

Anca Seaton

From: Chontell Buchanan <[REDACTED]>
Sent: 13 October 2023 21:55
To: Planning Policy
Cc: Jacqueline Padbury; Isobel Bennett
Subject: Nuneaton and Bedworth Borough Plan Review Publication Stage consultation 2023 representations.
Attachments: Representation_Form_A__Personal_details__Reg 19 consultation Sept 2023.pdf; Representation_Form_B__Your_representation_s__Reg 19 consultation sept 2023 DS7.pdf; Representation_Form_B__Your_representation_s__Reg 19 consultation sept 2023 DS8.pdf; Representation_Form_B__Your_representation_s__Reg 19 consultation sept 2023 DS4.pdf; Representation_Form_B__Your_representation_s__Reg 19 consultation sept 2023 DS2.pdf; Representation_Form_B__Your_representation_s__Reg 19 consultation sept 2023 H1.pdf; Representation_Form_B__Your_representation_s__Reg 19 consultation sept 2023 DS3.pdf; Representation_Form_B__Your_representation_s__Reg 19 consultation sept 2023 H2.pdf; Representation_Form_B__Your_representation_s__Reg 19 consultation sept 2023 DS6.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Processed

Dear Sirs,

Please find enclosed herewith our representation to the Nuneaton and Bedworth Borough Plan Review Publication Stage consultation 2023.

Part A relates to all the Part B submissions.

I would appreciate if you could please confirm safe receipt of the above.

Yours faithfully,


Chontell Buchanan MTCP (Hons) MRTPI
Property Consultant

[REDACTED]
www.firstcity.co.uk

First City Limited
19 Waterloo Road
Wolverhampton
WV1 4DY

TOWN & COUNTRY PLANNING ♦ DEVELOPMENT LAND AGENTS ♦ PROPERTY VALUATIONS ♦ LANDLORD &
TENANT ♦ PROPERTY MANAGEMENT ♦ SALES & LETTINGS

FIRST CITY LTD, Registered Office First City House, 19 Waterloo Road, Wolverhampton, WV1 4DY. This message, its contents and any attachments to it, are private and confidential. Any unauthorised disclosure, use or dissemination of the whole or any part of this message (without our prior consent in writing) is prohibited. If you are not the intended recipient of this message, please notify us immediately. No contractual agreement may be concluded on behalf of First City Ltd by means of email. Reg. in England No. 1764529. Regulated by RICS.

 <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>
---	---	--

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		
First name		
Last name		
Job title (where relevant)		
Organisation (where relevant)	Archdiocese of Birmingham	First City Limited
House no. and street	Cathedral House, St Chad's Queensway	19 Waterloo Road
Town	Birmingham	Wolverhampton
Postcode	B4 6EX	Wv1 4DY
Telephone number		
Email address (where relevant)		

Part B – Please use a separate sheet for each representation

Name or Organisation:

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

Paragraph	
Policy	DS2 – Settlement hierarchy and roles
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

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

4.(2) Sound?

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

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

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

We support the inclusion of Ash Green within the settlement hierarchy and consider the settlement can support residential development.

We support the inclusion of residential development in this area and consider our clients land south of New Road would suitably accommodate residential development in Ash Green.

The site is currently located outside of the settlement boundary but is effectively an infill site located between a site which has recently been developed and The Haven Nursing Home.

The site would round off the development boundary of Ash Green in an obvious and appropriate way.

We therefore would support additional growth in Ash Green and the inclusion of the land south of New Road.

However, we note that the site has been excluded from the Publication Draft Plan and there is limited development allocated in Ash Green.

We do not consider sufficient sites have been allocated in Ash Green in accordance with the proposed settlement hierarchy.

Ash Green is a sustainable location with a number of services and facilities to support additional growth. By not providing sufficient allocations for dwellings within different areas of the Borough, we consider the plan fails to be positively prepared, justified, effective or consistent with national policy and therefore not sound.

We do not consider Strategic Policy DS2 aligns with Policy DS4 and the amount of housing that has been allocated in Ash Green.

Policy DS2 does not specify a number of dwellings or even a percentage of the overall housing requirement that will be allocated to Ash Green only stating, *“Development will be directed to other settlements, at a scale that reflects the role and function of the settlement and its order in the hierarchy, as well as the settlement’s ability to accommodate change”*.

