

Anca Seaton

From: Smith, Ian [REDACTED]
Sent: 05 September 2023 12:01
To: Planning Policy
Subject: Nuneaton Local Plan - Reg 19 Consultation
Attachments: Representation_Form_A__Personal_details (1).pdf;
Representation_Form_B__Your_representation_s_.pdf

Dear Sarah

As you know, we have briefly discussed our 'cross-boundary' issue potentially affecting our Hinckley employment scheme. As a result, I have attached a minor comment on the draft Local Plan, but I have couched this as an objection. You will see that we are seeking very minor changes/clarification to Policy DS2 and I'm happy to discuss this further if appropriate.

I trust all is self-explanatory but please do contact me if you need any additional information or wish to discuss further.

Forms A and B attached.

I would be grateful if you could acknowledge receipt of this representation please.


Kind regards
Ian Smith

Ian Smith MRTPI MIEnvSc CEnv
Senior Planning Manager



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 <p>Nuneaton & Bedworth United to Achieve</p>	<p>Borough Plan Review Publication Stage Representation Form</p>	<p>Ref:</p> <p>(For official use only)</p>
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Name of the Local Plan to which this representation relates:

Borough Plan Review Publication Stage

Please return to Nuneaton and Bedworth Borough Council by 16th October 2023 via:

Email: planning.policy@nuneatonandbedworth.gov.uk

Post: Planning Policy, Nuneaton and Bedworth Borough Council, Town Hall, Coton Road, NUNEATON, CV11 5AA

This form has two parts –

Part A – Personal details.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

	1. Personal details* * If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.	2. Agent's details (if applicable)
Title	Mr	
First name	Ian	
Last name	Smith	
Job title (where relevant)	Planning Manager	
Organisation (where relevant)	Wilson Bowden	
House no. and street	Cartwright Way, Forest Business Park	
Town	Bardon Hill, Leicestershire	
Postcode	LE67 1UB	
Telephone number		
Email address (where relevant)		

Part B – Please use a separate sheet for each representation

Name or Organisation: Wilson Bowden

3. To which part of the Borough Plan does this representation relate?

Paragraph	
Policy	Policy DS2
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

4.(2) Sound?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

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We wish to OBJECT to Policy DS2 – Settlement hierarchy and roles. Our concern is only with the final paragraph of DS2 which states:

'New unallocated development outside the settlement boundaries, as shown on the policies map, is limited to agriculture, forestry, leisure and other uses that can be demonstrated as appropriate, to require a location outside of the settlement boundaries'.

For some years Wilson Bowden has been promoting a major employment site north of the A5 at Harrow and Wapping Farm on the west side of Hinckley. The majority of this site is located with Hinckley and Bosworth district council area, but a small

part lies with Nuneaton Borough Council area. Critically, that small part located with Nuneaton Borough will accommodate the access to the main site off the A5(T). The site is shown below although the access land extends westwards beyond the red line shown.

