

## Anca Seaton

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**From:** Annabelle Parkinson <[REDACTED]>  
**Sent:** 16 October 2023 16:40  
**To:** Planning Policy  
**Cc:** Laura Stops; Rob Andrews  
**Subject:** Local Plan Representation 1 - Warwickshire Property and Development Group  
**Attachments:** Representation Form A Complete.pdf; WPDG Representation - Former Manor Park Community School.pdf

**Categories:** Processed

Dear Sir/Madam,

I am writing to you to submit the following documents in response to the Council's Borough Plan Review Regulation 19 Consultation.

- Representation Form A Complete
- WPDG Representation – Former Manor Park Community School

I would be grateful if you could confirm receipt of this email and the above documents.

Kind regards,

Annabelle.

Classification L2 - Business Data

Annabelle Parkinson  
Planner

## Carter Jonas

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Two Snow Hill, Birmingham, B4 6GA



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Place of Registration: England and Wales

Registration Number: OC304417

Address of Registered Office: One Chapel Place, London, W1G 0BG.

## Anca Seaton

---

**From:** Annabelle Parkinson <[REDACTED]>  
**Sent:** 16 October 2023 16:45  
**To:** Planning Policy  
**Cc:** Laura Stops; Rob Andrews  
**Subject:** Local Plan Representation 2 - Warwickshire Property and Development Group  
**Attachments:** Representation Form A Complete.pdf; Representation Form B Complete.pdf; WPDG Representation - Former Manor Park School Playing Field and Former Playing Field for Canon Evans School.pdf

**Categories:** WIP

Dear Sir/Madam,

I am writing to you to submit the following documents in response to the Council's Borough Plan Review Regulation 19 Consultation.

- Representation Form A Complete
- Representation Form B Complete
- WPDG Representation – Former Manor Park School Playing Field and Former Playing Field for Canon Evans School

I would be grateful if you could confirm receipt of this email and the above documents.

Kind regards,

Annabelle.

Classification L2 - Business Data

Annabelle Parkinson  
Planner

## Carter Jonas

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Address of Registered Office: One Chapel Place, London, W1G 0BG.

 <p><b>Nuneaton &amp; Bedworth</b> United to Achieve</p>	<p><b>Borough Plan Review</b> 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 16<sup>th</sup> October 2023 via:**

**Email: [planning.policy@nuneatonandbedworth.gov.uk](mailto: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

	<b>1. Personal details*</b> * 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.	<b>2. Agent's details (if applicable)</b>
Title		Mrs
First name		Laura
Last name		Stops
Job title (where relevant)		Associate Partner, Planning & Development
Organisation (where relevant)	Warwickshire Property and Development Group	Carter Jonas
House no. and street		2 Snow Hill Queensway
Town		Birmingham
Postcode		B4 6GA
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	Plan Period, Paragraphs relating to Draft Policy DS3 and DS4
Policy	DS3, DS4
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.

See representation (submitted under separate cover)

(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.

See representation (submitted under separate cover)

(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?

<b>No</b> , I do not wish to participate at the oral examination	
<b>Yes</b> , 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:

The matters we have raised are complex and would be best dealt with at an oral hearing.



--

**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:	16/10/2023

2 Snow Hill  
Birmingham  
B4 6GA

Your ref:  
Our ref: J0059763

Planning Policy  
Nuneaton and Bedworth Borough Council  
Town Hall  
Coton Road  
Nuneaton  
CV11 5AA  
Via email only

16th October 2023

Dear Sir/Madam,

## **NUNEATON AND BEDWORTH BOROUGH COUNCIL BOROUGH PLAN REVIEW PUBLICATION DRAFT PLAN 2021-2039 (SEPTEMBER 2023)**

Carter Jonas have been instructed by Warwickshire Property Development Group (WPDG) to submit representations to Nuneaton and Bedworth Borough Council (NBBC) in respect of the Borough Plan Review Publication Draft Plan 2021-2039 (September 2023) (Regulation 19).

Our client's site, Former Manor Park Community School, is a draft allocation (ref: NSRA2) for 123 dwellings under Strategic Policy DS4 (Residential allocations) of the Plan.

