

Enquiries to: Committee Services
Committee Services Direct Dial: 024 7637 6619

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Date: 26th November 2024

Our Ref: MM

Dear Sir/Madam,

A meeting of the **BOROUGH PLAN COMMITTEE** will be held in the Council Chamber, Town Hall, Nuneaton, on **Tuesday, 10 December 2024** at 6.00 p.m.

Please note that meetings are recorded for future publication on the Council's website.

Yours faithfully,

TOM SHARDLOW

Chief Executive

To: All Members of the Borough
Plan Committee

Councillors: R. Roze (Chair), M. Bird,
A. Bull, L. Cvetkovic, T. Jenkins,
C. Smith, R. Smith, M. Walsh and
C. Watkins

A G E N D A

1. EVACUATION PROCEDURE

A fire drill is not expected, so if the alarm sounds please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside Lloyds Bank on the opposite side of the road.

Please exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.

This meeting will be live streamed to YouTube and will be available to view via the NBBC website.

2. APOLOGIES - to receive apologies for absence from the meeting.

3. MINUTES - To confirm the minutes of the meeting held on 28th November, 2023 (**Page 4**).

4. DECLARATIONS OF INTEREST

To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members' Code of Conduct.

Declaring interests at meetings

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non-pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda (**Page 8**). Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Democratic Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

5. PUBLIC CONSULTATION - Members of the Public will be given the opportunity to speak on specific agenda items, if notice has been received.

Members of the public will be given three minutes to speak on a particular item and this is strictly timed. The chair will inform all public speakers that: their comments must be limited to addressing issues raised in the agenda item under consideration: and that any departure from the item will not be tolerated.

The chair may interrupt the speaker if they start discussing other matters which are not related to the item, or the speaker uses threatening or inappropriate language towards Councillors or officers and if after a warning issued by the chair, the speaker persists, they will be asked to stop speaking by the chair. The chair will advise the speaker that, having ignored the warning, the speaker's opportunity to speak to the current or other items on the agenda may not be allowed. In this eventuality, the chair has discretion to exclude the speaker from speaking further on the item under consideration or other items of the agenda.

6. BOROUGH PLAN REVIEW UPDATE– a report of the Strategic Director for Place and Economy, attached **(Page 11)**.
7. ANY OTHER ITEMS - which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

NUNEATON AND BEDWORTH BOROUGH COUNCIL

BOROUGH PLAN COMMITTEE

28th November 2023

A meeting of the Local Plan Committee was held on Tuesday, 28th November 2023. This meeting was held in the Council Chamber and was recorded for future publication on the Council website.

Present

Councillor R. Smith (Chair)

Councillors: L. Cvetkovic, K. Kondakor, R. Tromans, M. Walsh and S. Harbison (substitute for Councillor R. Baxter-Payne)

Apologies: Councillors R. Baxter-Payne and N. Phillips.

PART I – PUBLIC BUSINESS

BPC5 Minutes

RESOLVED that the minutes of the meeting held on 12th July 2023 be approved and signed by the Chair.

BPC6 Declarations of Interest

As Councillor S. Harbison was a substitute Councillor for this meeting, his declarations were not detailed in the Schedule attached to the agenda.

Councillor R. Tromans declared he has been asked to represent WCC on the West Midlands Combined Authority Transport Board.

RESOLVED that the declarations of interests are as set out in the Schedule attached to these minutes, with the addition of the Declarations of Interests for Councillor R. Tromans, and Councillor S. Harbison who is a substitute Councillor for this meeting.

BPC7 Borough Plan Review Update

The Assistant Director – Planning submitted a report to update Members on the Borough Plan Review process, outcomes of the Regulation 19 public consultation, minor amendments required to the Infrastructure Delivery Schedule for the Borough Plan Review and to recommend to Cabinet and Full Council that the Review continues to the Regulation 22 stage (Submission) with the caveat that any amendments deemed necessary can be carried out by Delegated Powers of the Assistant Director in consultation with the Portfolio Holder. Members were also asked to recommend to Cabinet and Full Council that the timetables can be changed to the Local Development Scheme.