It is important to acknowledge that not all development can be accommodated within the existing settlement boundaries or on previously developed land.

It is therefore important to acknowledge that there may be the requirement to provide development outside of the settlement boundaries (should they not be altered as part of the local plan review) that are not limited to agriculture, forestry and leisure. In these instances, it is important for the plan to be flexible and also provide the ability for the presumption in favour of sustainable development to be implemented when proposals/ applications are viewed on their merits.

(Continue on a separate sheet / expand box if necessary)

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 d

We do not consider Strategic Policy D2 aligns with Policy DS4 and the amount of housing that has been allocated in Ash Green.

(Continue on a separate sheet / expand box if necessary)

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?

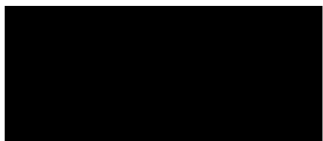
No , I do not wish to participate at the oral examination	
Yes , I wish to participate at the oral examination	X

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

We consider it necessary to participate at the oral part of the examination to relay our comments expressed herewith and to answer any questions the inspector may have in connection to our clients site and Ash Green as a settlement.

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:	28/09/2023

Part B – Please use a separate sheet for each representation

Name or Organisation:

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

Paragraph	
Policy	DS3 – Overall Development needs
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

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

4.(2) Sound?

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

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

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

We are pleased to see that 'minimum' has been added to the policy as the number of dwellings stated should not be a ceiling figure.

With consideration given to the Duty to co-operate and the Governments objectives to significantly boost the supply of housing, restricting development on sustainable sites would be unsound.

(Continue on a separate sheet / expand box if necessary)

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.

(Continue on a separate sheet / expand box if necessary)
--

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:

We consider it necessary to participate at the oral part of the examination to relay our comments expressed herewith and to answer any questions the inspector may have in connection to our clients site and Ash Green as a settlement.
--

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:	28/09/2023

Part B – Please use a separate sheet for each representation

Name or Organisation:

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

Paragraph	
Policy	DS4 – Residential Allocations
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

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

4.(2) Sound?

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

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

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

We are disappointed to see our clients land has not been included as a proposed allocation. The site would make an positive addition as it has excellent potential to support residential development.

Our clients' land is located south of New Road on the edge of the settlement of Ash Green. It is currently located outside of the settlement boundary and located within the Green Belt. However, the site is surrounded to the north, east and west by existing development and effectively could be considered to be an infill site.

The site has the ability to accommodate approximately 14 dwellings of a mix of 2,3 and 4 bedrooomed properties and is a reasonable size site for the settlement of Ash Green.

The site is surrounded by residential development on 3 sides and effectively is an infill development plot that would have no impact on the wider Green Belt.

The land at New Road has no constraints that would prevent residential development. Please see our response to policy DS6 – Green Belt for additional comments regarding Green Belt related designation and why is should be removed.

We note there is one site that has been proposed for Ash Green (Land rear of Burbages Lane, Ash Green site ref NSRA-5/ EXH-8). however, the land south of New Road has the ability to provide additional dwellings for the settlement in a sustainable location. In the Preferred Options consultation, site NSRA-5 was proposed to allocate 30 dwellings. This has now been increased to 47 dwellings in the Publication Draft Plan. This is disappointing to see as we consider our clients site would have been able to accommodate that additional housing increase in the settlement and would provide greater flexibility and assist with ensuring the plan is sound.

The lack of an alternative allocation site in Ash Green is a concern. Should there be any delays or unforeseen issues with site NSRA-5, this would hinder the delivery of housing in Ash Green, thus making the plan unsound in its ability to deliver the housing needs of the Plan Review.

We do not consider there are any material considerations why the site should not be allocated for future residential development and would contribute to providing a positive residential scheme in an obvious and sustainable location in Ash Green.

We therefore consider our clients land should be included within the Borough Plan Review as an additional residential allocation in Ash Green.

(Continue on a separate sheet / expand box if necessary)

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 consider the plan should be amended to include our clients land off New Road as an additional residential allocation in Ash Green.

(Continue on a separate sheet / expand box if necessary)

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:

We consider it necessary to participate at the oral part of the examination to relay our comments expressed herewith and to answer any questions the inspector may have in connection to our clients' site and Ash Green as a settlement.