We support the allocation of the site which benefits from outline planning permission for the erection of up to 46 houses, 12 flats and a one, two and three storey extra care facility of up to 65 units including the demolition of existing buildings (ref: 035587). The outline planning permission was granted on 30<sup>th</sup> November 2022.

Subsequently, we have submitted an application under Section 73 of the Town and Country Planning Act (1990) to vary the conditions of the approved scheme. The Section 73 application is pending determination. However, as of 12<sup>th</sup> October 2023, there are no unresolved objections to the application. The purpose of the application is to enable WPDG to procure a development partner to deliver the 58 dwellings and to deliver the County Council's Care Commissioners with a serviced plot for the delivery of the 65 unit extra care facility. The two elements of the scheme will be delivered in accordance with separate programmes of work.

Once the above application has been determined, WPDG and the wider project team will commence the preparation of a reserved matters application for the 58 dwellings with the aim to start on site by Summer 2024. With regards to the extra care facility this to be delivered within 24 months of the housing.

We understand that Nuneaton and Bedworth Borough Council will be seeking to enter into Statements of Common Ground (SoCG) with interested parties who have a draft allocation in the Plan. The purpose of this is to demonstrate the plan is effective by being deliverable over the plan period and therefore meets the test of soundness set out in paragraph 35 of the National Planning Policy Framework (2023). We welcome early dialogue with Nuneaton and Bedworth Borough Council on the preparation of a SoCG in relation to the allocation on the Former Manor Park Community School.

The explanatory text supporting Draft Strategic Policy DS4 (Residential Allocations) of the Plan reads as follows:

*“The site is a former community school located in a primarily residential area. It adjoins Beaumont Road and Vernons Lane. The site benefits from outline permission for 46 houses, 12 flats and 65 extra-care units (Application reference 035587 – November 2022).*

*Opportunity exists to create a new positive frontage to Vernons Lane, retain views from the north of the site towards Mount Judd, retain established trees and boundary hedges wherever possible, ensure development is sensitive to its location adjacent to the conservation area, that development reflects the characteristics of the surrounding townscape and that built development sits outside the small area of flood zone located in the south of the site.*

*Development should seek to avoid any loss of trees covered under the Tree Preservation Order on the site (reference TPO 1.19).”*

On the whole, we agree with the explanatory text which supports the policy. We note the Council’s requirement in respect of a new positive frontage onto Vernons Lane. The site only provides a small frontage onto the highway, and it is one of the agreed access points approved under the aforementioned outline planning application. Given the limited space available, we seek further clarification from Nuneaton and Bedworth as to what is required to satisfy this point.

With regard to the requirement to retain views from the north of the site towards Mount Judd, we query to what extent the Council are going to seek to retain views into the site. Given the shape of the site, it’s likely that the primary highway route will run in a south easternly direction from Vernons Lane and then will curve slightly to extend in a straight line to the south of the site. Thus, it’s likely that the only views which will be retained are around the site’s entrance. This is a similar position to the current arrangement with the school buildings on site.

To conclude, we are in support of the draft allocation of the Former Manor Park Community School, (ref: NSRA2) for 123 dwellings under Strategic Policy DS4 (Residential allocations) of the Plan. Whilst we have sought clarification around the positive frontage and the retention of viewpoints, WPDG are committed to delivering the scheme and are intending to prepare a reserved matters application following approval of the Section 73 application. We welcome early dialogue with Nuneaton and Bedworth Borough Council on the signing of a SoCG to demonstrate the site is deliverable through the independent examination process.

If you require any further information or clarification on the above representation, please do not hesitate to contact me directly.