RESOLVED that

- a) the Borough Plan Review submission documents be endorsed;
- b) it be RECOMMENDED TO CABINET AND FULL COUNCIL that the Council can continue to Regulation 22 stage – the submission of the Borough Plan Review and associated documents to the Secretary of State for Examination;

- c) the caveat that any amendments deemed necessary be carried out by Delegated Powers of the Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation be agreed; and
- d) it be RECOMMENDED TO CABINET AND FULL COUNCIL that the timetables can be changed to the Local Development Scheme.

Councillor K. Kondakor requested that his vote against the Borough Plan Review Update recommendations be recorded in the minutes.

BPC8

Update On The Gypsy And Traveller Site Allocations Development Plan Document (DPD)

A report of the Assistant Director – Planning provided Members with an update on the status of the Gypsy and Traveller Site Allocations DPD and provided details of the responses received to the Main Modifications requested by the Planning Inspector. The document will be brought separately to Borough Plan Committee in the future to request adoption by Cabinet and Full Council once acknowledgement is received that it is considered sound and legally compliant by the Planning Inspectorate.

RESOLVED that the updates and responses received be noted.

BPC9

Any Other Items

None

Chair

Borough Plan Committee - Schedule of Declarations of Interests – 2022/2023

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	R. Baxter-Payne	Employed by Vinci Construction Major Projects UK Ltd (VCMP UK Ltd); County Councillor - WCC	Spouse: Self-employed childminder Member of the following Outside Bodies: <ul style="list-style-type: none"> • West Midlands Combined Audit, Risk and Assurance Committee • Warwickshire Adult Social Care and Health Overview and Scrutiny Committee (substitute) 	
	L. Cvetkovic	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	The Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee) Member on the following Outside Bodies: <ul style="list-style-type: none"> • Building Control Partnership Steering Group 	
	J. Kennaugh	County Councillor W.C.C. Employed by Yu Energy.	Member of the W.C.C. Regulatory Committee Member of the Conservative Party Member of UNITE the Union Member on the following Outside Bodies: <ul style="list-style-type: none"> • EQUIP 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	K.A. Kondakor	Electronic and Embedded Software Design Engineer (self-employed)	Unpaid Director of 100% Renewables UK Ltd Green Party (E&W)	
	N. Phillips	Employee of DWP	Member of: <ul style="list-style-type: none"> • Nuneaton Labour CLP • The Fabian Society • The George Eliot Society • The PCS Union • Central Credit Union • Stockingford Sports and Allotment Club • Haunchwood Sports and Social Club 	
	J. Singh	Self-employed – Sedgies News Agents		
	R. Smith (Chair)		Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club; Director of NABCEL; Member of the following Outside Bodies: <ul style="list-style-type: none"> • A5 Member Partnership; • PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • West Midlands Combined Authority and Land Delivery Board 	
	R. Tromans	Compliance, GIM, Coventry Warwickshire County Councillor (Weddington) Share in a rental property in Hydes Pastures, Nuneaton	W.C.C Warwick Member of the Conservative Party Member of the Chartered Institute of Credit Management	
	M. Walsh	Employed by MacInnes Tooling Ltd. – UK Sales Manager		

