

Anca Seaton

From: Connor Shingler <[REDACTED]>
Sent: 16 October 2023 14:14
To: Planning Policy
Cc: Tom James
Subject: Nuneaton and Bedworth Regulation 19 Representations
Attachments: Nuneaton and Bedworth Reg 19 Representations.docx.pdf; Representation_Form_A__Personal_details_Electronic_.pdf; Representation Form B - Duty to Cooperate.pdf; Representation Form B - Strategic Policy DS3.pdf

Categories: WIP

Dear Sir / Madam,

On behalf of our client, CEG Land Promotion, please find attached representations to the Regulation 19 Consultation on the Publication Draft Nuneaton and Bedworth Borough Plan Review.

I would be most grateful if you could confirm receipt of this email and attached contents at your earliest convenience.

Should you have any queries please do not hesitate to contact me.

Thanks
Connor

Connor Shingler
Planner



LONDON | BIRMINGHAM | BRISTOL | MANCHESTER | READING

nexusplanning.co.uk



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16 October 2023

Our Ref: 31523

By Email to planning.policy@nuneatonandbedworth.gov.uk

Dear Sir / Madam

Nuneaton and Bedworth Borough Local Plan Review - Representations to the Publication Draft Plan – Regulation 19 Consultation

These representations have been prepared by Nexus Planning, on behalf of CEG Land Promotion (hereafter CEG).

CEG has recently made representations to the Coventry City Council Local Plan Review – Issues and Options Consultation. Within these representations we raised significant concerns regarding the reduced housing numbers which depart from the standard method and the suggested housing requirement in the Coventry and Warwickshire Housing and Economic Development Needs Assessment (“HEDNA”) without evidence or sufficient justification. As the sub-regional centre, the unmet need from Coventry has a major impact on the housing need for authorities that adjoin Coventry, such as Nuneaton and Bedworth.

Coventry’s Unmet Need

Coventry City Council (‘CCC’) is seeking to remove the urban uplift required in the standard method for the largest 20 urban areas which will have a knock-on implication for the regional HMA calculations for which the needs of Coventry, and any resulting unmet need should form a component. The urban uplift is part of securing the delivery of the Government’s ambition for 300,000 dwellings per annum across the country. It is widely accepted that there is a national housing crisis due to the consistent failure to achieve this target, with affordability unsurprisingly worsening across many parts of the country, year on year.

CCC’s approach is also contrary to the suggested approach in the Coventry and Warwickshire HEDNA which is also evidence that Nuneaton and Bedworth Council (‘N&BC’) is seeking to rely on to inform its Local Plan Review.

Within our response to the Coventry Issues and Options Consultation, we raised significant concerns with CCC’s preferred approach to its housing requirement as there has been no justification presented as to what the exceptional circumstances are to justify removal of this uplift. Coventry’s current approach to calculating their housing numbers has the effect of seemingly shrinking the housing requirement across the sub-regional HMA, to the point where any unmet need from Coventry disappears. Neighbouring authorities therefore do not have the firm basis of an acknowledgement or quantification of any unmet need from Coventry to plan for, despite the likelihood that such a need exists.

This approach has the potential to create issues for N&BC as without an accurately identified unmet need from Coventry, it is difficult for the Local Plan Review to accommodate this growth via the Duty to Cooperate.

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It is recognised that this issue may not be resolved before the submission of the Nuneaton and Bedworth Local Plan to the Inspector. However, there is a considerable risk to the soundness of the Local Plan Review if and when the unmet need from Coventry is quantified. Moreover, as the ‘front-runner’ local plan in Coventry and Warwickshire, the decisions taken around potential unmet need, the relationship with Coventry and a method for distributing levels of associated housing and employment growth will set the direction for future plans in the HMA to follow.

It is therefore imperative that the Local Plan Review sets out a sound and robust approach which is capable of enduring the plan period. As we highlight below, we do not believe that the Nuneaton and Bedworth Local Plan Review provides an appropriate mechanism to accommodate Coventry’s unmet which raises fundamental issues of soundness.

Housing Requirement - Policy DS3

Strategic Policy DS3 – Overall Development Needs states that Nuneaton and Bedworth Borough will make provision for a minimum of 9,810 dwellings between 2021 and 2039. However, the policy, and the plan as a whole, does not make any provision to contribute to meeting any of Coventry’s unmet need. CEG therefore objects to the proposed housing figures within the Nuneaton and Bedworth Borough Local Plan Review.

The 9,810 dwellings set out within the policy equates to an annual requirement of 545 dwellings each year which is set out within the report, ‘Towards our Housing Requirement’ (‘THA’). This report notes, at para 6.1, that the ‘Oct 2022 Coventry and Warwickshire HEDNA’ suggests a figure of 409 dwellings per annum in the Nuneaton and Bedworth area. Para 6.1 of the report also notes that the figure of 409 dwellings per annum is considerably less than the 646 dwellings per annum that is set out within in the Nuneaton and Bedworth HEDNA prepared in May 2022.

This THA report recommends the provision of a housing target of around 545 dpa as necessary to positively support economic growth, the sustainable regeneration of the Borough’s Town Centres, and the delivery of affordable housing. However, again, this figure is identified without any clarity on the extent of unmet need arising from Coventry City.