Yours sincerely,



Laura Stops

Associate Partner, Planning & Development



**LOCAL PLAN  
REPRESENTATION**

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**Nuneaton And  
Bedworth Borough  
Council Borough Plan  
Review Publication  
Draft Plan 2021-2039  
(September 2023)**

16 October 2023

**Carter Jonas**



**Date: 16 October 2023**

**Client: Warwickshire Property and Development Group**

**Job Number: J00575711 and J0075722**

**Contacts: Annabelle Parkinson and Laura Stops**

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Birmingham  
B4 6GA

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## INTRODUCTION

- 1.1 Carter Jonas have been instructed by Warwickshire Property and Development Group (WPDG) to submit representations to Nuneaton and Bedworth Borough Council (NBBC) in respect of the Borough Plan Review Publication Draft Plan 2021-2039 (September 2023) (Regulation 19).
- 1.2 The proceeding report sets out the relevant background information and provides a response in respect of draft policies contained within the Publication Draft Plan (September 2023) and the representations received during the Borough Plan Review Preferred Options 2024-2039 (June 2022) consultation.
- 1.3 Our client has interest in numerous sites across the Borough including: Former Playing Field for Canon Evans School, Bedworth; Former Manor Park School Playing Field, Nuneaton, and; Former Manor Park Community School, Nuneaton. This representation includes a response to the former two sites. A separate representation will be made in relation to the Former Manor Park Community School.
- 1.4 The Development Plan for Nuneaton and Bedworth Borough Council comprises of the adopted Borough Plan 2011-2031.
- 1.5 Nuneaton and Bedworth Borough Council are in the process of preparing a new Borough Plan which will cover the period up to 2039. The plan includes strategic and detailed policies and will replace the Borough Plan which currently sets out planning policies to guide development until 2031. In accordance with the Local Development Scheme (June 2023), once the current consultation closes on 16 October 2023, the Council intend to submit the Plan to the Secretary of State for independent examination in December 2023 with an anticipated adoption in June 2024.
- 1.6 The Former Playing Field for Canon Evans School site extends to 1.19 hectares and is being promoted to deliver 33 dwellings. The site falls within the existing and emerging settlement boundary and is bound by residential and commercial uses to the north, residential uses to the east and south and Ambleside Road to the west. The site comprises of a playing field which previously served Canon Evans School. The playing field is not in use and has not been used as a playing field since September 2015. The site is enclosed by fencing and is not open to the public. Warwickshire County Council have no aspirations to reopen the site as a playing field because there is no identifiable need for such use by any local school and in the interest of effective estate management the site is declared surplus and as such would be of beneficial use if brought forward for residential development. The site was a draft allocation for 33 dwellings in the Borough Plan Review Preferred Options 2024-2039 (June 2022). It was allocated under reference number NSHA-8 (Alternative Site Reference BED-6). It is no longer a draft allocation in the Publication Draft Plan 2021-2039 (September 2023).
- 1.7 The Former Manor Park School Playing Field site extends to 2.56 hectares and is being promoted to deliver 72 dwellings. It falls within the existing and proposed settlement boundary and is bound by Vernons Lane to the north, the Coventry Canal to the east, part of the wider recreation ground to the south and residential dwellings to the west. The site comprises of a playing field which previously served Manor Park School. Similarly to above, the site was a draft allocation for 72 dwellings in the Borough Plan Review Preferred Options 2024-2039 (June 2022) under reference number NSHA-4 (Alternative Site Reference BAR-1). It is no longer a draft allocation in the Publication Draft Plan 2021-2039 (September 2023).
- 1.8 This representation has been prepared in the context of the following planning policies.



- 1.9 In accordance with paragraph 35 of the National Planning Policy Framework (2023), hereinafter referred to as the NPPF, at examination, Local Plans are assessed if they are 'sound' which includes being positively prepared, justified, effective and consistent with national policies, as detailed below;
- a) Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
- b) Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
- c) Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
- d) Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.”*
- 1.10 With regard to plan-making, Paragraph 22 states that “strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.”
- 1.11 Chapter 5 sets out how the Government intend to deliver a sufficient supply of homes. Paragraph 60 states that it is important that a sufficient amount and variety of land can come forward where it is needed. Paragraph 61 states that “to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals.”
- 1.12 Chapter 8 sets out the Government's aim to promote healthy and safe communities. Paragraph 99 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”*

## 2.0 REPRESENTATION

### Plan Period

- 2.1 The Plan period in the Publication Draft Plan (September 2023) has been extended by 3 years from the Plan period contained within the Preferred Options document (June 2022) from 2024-2039 to 2021-2039. While we support this extension, the 15 year period cited in Paragraph 22 of the NPPF