**Borough Plan Committee –
Schedule of Declarations of Interests – 2024/2025**

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	M. Bird		<ul style="list-style-type: none"> - Life Member of National Association of British Market Authorities. - Member of the Stockingford Allotment association and Pavillion Club. 	
	A. Bull	Employed by FedEx	The Labour Party (sponsorship) - CWU Trade Union Member Representative of the following Outside Bodies: - Age UK (Warwickshire Branch)	
	L. Cvetkovic	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	Trustee of Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee) Member on the following Outside Bodies: - Building Control Partnership Steering Group	
	T. Jenkins	Managing Partner – Gribblybugs LLP	The Labour Party (sponsorship) - Committee Member of Warwickshire Amphibian & Reptile Team - Member of Warwickshire Wildlife Trust - Member of Equity – Trade Union - Member of National Trust and English Heritage Representative on the following Outside Bodies:	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> • Nuneaton and Bedworth Sports Forum, • Safer Warwickshire Partnership Board, • Warwickshire Health and Wellbeing Board, • Warwickshire Police and Crime Panel, • Biodiversity Champion • Committee of Management of Hartshill and Nuneaton Recreation Ground • Exhall Education Foundation • Foleshill Charity Trustee – Proffitt's Charity 	
	R. Roze	Director – InfiniTEN Ltd	<p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • A5 Member Partnership • Nuneaton and Bedworth Community Enterprises Ltd • PATROL (Parking and Traffic Regulations Outside of London) Joint Committee Services. • Building Control Partnership Steering Group • Bedworth Town Deal Board 	
	C. Smith	Software Engineer – Prophet PLC	<ul style="list-style-type: none"> - Member of Labour Party and Unite - Safeguarding – Manor Park RFC <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> - Astley Charity 	
	R. Smith		<ul style="list-style-type: none"> - Conservative Party Member - Chair of Trustees - Volunteer Friends, Bulkington; - Trustee of Bulkington Sports and Social Club. - Trustee of Bulkington Volunteers 	
	M. Walsh	Employed by MacInnes Tooling Ltd. – UK Sales Manager	<p>Trustee of the Nuneaton Scouts Association.</p> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> - Hammersley Smith and Orton Charity 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	C.M. Watkins	Employee of Nutri Pack	Representative on the following outside bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL) • Coventry, Warwickshire and Hinckley and Bosworth Joint Committee • Local Government Association • Nuneaton and Bedworth Home Improvement Agency • Nuneaton and Bedworth Safer and Stronger Communities Partnership • Nuneaton and Bedworth Community Enterprises Ltd • Warwickshire Housing Support Partnership • West Midlands Combined Authority Board (WMCA) • West Midland Combined Housing and Land delivery Board 	

Borough Plan Committee

Report Summary Sheet

Date:	10th December 2024
Subject:	To update Members on the status of the Borough Plan Review
Portfolio:	Planning and Enforcement (Councillor R. Roze)
From:	Strategic Director for Place and Economy

Summary:

The purpose of this report is to update Members on the status of the Borough Plan Review since its submission to the Secretary of State for Ministry of Housing, Communities and Local Government (formerly Levelling Up, Housing and Communities) on the 12th February 2024.

Recommendations:

- To note the updated status and information provided in this report, in relation to the Borough Plan Review.

Options:

- To endorse the updated status and information provided in this report, in relation to the Borough Plan Review.
- Not to endorse the information provided but to recommend an alternative.

Reasons:

The Council is required to Review the Borough Plan at least every five years and submit the Local Plan to the Planning Inspectorate for Examination to comply with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended), National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

Consultation undertaken with Members/Officers/Stakeholders:

- Consultation with Portfolio Holder – Planning and Regulation.
- Consultations with key stakeholders and public consultations for Issues and Option, Preferred Options and the Publication version of the Borough Plan Review (held in 2021, 2022 and 2023).

Subject to call-in: No.

Ward relevance: All.

Forward plan: Yes.

Building a Better Borough Aim: All.

Building a Better Borough Priority: All.

Relevant statutes or policy:

Planning and Compulsory Purchase Act 2004 (as amended)) and the associated Town and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). National Planning Policy Framework (NPPF) / Planning Practice Guidance (PPG).

Equal opportunity implications:

Equalities Impact Assessment has been completed throughout the Borough Plan Review process.

Human resources implications:

The Local Development Scheme (2024) timetable accounts for existing known staffing and resource levels.

Financial implications:

The costs associated with progressing the Borough Plan Review would be met within existing budgets. If any additional evidence base is required/necessary, this has not been accounted for under existing budgets and may have to be carried out under the 2025/26 budget.

Health Inequalities Implications: N/A

Section 17 - Crime and Disorder Implications: N/A

Risk management implications:

Risks primarily relate to whether the Planning Inspectors consider the Borough Plan Review sound and legally compliant in accordance with national policy, potential

changes to national policy (including proposed changes to the National Planning Policy Framework which were publicly consulted on from 30th July to 24th September 2024) and potential staff shortages.

Environmental implications:

The submission version of the Borough Plan Review, and associated documents, are aligned with the latest Government guidance, available at the time of submission, on preserving and enhancing the natural environment. Sustainability Appraisals and Habitats Regulations Assessments have been carried out throughout the process.

Legal implications:

The Borough Plan Review was submitted to the Secretary of State, under Regulation 22 of the Planning & Compulsory Purchase Act 2004 and the associated Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), on 12th February 2024.