Para 5.4 of the THA report also explains that the need for affordable housing is high relative to the overall housing need in Nuneaton & Bedworth at 407 dpa, this is likely to require higher levels of open-market housing as the primary delivery mechanism. This high level of affordable housing need within the Borough justifies additional housing over and above the locally assessed housing need level. Therefore, we consider that the 545 dwellings per year does not go far enough and that the N&BC will inevitably need to plan for a higher figure due to affordability issues regardless of the contribution they may need to make to Coventry’s anticipated unmet needs.

As noted above there are fundamental issues with the approach taken in the emerging Coventry Local Plan review and its level of housing need. This raises considerable concerns that the housing requirement for Nuneaton and Bedworth is potentially unsound.

CEG’s position is that the Nuneaton and Bedworth Plan lacks the ability to proactively plan for the unmet need from Coventry. As such Policy DS3 is not effective, nor has it been positively prepared and is therefore unsound.

The Nuneaton and Bedworth Plan needs to plan proactively for what it would do if and when an unmet need from Coventry is quantified. As such, for a sound approach N&BC need to include a mechanism to deal with Coventry’s unmet need.

Employment Requirement – Policy DS3

CEG objects to the proposed employment figures within Strategic Policy DS3 – Overall Development Needs which states that 82.5ha of employment land would be an appropriate minimum level of provision. As with the housing figure, it is

not clear how 82.5ha of employment land can be considered an appropriate figure given it does not take into potential unmet needs arising from other LPA's including Coventry.

As with potential unmet housing need arising from Coventry or other LPA's, there needs to be a clear mechanism in the plan to address potential unmet needs for employment and this is required to ensure that the plan is sound. At present, without such a mechanism Policy DS3 and the plan is considered unsound.

Duty to Cooperate

Given the finite supply of land within Coventry, there is a clear need to ensure that allocations come forward that can provide for a range of house types, in particular family-sized accommodation. This is crucial to help meet Coventry's unmet housing needs. Consequently, suitable sites outside of its administrative boundaries will need to come forward. This requires working collaboratively with neighbouring authorities such as Nuneaton and Bedworth under the Duty to Cooperate.

The Duty to Cooperate plays a crucial part of the plan-making process, especially in Coventry where they will need to work with neighbouring authorities meet their housing requirements. When plan making, Paragraph 35a of the NPPF states plans should be positively prepared so that that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development. In fulfilling its statutory Duty to Cooperate, N&BC should readily be willing to work with adjacent authorities to address its unmet housing needs.

At present, a current Duty to Cooperate Statement has not been produced. In order to comply with the Duty to Cooperate, N&BC needs to demonstrate that it has, and remains, in proactive engagement with CCC and the other neighbouring authorities around the issue of the housing and employment requirements. We are aware that the examination of the Shropshire Local Plan has faced significant delays due to, amongst other matters, a lack of clarity and information on the cross boundary cooperation with neighbouring authorities. Information on the engagement between N&BC and neighbouring authorities, especially Coventry, should be made available ahead of the plan's submission to the Inspector.

The issue of potential unmet need requires clearly evidenced and ongoing cooperation. Ongoing work will still be needed as the Plan progresses including as part of the Examination in Public. N&BC are currently unable to demonstrate that this has taken place, therefore, CEG object on the grounds that the plan does not pass the legal test for Duty to Cooperate

Notwithstanding this, the Plan makes no mention of an update to the Memorandum of Understanding which needs to be completed given it relates to the planned distribution of housing within the Coventry & Warwickshire Housing Market Area and updated in light of emerging local plans throughout the sub-region.

Future Engagement

CEG requests to participate in the Hearing Sessions for the Local Plan Examination, CEGs involvement is considered necessary to ensure that matters raised in relation to housing and Duty to Cooperate are considered during the hearing sessions.

Yours faithfully




Tom James

Associate Director

cc. Connor Shingler Nexus Planning

Matthew Rhodes CEG

 <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	Mr
First name	Matthew	Tom
Last name	Rhodes	James
Job title (where relevant)		Associate Director
Organisation (where relevant)	CEG Land Promotion	Nexus Planning
House no. and street		Interchange Place 151-165 Edmund Street
Town		Birmingham
Postcode		B3 2TA
Telephone number		
Email address (where relevant)		

Part B – Please use a separate sheet for each representation

Name or Organisation: Nexus Planning on Behalf of CEG Land Promotion

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

Paragraph	Duty to Cooperate paragraph 1.11
Policy	
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 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.

Duty to Cooperate

Given the finite supply of land within Coventry, there is a clear need to ensure that allocations come forward that can provide for a range of house types, in particular family-sized accommodation. This is crucial to help meet Coventry's unmet housing needs. Consequently, suitable sites outside of its administrative boundaries will need to come forward. This requires working collaboratively with neighbouring authorities such as Nuneaton and Bedworth under the Duty to Cooperate.

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(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.

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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:

CEG requests to participate in the Hearing Sessions for the Local Plan Examination, CEGs involvement is considered necessary to ensure that matters raised in relation to housing, employment and Duty to Cooperate are considered during the hearing sessions.

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:	

Part B – Please use a separate sheet for each representation

Name or Organisation: Nexus Planning on behalf of CEG Land Promotion

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

Paragraph	
Policy	Strategic Policy DS3 – Overall Development Needs
Policies Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	
No	

4.(2) Sound?

Yes	
No	x

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

Yes	
No	x

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