(2023) is a minimum period from adoption. Assuming that the Local Plan is adopted in line with the timetable in the Local Development Scheme, it would only have a plan period of 15 years post adoption. If there are any delays in the plan-making process, the 15-year minimum period will not be met and therefore the Plan would not be consistent with national policy and meet the test of soundness. To allow flexibility within the timetable, we recommend that as a minimum, the Plan period is extended circa 1-2 years to 2040/2041. In addition, we recommend that Nuneaton and Bedworth should take a more positive and proactive approach to plan-making by extending the Plan period further to anticipate and respond to long-term requirements and opportunities. The NPPF (2023) is clear that where significant extensions to existing settlements form part of the overall development strategy, policies should be set within a vision spanning a period of at least 30 years. The emerging Plan proposes two large strategic sites (Top Farm and Arbury) which account for the delivery of 3,225 homes. Given their scale and important contribution to the overall delivery of the development strategy, we recommend that a significantly extended Plan period would be positive, proactive and justified. This approach would in our view meet the test of soundness.

- 2.2 If the Council extend the Plan Period, additional housing allocations will be required and the accompanying evidence base would need to be updated. We strongly recommend that the Council considers re-allocating the Former Playing Field for Canon Evans School site and The Former Manor Park Playing Field site. Both sites are located in highly sustainable locations and are suitable, available and achievable.

## **Draft Policy DS3 (Overall Development Needs)**

- 2.3 Draft Policy DS3 (Overall Development Needs) of the Publication Draft Plan (September 2023) states that by 2039, as a minimum, 9,810 homes based on 545 dwellings per annum will be planned for and provided within Nuneaton and Bedworth Borough.
- 2.4 This figure was derived from a bespoke report titled 'Towards our Housing Requirement for Nuneaton & Bedworth' (November 2022) which considered the objectively assessed housing need set out in the Draft Housing and Economic Development Needs Assessment (HEDNA) (2022) and Sub-Regional HEDNA for Coventry and Warwickshire Local Authorities (2022), as well as other considerations which may influence the Council's decision on an appropriate housing requirement.
- 2.5 The figure represents an alternative approach to calculating housing need than the standard method.
- 2.6 Paragraph 61 of the NPPF states that *"to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals."* The 'standard method' figure for NBBC is 442 dwellings per annum, according to Paragraph 6.15 of the Publication Draft Plan 2021-2039 (September 2023).
- 2.7 We consider that exceptional circumstances apply in this instance as the alternative approach identifies a need higher than the standard method figure and takes account of current and future demographic trends and market signals. The approach also considers a wide range of factors including affordable housing need and delivery, the levelling up agenda, emerging strategies and potential issues of unmet housing need from other parts of the Housing Market Area.
- 2.8 This is in accordance with the National Planning Policy Guidance on Housing and Economic Needs Assessments which states *"where a strategic policy-making authority can show that an alternative approach identifies a need higher than using the standard method, and that it adequately reflects*

*current and future demographic trends and market signals, the approach can be considered sound as it will have exceeded the minimum starting point.”*

- 2.9 Table 3 of the Publication Draft Plan 2023-2039 (September 2023) demonstrates the provision of approximately 12,085 dwellings through the Borough Plan Review, including housing completions, existing sites with full and outline planning permission, prior notification and approvals, housing allocations, with an allowance for windfall developments. This equates to a surplus 2,275 dwellings (approximately 23%). As per paragraph 6.26 of the Publication Draft Plan (September 2023), this buffer provides flexibility in the housing supply across the plan period in the unforeseen event that some of the identified sites do not come forward as predicted.
- 2.10 While we support the flexibility which is being incorporated into the housing requirement, the housing need figure of 9,810 homes is a minimum and should not be seen as a definitive target or cap on sustainable development.
- 2.11 We therefore recommend that the Council should allocate additional land for residential development or consider safeguarding land to plan for the longer term development needs of the Borough. The Council should particularly focus on sites which are situated in sustainable locations and within existing settlement boundaries in primary and secondary settlements. This will help to contribute to the Council's sustainability targets by ensuring that development is directed towards the most sustainable locations within the Borough.
- 2.12 Given the above recommendation, we suggest that Nuneaton and Bedworth Borough Council reconsider the Former Manor Park School Playing Field site and the Former Playing Field for Canon Evans School site.