The Borough Plan Review is currently under Examination by two Planning Inspectors in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

Contact details:

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Principal Planning Policy Officer
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NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Borough Plan Committee – 10th December 2024

From: Strategic Director for Place and Economy

Subject: To update Members on the status of the Borough Plan Review

Portfolio: Planning and Enforcement (Councillor R. Roze)

Building a Better Borough Aim: All.

Building a Better Borough Priority: All.

1. Purpose of Report

1.1 The purpose of this report is to update Members on the status of the Borough Plan Review since its submission to the Secretary of State for Ministry of Housing, Communities and Local Government (formerly Levelling Up, Housing and Communities).

2. Recommendations

2.1 The recommendation is as follows:

- To note the updated status and information provided in this report, in relation to the Borough Plan Review.

3.1 Background to the Borough Plan Review

3.2 On the 12th February 2024, the submission version of the Borough Plan Review and supporting evidence base were submitted to the Secretary of State for Ministry of Housing, Communities and Local Government for independent examination by the Planning Inspectorate.

3.3 Prior to this, the Council consulted on the Borough Plan Review Publication document from the 4th September to the 16th October 2023. The Publication consultation followed on from the 'Preferred Options' consultation which ran from June to July 2022, the 'Issues and Options' consultation held in June to July 2021 and the Council's 'call for sites' in October 2021.

- 4 Borough Plan Review update
- 4.1 After submitting the Borough Plan Review in February 2024, to the Secretary of State, two Planning Inspectors were appointed to independently examine the Borough Plan Review and associated evidence base, the Inspectors are M. Wolden and B. Wilders. Their role is to consider the evidence provided by the Council to support the Local Plan and the representations put forward by local people and other interested parties, and to ensure that the Plan meets the legal and procedural requirements and is sound.
- 4.2 The Inspectors issued three blocks of dates to examine the Borough Plan Review, in the format of round table discussions between the Inspectors, the Council and any consultees that responded to the Publication document (Regulation 19). The sessions were held in July, September and October and were open to the public to observe.
- 4.3 On the 22nd May 2024 the Planning Inspectors issued Matters, Issues and Questions (MIQs), in relation to Blocks One and Two of the Examination in Public hearing sessions, held in July and September 2024, with Block Three MIQs following on the 22nd July 2024. In total 181 questions were issued by the Inspectors. The Council was asked to submit their written statements to all the MIQs posed by the Inspectors. Representors, who had responded to the Regulation 19 consultation, could also respond to any question(s) of interest. The MIQ detailed responses formed the basis of the individual round table discussions and any participants who had responded to the MIQs were invited to participate in the hearing sessions.
- 4.4 During the Examination process, the Council has gone out for call for sites for employment land to ensure the evidence base is as up to date as possible and to assist with on-going regional and sub-regional discussions with local authorities under the duty to cooperate. The call for site responses are currently being reviewed. Further, core and evidence base documents have been received or carried out by the Council and submitted to the Planning Inspectors, for consideration during the Examination process. These documents include:
- Sustainability Appraisal Scoping Report (2021)
 - Habitats Regulations Assessment Addendum (2024)
 - West Midlands Strategic Employment Sites Study 2023/24 (2024)
 - Coventry and Warwickshire HEDNA – WMSESS Alignment Paper
 - Committee Report for NSRA4 Vicarage Street
 - Addendum to Ecology and Geodiversity Assessment – EMP7 – SEA6 (2023)
 - Addendum to Ecology and Geodiversity Assessment – SHA3 (2023)
 - Nuneaton and Bedworth Borough Local Plan Report, 9 April 2019
 - Local Development Scheme (2024)