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:	28/09/2023

Part B – Please use a separate sheet for each representation

Name or Organisation:

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

Paragraph	
Policy	DS6 – Green Belt
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

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

4.(2) Sound?

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

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

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

We do not consider the Plan Review has been positively prepared, is legally complaint, sound or complies with the Duty to Cooperate.

Our client's site has been disregarded as a potential residential site due to its location within the Green Belt.

However, the Borough Plan Review is the optimal opportunity to review the Green Belt Boundaries.

We understand the importance of the Green Belt and the purpose of land featuring within it. We also acknowledge the 5 key aims of the purposes of land being located within the Green Belt.

In accordance with the five purposes set out in paragraph 138 of the NPPF, a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

We do not consider the land south of New Road effectively performs well against all of the above criteria and should be removed from the Green Belt and allocated for future development.

We consider the review of the Local Plan is the optimal time for land within the Green Belt to be considered against the NPPF to ensure it is fulfilling its role against the key aims, if not, alternative opportunities should be considered for the site even if the site is not previously developed land.

We have reviewed the Green Belt Study which forms part of the evidence base and we understand that the Study was completed and published in 2015. This is nearly a decade old.

In our representations to the Preferred Options consultation in 2022, the officers response received was as follows, *"The site will be assessed in the Council's updated HELAA which will support the Publication version of the Borough Plan.*

A Green Belt review will be undertaken to support the Publication version of the Borough Plan".

From reviewing the Council's website there is a New Green Belt Technical Report 2023 prepared by Arup. However, this is not a comprehensive Green Belt review. It is a document that focuses on the necessary exception circumstance to designate two site as new Green Belt. It does not consider the removal of any sites from the Green Belt.

Further clarification was sought from a Principle Planning Policy Officer, on 29th September 2023, who advised the Green Belt Study of 2015 is indeed the most up to date document. We consider this to be inadequate due to the age of the document.

As previously stated, considerations regarding the Green Belt should be carried out at the time of the review of the plan and in order to do that, all the evidence base should be as up to date as possible to ensure the plan is based on an up to date and reliable evidence base.

From reviewing the Green Belt Study 2015, my client's land, south of New Road, Ash Green has been identified within parcel NG5.

Parcel NG5 is a very large parcel covering all of the land which separates Ash Green and Keresley. This is significantly, a much larger parcel of land than my client's ownership.

In regards to the 5 purposes of the Green Belt, Purpose 1 – to check the unrestricted sprawl of large built up area. The summary was that the parcel plays a role in preventing ribbon development along Blackberry Lane, New Road and Newland Lane.

However, in connection to my clients land, there is built development to the east and west and therefore development of the site would not encourage ribbon development as could be described as an infill site.

Purpose 1b Openness states, *“The parcel contains two farms, an isolated dwelling and a nursing home. The buildings associated with these developments compromise the openness of the Green Belt within their immediate vicinity; however the majority of the Green Belt within the parcel is open and free from development.”*

As stated, my clients land could be considered to be an infill plot, which is surrounded by existing development, the wider parcel of land does not share the same characteristics as my clients' land.

Purpose 2 - To prevent neighbouring towns merging into one another. The Green Belt Study states, *“The parcel separates Keresley Newlands (a village connected to Coventry) and the villages of Ash Green and Neal's Green. Measured from the roundabout on Central Boulevard to the west of the southern portion of the parcel to Neal's Green to the east, the narrowest distance between the two settlements is roughly 600m”.*

My clients land has no bearing on neighbouring towns merging together. My clients land is surrounded by development to the north, east and west and therefore its development would not result in Ash Green merging into Keresley.

Purpose 3 - To assist in the safeguarding of the countryside from encroachment the study states, *“3a - Significance of existing urbanising influences - The parcel contains two farms, an isolated dwelling and a nursing home. The nursing home represents the only urbanising influence within the parcel; however, it's location at the northern tip of the parcel serves to almost enclose the parcel of Green Belt with urbanising development. Nevertheless, the centre of parcel is open and free from urbanising influences”.*

My clients' land is adjoining the nursing home; adjacent to the east. The comments made regarding the nursing home enclosing the parcel of Green Belt with urbanising development on the northern tip of the parcel would apply to development of my clients land and therefore would not have the same degree of impact as development within the wider Green Belt parcel in regards to encroachment of the countryside.