## **Draft Policy DS4 (Residential Allocations)**

- 2.13 Policy DS4 (Residential Allocations) of the Publication Draft Plan (September 2023) sets out NBBC's strategic and non-strategic draft allocations for housing land for the plan period (2023-2039). This includes 8 strategic housing draft allocations, totalling approximately 4,769 dwellings, and 15 non-strategic draft allocations, totalling approximately 689 dwellings. The Preferred Options document (June 2022), in contrast, included 8 strategic housing draft allocations, totalling approximately 4,770 dwellings and 27 non-strategic draft allocations totalling approximately 912 dwellings. We consider that the Council's approach to housing is over-reliant on large strategic sites and that a broader range of small to medium sized sites should be re-introduced to support the delivery of housing.
- 2.14 In light of the above, we suggest that Nuneaton and Bedworth Borough Council should re-allocate the Former Manor Park School Playing Field site and the Former Playing Field for Canon Evans School site for residential development.

## **The Former Manor Park School Playing Field Site**

- 2.15 The Former Manor Park School Playing Field site is being promoted to deliver 72 dwellings and is assessed under site reference BAR-1 of the Strategic Housing and Employment Land Availability Assessment (SHLAA) (2021). The site is situated approximately 1km west of Nuneaton town centre and is located within the existing and emerging settlement boundary. As outlined in emerging Policy DS2 (Settlement Hierarchy and roles) the Publication Draft Plan (September 2023), Nuneaton sits at the top of the settlement hierarchy given its sustainability credentials and primary role for employment, housing, town centre, leisure and service provision. Nuneaton has a wide range of services and

facilities including primary schools, secondary schools, colleges, shops, cafes, restaurants, public houses, places of worship, doctors, dentists and good access to open space. The site is also highly accessible by public transport modes reducing reliance on the private car. There are bus stops situated on Barpool Road (175m from the entrance of the site) which provide frequent and reliable connections to Nuneaton and Stockingford. Nuneaton train station is located approximately 2km to the east of the site (7 minute drive/ 28 minute walk) and provides regular connections to towns and cities further afield including Leicester, Leamington Spa, Birmingham, Crewe and London. Given the site's highly sustainable location, it would be an appropriate location for the delivery of housing to meet the Borough's identified need.

- 2.16 Importantly, the site scored highly in the Nuneaton and Bedworth Borough Council Local Plan Sustainability Appraisal (Regulation 19) (July 2023) Site Appraisal Matrix (Appendix C). With regard to biodiversity, all scores are green with the exception of distance from a Local Wildlife Site (LWS) (Coventry Canal) and impact on Tree Preservation Orders (TPO). Warwickshire Property Development Group are committed to bringing forward high-quality schemes which protect and enhance biodiversity. We are of the view that a scheme could come forward which protects and enhances both the TPO and LWS whilst providing an overall biodiversity net gain in line with the Environment Act (2021).
- 2.17 Whilst the scoring is amber in respect of impact on air quality, we understand that this relates to proximity to an Air Quality Management Area. It is our view however that bringing the site forward for development would have an overall positive impact on air quality by following sustainable patterns of growth and reducing the community's reliance on the private car.
- 2.18 We agree with the conclusion in respect of land and soil that development would have a minimal impact. We also agree that there will be no effects likely in respect of heritage and the proposed site would be resilient to climate change.
- 2.19 The site scored broadly positive in terms of impact on health and wellbeing and the assessment identified that no amenity issues have been identified. We agree with the assessment and if the site does come forward for development, we are committed to delivering a scheme which protects the amenity of residents both within and outside the site.
- 2.20 Finally, we agree that the site is sustainably connected to employment opportunities, infrastructure and transportation. We note the site scores negatively in respect of access to a train station. Although the site is in excess of 800m from Nuneaton station, they are connected by a frequent and regular bus service.
- 2.21 The assessment contained within the Strategic Housing and Employment Land Availability Assessment (2021) concluded the following in terms of suitability, availability and achievability (see Carter Jonas' response below each category);
- Suitability** - *There are few constraints on the site. The major constraint is that the land appears to be a playing field which will need to be assessed as required by the NPPF to determine if development is acceptable.*
- 2.22 In NBBC's Playing Pitch and Outdoor Sports Strategy (2023), the site (referred to in the Strategy as Site 84 – Tomkinson Road) is identified as containing a disused adult 11v11 unmarked pitch.
- 2.23 Table 1 of the Playing Pitch and Outdoor Sports Strategy (2023) identifies that the sub area of Arbury and Stockingford, where the site is located, currently has a shortfall of 1 match equivalent session (MES) for adult 11v11 grass pitches. When factoring in future demand, the table shows that this shortfall will increase to 3.5 match equivalent sessions by 2038. While Arbury and Stockingford has a shortfall in provision, we note that its neighbouring sub areas Abbey and Wembrook and Bedworth