- Appeal Decision – Land located to the south of The Long Shoot, Nuneaton, Warwickshire, 18 September 2024
 - Warwickshire Design Guide
 - Tewkesbury Borough Council v Secretary of State for Housing, Communities and Local Government [2021] EWHC 2782 (Admin)
 - Habitats Regulations Assessment of the Nuneaton and Bedworth Local Plan Review Addendum v2.
- 4.5 The Examination in Public hearing sessions are now closed. The Council have been waiting for a post hearing note with further instructions from the Planning Inspectors. This note was received on the 14th November and is attached as appendix A. The note is written positively and indicates that the Inspectors consider the Plan sound subject to the final approval of agreed Main Modifications.
- 4.6 The Council has already submitted suggested Main Modifications and which the Inspectors are now requesting some minor amendments to which can then be finalised and sent back to the Inspectors for agreement. The amendments include:
- Calculating the housing land supply position from a base date of 1st April 2025 rather than 2024.
 - Minor amendments to show which sites are likely to deliver within those time frames and corrected associated dates.
 - Amending or justifying contributions such as for Warwickshire Policing within Policies to ensure they meet the necessary planning obligations tests.
 - Adding East of Bulkington Strategic site back into the Borough Plan Review.
 - Review wording of Policy DS7 - Monitoring of housing strategy and Policy DS8 – Review and linking these two Policies.
 - Continue working with the Inspectors on the draft schedule of Main Modifications and finalise and send the Inspectors the Additional Modifications.
- 4.7 Once any suggested Main Modifications are agreed with the Inspectors, the Council will be able to proceed with the Main Modifications consultation. The Council will also provide a schedule of Additional Modifications, proposed to the Borough Plan Review, to correct typographical or grammatical errors or for clarity (not for soundness or legal compliance reasons) and are not before the Inspectors for consideration. These next steps are likely to be in the following weeks or next few months and will depend on how long the Main Modifications take to agree with the Inspectors and when the new consultation period commences, as the Christmas period will need to be avoided. The Policy Team will then collate the responses to the consultation and forward these onto the Inspectors for review. Once the Inspectors review these responses, it is anticipated that the Examination can move onto the next stage of the process which is receipt of the Inspectors final report to the Borough Plan Review.

- 4.8 For information, by way of next steps, on the 10th April 2024, Cabinet resolved that the following should be recommended to Full Council:
- The examining Planning Inspectors be requested to recommend the Council modifications to the submitted Borough Plan Review Documents in the event that the Inspectors consider that such modifications would be necessary to make the submitted plan sound and legally compliant, pursuant to S20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended) and
 - That Delegated Authority be given to the Assistant Director for Planning (now Strategic Director for Place and Economy) in consultation with the Portfolio Holder for Planning and Regulation (Councillor R. Roze) to suggest and agree any necessary modifications to the Borough Plan Review Documents deemed necessary by the Planning Inspectors during the examination process, to ensure the Plan is sound and legally compliant, pursuant to S20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended) and
 - That Delegated Authority be given to the Assistant Director for Planning (now Strategic Director for Place and Economy) in consultation with the Portfolio Holder for Planning and Regulation (Councillor R. Roze) to enable Officers to consult on any modifications deemed necessary by the Inspectors.
- 4.9 Full Council resolved, on the 17th April 2024, that the recommendations from the Cabinet meeting (10th April 2024) be endorsed/approved. Therefore, Delegated Powers have already been received to proceed to the Main Modifications consultation.
- 4.10 In accordance with the Local Development Scheme (2024) and dependent on the Planning Inspectorate's work programme, the Examination in Public and likely consultation on Main Modifications is anticipated to continue until February 2025, with receipt of the Inspector's Report anticipated in February 2025. The predicted date of adoption is likely to be between April to June 2025.
- 4.11 Documents being considered by Borough Plan Committee at this meeting:
- Appendix A – The Planning Inspectorate Post hearing note.
 - The information and documents related to the Examination of the Borough Plan Review are available [online](#).
5. Conclusion
- 5.1 It is requested that the updated status of the Borough Plan Review and information is noted.

6. Background Papers

The core, evidence base and post-submission documents for the Borough Plan Review can be viewed at: [Submission of the Borough Plan Review \(2021-2039\) | Borough Plan | Nuneaton and Bedworth Borough Council](#)

Helen Wilson Consultancy Limited, the Council's Programme Officer's website, contains Examination in Public information and updates. The website can be viewed at: [Nuneaton and Bedworth Borough Local Plan Review | Helen Wilson Consultancy Limited](#)

The Local Development Scheme (2024) can be viewed at: [Microsoft Word - LDS DRAFT September 2024](#)

The agenda, reports and appendices; addendum and minutes from the Cabinet meeting on the 10th April 2024 can be viewed at: [10 April 2024: Cabinet | Nuneaton and Bedworth Borough Council](#)

The agenda, reports and appendices; addendum and minutes from the Full Council meeting on 17th April 2024 can be viewed at: [17 April 2024: Council | Nuneaton and Bedworth Borough Council](#)



The Planning Inspectorate

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