“3b - Significance of boundaries / features to contain development and prevent encroachment - The parcel contains small rectangular and irregular shaped open

fields with small pockets of woodland. Other than the Green Belt designation itself, there are no boundaries within the parcel which help to prevent encroachment of the countryside within the parcel."

Since the Green Belt Study was produced in 2015, planning application 035173 was granted in 2018 allowing the Demolition of existing farm buildings and construction of 10 dwellings with associated access parking and landscaping to be built to the east of my clients' land. This development, my clients land and the nursing home all have a southern boundary line which creates a straight horizontal line. This therefore creates a strong boundary line where a revised settlement boundary could be drawn and would prevent encroachment of the countryside within the wider parcel.

Purpose 4 - To preserve the setting and special character of historic towns, the study states, *"The parcel does not overlap with a Conservation Area within an historic town. In addition, there is no intervisibility between the historic core of a historic town and the parcel"*

Purpose 5 - To assist in urban regeneration by encouraging the recycling of derelict and other urban land. The study states, *"All Green Belt makes a strategic contribution to urban regeneration by restricting the land available for development and encouraging developers to seek out and recycle derelict / urban sites. The Local Authorities involved in this review are covered by the Coventry and Warwickshire Housing Market Area (HMA). Defining the area as an HMA reflects the key functional linkages that operate between where people live and work and the household demand and preferences that define the area. As the whole Housing Market Area functions as one unit, this makes it difficult to accurately assess whether one individual parcel considered in isolation makes a more significant contribution than another to incentivising development on previously developed land. What can be said is that all parcels make an equally significant contribution to this purpose and are each given a score of 4.*

We understand the above, however, as stated, *"As the whole Housing Market Area functions as one unit, this makes it difficult to accurately assess whether one individual parcel considered in isolation makes a more significant contribution than another to incentivising development on previously developed land"*. We would agree with this statement and do not consider the allocation of my clients' land in Ash Green would prevent the regeneration of previously developed land elsewhere within the Borough.

We consider relying on a document from 2015 as evidence for a document that is to cover a period of 2021 – 2031 is not only inappropriate, but also unsound. Not only because of the age of the document, but also due to changes that have occurred in that time which has altered the built environment surrounding my clients land and therefore has an impact on the purposes of including land in the Green Belt.

However, based on the conclusions set out in the Green Belt Study 2015, as the most up to date study, we do not consider my clients land scores high enough to justify why it would not be a suitable development site and considered for removal from the Green Belt during the Borough Plan Review.

It is also important to reiterate we consider that a level of flexibility should be included within the Borough Plan to allow for development in the Green Belt over the 15-year period should the circumstances of both National policy or the characteristics of a site change to a degree where its designation of Green Belt no longer applies, and development should be suitable on the site. There should be the allocation of safeguarded sites for future development.

Our clients land south of New Road, if not allocated for development during the plan period, should be considered for removal from the Green Belt and designated a safeguarded site for future development.

It is important to acknowledge that we do not consider all development can be accommodated within the existing settlement boundaries or on previously developed land.

It is therefore important to acknowledge that there may be the requirement to provide development outside of the settlement boundaries, (if they are not amended within the Borough Plan Review to allow for additional development) that are not limited to agriculture, forestry and leisure. In these instances, it is important for the plan to be flexible and also provide the ability for the presumption in favour of sustainable development to be implemented when proposals/ applications are viewed on their merits.

(Continue on a separate sheet / expand box if necessary)

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 consider that based on our above comments, our client land south of New Road, Ash Green should be removed from the Green Belt to allow for future development.

(Continue on a separate sheet / expand box if necessary)

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?

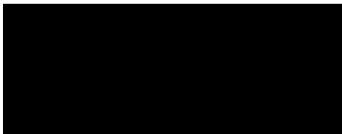
No, I do not wish to participate at the oral examination	
Yes, I wish to participate at the oral examination	X

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

We consider it necessary to participate at the oral part of the examination to relay our comments expressed herewith and to answer any questions the inspector may have in connection to our clients site and Ash Green as a settlement.