North and West have an oversupply of provision for adult 11v11 grass pitches. The level of oversupply in these areas is as follows:

- Abbey and Wem Brook – 3.5 MES spare capacity now, 1 MES spare capacity by 2038
- Bedworth North and West – 2.5 MES spare capacity now, 1.5 MES spare capacity by 2038

- 2.24 Table 1 of the Strategy (2023) identifies that Nuneaton and Bedworth Borough Council currently have a total of 10.5 match equivalent sessions spare capacity and will have 2.5 match equivalent sessions spare capacity by 2038.
- 2.25 On the basis of above, it is considered that overall the land is surplus to requirements and thus Criteria A of Paragraph 99 of the NPPF (2023) applies and therefore the site could come forward for development.
- 2.26 The Strategy (2023) sets out a number of football recommendations including a priority list of deliverable projects which will help to meet any current deficiencies. Tomkinson Road is not included within the priority list of projects.
- 2.27 Whilst the loss of the Former Manor Park School Playing Field Site would not result in overall deficiencies in the immediate or longer term, Warwickshire Property and Development Group are willing to provide financial contributions to support the improvement of adult 11v11 playing pitches in the Borough which will have a positive contribution to the Council's overarching strategy for playing pitches. Most notably, such contribution would support sustainability objective 9 in the Nuneaton and Bedworth Borough Council Local Plan Sustainability Appraisal (Regulation 19) (July 2023) which seeks to "improve health and reduce health inequalities by encouraging and enabling healthy active lifestyles and protecting health, as well as providing equitable access to health services".

**Availability** – *The land is available.*

- 2.28 Agreed.

**Achievability** – *There is no evidence the site is not achievable.*

- 2.29 There are no known insurmountable constraints preventing development on the site. It is considered the site can be developed in 0-5 years following an allocation and adoption of the Borough Plan.
- 2.30 The site was a draft allocation in the Borough Plan Review Preferred Options Document (June 2022) but has not been taken forward into the Borough Plan Review Publication Draft Plan (September 2023).
- 2.31 A number of representations were received concerning the site as part of the Preferred Options consultation, which was held in June – July 2022. The representations, and Carter Jonas' responses, are detailed below:

Canal and River Trust

- 2.32 The Canal and River Trust identify that the site is located adjacent to the offside bank of the Coventry Canal. It states that any development of the site should consider the relationship created with the canal and have regard to its role as a green corridor and wildlife habitat. It also states that the provision of landscape planting and/or public open space should be considered alongside the canal and development should take advantage of views over the canal and not turn its back on it.
- 2.33 The Officer's Response states that non-strategic sites do not have their own Policies or Concept Plans. It states that as all sites adjacent to canals would be expected to make use of the canal and retain and enhance its wildlife corridor benefits, it is considered to reasonable to add this to DS5.

2.34 We are in agreement with the Officer's Response. The requirement to make use of the canal and retain and enhance its wildlife corridor benefits is included within DS5.

2.35 Warwickshire Property and Development Group would be committed to preparing a high quality scheme which addresses the canal as part of any development proposal.

