"* (Paragraph 008 Reference ID 56-008-20160519). The draft wording of Policy H5 sets out that *"drawings must be submitted illustrating the M4(2) and M4(3) dwellings, including the adaptable or accessible measures implemented on-site, alongside their location on the development site"*. Jelson feels that to submit this level of information at the initial planning stage would be particularly onerous.
- 2.4 Jelson would like to point out that randomly assigning M4(3) properties amongst the provision of market housing will not, in any way, ensure that the people that need them have access to them. This is because the properties will be sold on the open market to anyone with or without accessibility needs. The properties may therefore be occupied in perpetuity by owners with no additional requirements and will not be available to disabled users as the policy intends. For this reason, Jelson does not believe that there should be a prescriptive requirement for market housing to provide M4(3) compliant dwellings. On this basis, Jelson would reiterate the point that there would be more logic for M4(3) compliance on the affordable housing provision in the Borough, as in theory these properties can be allocated based on need.

Contact details

Enquiries

Tim Evans
0121 609 8389
Tim.evans@avisonyoung.com

Bethany Everall
0121 609 8206
bethany.everall@avisonyoung.com

Visit us online
avisonyoung.com

Avison Young

3 Brindleyplace, Birmingham B1 2JB

Copyright © 2024. Avison Young. Information contained in this report was obtained from sources deemed reliable and, while thought to be correct, have not been verified. Avison Young does not guarantee the accuracy or completeness of the information presented, nor assumes any responsibility or liability for any errors or omissions therein. All opinions expressed and data provided herein are subject to change without notice. This report cannot be reproduced, in part or in full, in any format, without the prior written consent of Avison Young.