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:	28/09/2023

Part B – Please use a separate sheet for each representation

Name or Organisation:

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

Paragraph	
Policy	DS7 – Monitoring of housing delivery
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

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

4.(2) Sound?

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

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

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

We consider there should be additional housing proposed in Ash Green and therefore additional sites should be considered as part of the Local Plan Review to accommodate further development.

Policy DS7 should make reference to additional sites being identified within sustainable settlements such as Ash Green in addition to town centre and edge of centre developments in Nuneaton to ensure there is a wide range of sites to meet a variety of housing needs throughout the Borough. All additional sites should not be identified in only Nuneaton as that would significant alienate those who do not wish

to live in such a large settlement and would prefer to live on the edge of a small, but still sustainable settlement such as Ash Green.

(Continue on a separate sheet / expand box if necessary)

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 consider clear reference should be made to additional housing sites in smaller settlements such as Ash Green will be considered.

(Continue on a separate sheet / expand box if necessary)

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:

We consider it necessary to participate at the oral part of the examination to relay our comments expressed herewith and to answer any questions the inspector may have in connection to our client's site and Ash Green as a settlement.

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:	28/09/2023

Part B – Please use a separate sheet for each representation

Name or Organisation:

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

Paragraph	
Policy	DS8 – Review
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	X
No	

4.(2) Sound?

Yes	X
No	

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

Yes	X
No	

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.

We support the inclusion of a policy highlighting the need for a review of the plan and that this requirement may arise for a number of reasons.

We take this opportunity to reiterate our previous comments that other policies within the plan should be devised with a level of flexibility built into the plan, considering the plan is to cover a 15-year period and given the real possibility for significant political changes both nationally and locally.

(Continue on a separate sheet / expand box if necessary)

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.

(Continue on a separate sheet / expand box if necessary)
--

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:

<p>We consider it necessary to participate at the oral part of the examination to relay our comments expressed herewith and to answer any questions the inspector may have in connection to our clients site and Ash Green as a settlement.</p>

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:	28/09/2023

Part B – Please use a separate sheet for each representation

Name or Organisation:

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

Paragraph	
Policy	H1 – Range and Housing Mix
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input 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.

We do not consider the plan to be considered sound as there is the need for a greater level of flexibility in connection to the mix of housing.

We understand the need to rely on the HEDNA, however, as expressed in our previous representations, we consider each site should be considered on its own merits to allow an element of individuality as a 'one size fits all' approach may not be suitable for every site.

We understand in the Councils response to our previous comments it was stated; *“The HEDNA data will be used to determine the housing mix required at the strategic level. Individual applications will need to justify an alternative housing mix.”*

We consider there should be an amendment to the policy to reflect that each site will be determined based on its own merits and circumstances and that the HEDNA will be considered at strategic level as a starting point, with consideration given to alternative proposals.

As it is currently worded, any deviation from the HEDNA would be contrary to policy.

As the HEDNA is to be relied upon, we consider this should be kept up to date with regular reviews in light of regional changes.

(Continue on a separate sheet / expand box if necessary)

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 consider the wording should reflect that alternative housing mixes will be considered based on the circumstances of the site in addition to the HEDNA.

(Continue on a separate sheet / expand box if necessary)

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:

We consider it necessary to participate at the oral part of the examination to relay our comments expressed herewith and to answer any questions the inspector may have in connection to our clients site and Ash Green as a settlement.

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:	28/09/2023

Part B – Please use a separate sheet for each representation

Name or Organisation:

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

Paragraph	
Policy	H2 – Affordable Housing
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	X
No	

4.(2) Sound?

Yes	X
No	

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

Yes	X
No	

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.

We note the retention of the statement of policy to provide 2 affordable housing units of dwellings between 11 and 14.

We again, confirm my client land off New Road, Ash Green would be able to deliver 2 affordable units as part of the overall scheme for the site.

(Continue on a separate sheet / expand box if necessary)

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.

(Continue on a separate sheet / expand box if necessary)

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	<input type="checkbox"/>
Yes , I wish to participate at the oral examination	<input checked="" type="checkbox"/>

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

We consider it necessary to participate at the oral part of the examination to relay our comments expressed herewith and to answer any questions the inspector may have in connection to our clients site and Ash Green as a settlement.

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:	28/09/2023