#### Historic England

2.36 Historic England agree with the SHLAA that there are no impacts.

2.37 We agree.

#### Inland Waterways Association, Lichfield Branch

2.38 Inland Waterways Association object to the site's allocation for housing. It argues that development would reduce the attractiveness of the canal corridor, impacting local people and diminishing the amenity and tourism value of the whole canal. It states that whilst possibly redundant as a school playing field, alternative long term public sports, recreation and/or parkland uses for the site that would preserve its essentially open space character should be considered. It requests that the site is deleted as an allocation. It states that if the allocation is confirmed, then the design and layout should respect the amenity value of the corridor.

2.39 The Officer's Response advises that the outline application has already been approved subject to the signing of a s106 agreement and it therefore cannot be deleted. The Officer appears to be referring to the wrong site as an outline application has not been submitted.

2.40 Warwickshire Property and Development Group are committed to preparing a high quality scheme which respects the amenity value of the canal corridor. It is willing to engage with the Inlands Waterways Association as part of any future development proposal.

#### Arbury Estate/ Savills

2.41 Savills, on behalf of Arbury Estate, states that it is unclear whether the development of the site meets the criteria of it being no longer in demand for the use or no longer viable/appropriate. It also states that it appears that the site is currently part of a recreation ground and is open and publicly accessible for members of the public to utilise. Savills suggest that further evidence is required in relation to evidencing that Paragraph 99 of the NPPF can be complied with in view of the site being allocated as a non-strategic site for development. It states that until this can be demonstrated, the site is in effect undeliverable.

2.42 The Officer's Response states that the Council's updated Playing Pitch Strategy will support the publication version of the Borough Plan.

2.43 As noted in Paragraph 2.25 above, NBBC's Playing Pitch and Outdoor Sports Strategy (2023) indicates that the site is surplus to requirements both now and in 2038. Thus, Criteria A of Paragraph 99 of the NPPF applies. What's more, Sport England did not raise any objection to the draft allocation as part of the Preferred Options 2024-2039 (June 2022) consultation. The Council should therefore consider reallocating the site for residential development.

#### Savills for FCC

2.44 As above.

2.45 Having reviewed the representations received concerning the site as part of the Preferred Options 2024-2039 (June 2022) consultation, it can be concluded that there are no insurmountable constraints precluding the allocation of the site and subsequent development.

- 2.46 Thus, in order to boost the supply of housing, we contend that the Former Manor Park School Playing field site should be allocated for residential development.

### The Former Playing Field for Canon Evans School Site

- 2.1 The Former Playing Field for Canon Evans School site is being promoted to deliver 33 dwellings and is assessed under site reference BED-6 of the SHLAA (2021). The site is situated approximately 300m east of Bedworth Town Centre and is located within the existing and emerging settlement boundary. Bedworth is identified as having the secondary role for housing in draft Strategic Policy DS2 (Settlement Hierarchy and Roles) of the Draft Plan (September 2023). Bedworth has a wide range of services and facilities including primary schools, a high school, dentists, doctors, shops, supermarkets, places of worship, public houses and good access to open space. The nearest bus stops are located on Newtown Road, approximately 220m from the centre of the site to the north, and provide frequent and reliable connections to Nuneaton, Bedworth and Coventry. Bedworth train station is located 1.6km to the east of the site and provides regular connections to towns and cities further afield including Nuneaton and Leamington Spa.
- 2.2 Similar to the Former Manor Park School Playing Field site, the site was a draft allocation in the Preferred Options document (June 2022) but is no longer a draft allocation in the Publication Draft Plan (September 2023).
- 2.3 The site is assessed in Nuneaton and Bedworth Borough Council's Local Plan Sustainability Appraisal (Regulation 19) (July 2023) Site Appraisal Matrix (Appendix C). It scores highly in respect of biodiversity, except in terms of proximity to a Local Nature Reserve (LNR) (Bedworth Sloughs). We strongly contend that the site can come forward for residential development whilst protecting the LNR and providing overall biodiversity net gain.
- 2.4 We agree bringing the site forward would not impact on an Air Quality Management Area and through the delivery of a high-quality scheme in a sustainable location, the development would protect the overall air quality in the Borough.
- 2.5 We concur that development on the site would have very minimal to no impacts on land and soil, landscape and heritage.
- 2.6 The site would also be resilient to climate change and broadly meet overall health and wellbeing objectives, including protecting residential amenity.
- 2.7 With regards to access to employment opportunities, infrastructure and transportation, the site scores highly except in relation to employment sites and railway stations. The nearest bus stop is only 220m to the north of the site which provides sustainable connections to employment sites and Bedworth train station.
- 2.8 The assessment contained within the Strategic Housing and Employment Land Availability Assessment (2021) concluded the following in terms of suitability, availability and achievability (see Carter Jonas' response below);
- Suitability*** - No known constraints to suggest site unsuitable
- 2.9 Agreed, there are no known insurmountable constraints that would preclude the site from development.
- Availability*** – Site owned by a developer