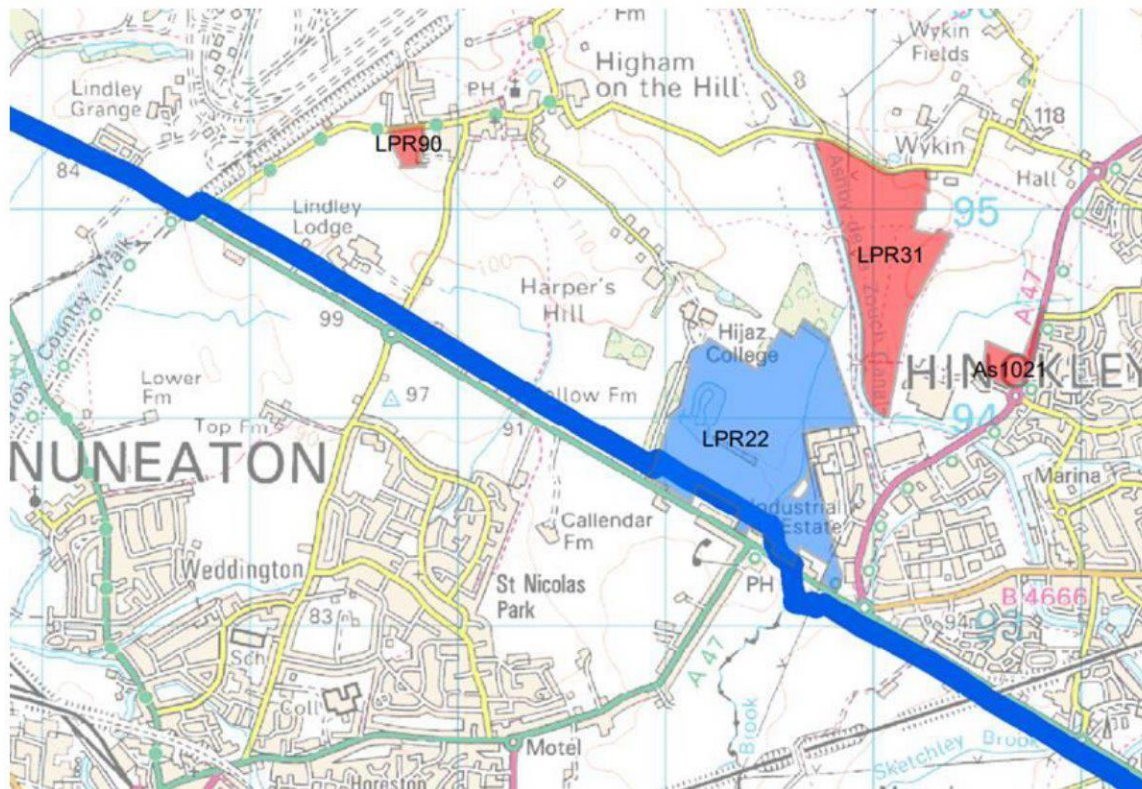


The above land has been promoted through the Hinckley & Bosworth local plan process for some time. That plan process has now been delayed pending a series of further technical work being undertaken by the District and County Councils. We believe that the merits of the above site have been recognized by Hinckley & Bosworth Borough Council and that, in due course, the site is likely to be allocated for employment development in a future Local Plan. The site has been supported by key Officers and we have been in recent discussions with the Head of Planning and the Chief Executive.

The Harrow & Wapping Farm site was identified as a potential proposed allocation for inclusion in the submission version of the local plan, within a report to HBBC's Scrutiny Commission in November 2021 which is available to inspect on the Councils website. A list of the key proposed development sites was included in that report – extract below.

			main street			
AS1021	Hinckley	Urban Area	Land at junction of Normandy Way and Triumph access road, Hinckley	Housing	100	
LPR22	Hinckley	Urban Area	Land at Wapping and Harrow Farm, Watling Street (A5),	Employment	N/A	30.00
LPR31	Hinckley	Urban Area	Land West of Hinckley West (Larger Site	Housing	500	

A plan of the relevant land, taken from Hinckley documents is shown below. It is clear that the point of access lies in Nuneaton 'open countryside'.



The key issue, which can be seen from the above plan, is that the access to this site from the A5 lies within Nuneaton Borough and therefore, in the fullness of time, a cross-boundary planning application to both authorities will be required. At present, notwithstanding the current position regarding the Hinckley Local Plan, we are considering an early planning application for this site, in advance of adoption of a new Hinckley Local Plan.

The access element, within Nuneaton, lies in open countryside and will therefore fall to be considered against Draft Local Plan policy DS2. Our concern is that, within the policy, the phrase *'other uses that can be demonstrated as appropriate, to require a location outside of the settlement boundaries'* is somewhat vague and insufficiently precise to adequately cover the situation described above. For this reason, we do not consider the draft Plan to be sound as it could be more effective if modified slightly.

We therefore suggest a slightly more prescriptive policy wording below that would allow effective consideration of a planning application for this key access point. We do not believe that the wording suggested would create any kind of precedent affecting other development proposals.

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We suggest a minor modification to the final paragraph of Policy DS2 as follows:

*'New unallocated development outside the settlement boundaries, as shown on the policies map, is limited to agriculture, forestry, leisure, **essential infrastructure, cross boundary development** and other uses that can be demonstrated as appropriate, to require a location outside of the settlement boundaries'.*

We would be pleased to discuss this suggestion further with the Council.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No , I do not wish to participate at the oral examination	
Yes , I wish to participate at the oral examination	X

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

This is a slightly unusual case and, depending on the views of Nuneaton Council Local Plans team, we may need to explain and discuss this in more detail with the Local Plan Inspector.

Please note the Inspector will determine the most appropriate procedure to adopt, to hear those who have indicated that they wish to participate at the oral part of the examination.

9.

Signature:

(Please sign the box if you are filling in a paper copy. If you are filling in an electronic copy, the box can be left blank)



Date:

5/9/23