- 2.10 The site is owned by Warwickshire County Council and is being promoted by Warwickshire Property and Development Group (the County Council's delivery arm).

***Achievability*** – *There is no information to determine that the site is not achievable.*

- 2.11 There are no known insurmountable constraints preventing development on the site. It is considered the site can be developed in 0-5 years following an allocation in an Adopted Plan.
- 2.12 Two representations were received concerning the site as part of the Preferred Options consultation from Historic England and Sport England.

Historic England

- 2.13 Historic England agree with the SHLAA that there are no impacts.
- 2.14 We agree.

Sport England

- 2.15 Sport England's representation acknowledges that the site contains a football pitch (varying pitch sizes) and car parking. It states that Sport England consider that Policy DS5 is inconsistent with national planning policy as currently drafted and recommends that the policy should make reference to Paragraph 99 of the NPPF (2023).
- 2.16 The Officer's Response states that the loss of playing pitches would be considered with any application and the Council would work with Sport England to ensure any loss would be compensated. It states that the Council would be reliant on the most up to date playing pitch assessment at the time of the application. The Officer also notes that it is anticipated that the assessment need will be updated in the near future and the site can then be reconsidered in terms of viability and potential loss.
- 2.17 As noted in Paragraph 1.6, the site has not been used as a playing field, either formally or informally, for a considerable number of years. Warwickshire County Council have no aspirations to reopen the site as a playing field because there is no identifiable need for such use by any local school.
- 2.18 The Playing Pitch and Outdoor Sports Strategy (2023) identifies that the site contains an Adult 11v11 disused (unmarked) playing field.
- 2.19 Table 1 of the Playing Pitch and Outdoor Sports Strategy (2023) identifies that the sub area of Bede and Poplar, where the site is located, currently has no shortfall in provision with 3 match equivalent sessions spare capacity. When factoring in future demand, the table shows that Bede and Poplar will still have 2 match equivalent sessions spare capacity by 2038. Thus, it can be concluded that the land is surplus to requirements.
- 2.20 On the basis of the Council's assessment, Criteria A of Paragraph 99 of the NPPF applies. We therefore recommend that the Council considers reallocating the Former Playing Field for Canon Evans School Site for residential development.
- 2.21 As noted above, Warwickshire Property and Development Group are willing to work with Nuneaton and Bedworth Borough Council to support the improvement of existing playing pitches in the Borough which will contribute to sustainability objective 9 of the Nuneaton and Bedworth Borough Council Local Plan Sustainability Appraisal (Regulation 19) (July 2023) which seeks to "*improve health and reduce health inequalities by encouraging and enabling healthy active lifestyles and protecting health, as well as providing equitable access to health services*".



### 3.0 CONCLUSION

- 3.1 In conclusion, while we support the flexibility which is being incorporated into the Council's housing requirement, we consider the Council should allocate additional sites for residential development to boost the supply of housing within the Borough and to cover a longer plan-period to meet the test of soundness set out in paragraph 35 of the NPPF (2023).
- 3.2 We consider that the Council should allocate the Former Manor Park School Playing Field site for 72 dwellings and the Former Playing Field for Canon Evans School site for 33 dwellings. Both sites are located in highly sustainable locations within the Borough's existing and emerging settlement boundaries. As demonstrated above, the sites are both suitable, available and achievable.

