

Anca Seaton

From: Iwan Evans <[REDACTED]>
Sent: 16 October 2023 12:37
To: Planning Policy
Cc: Leonie Stoate; Jonathan Adams; Jane Grant; Sharon Clinton;
Louis.Bebb@nuneatonandbedworth.gov.uk
Subject: Nuneaton and Bedworth Borough Plan Review Regulation 19 consultation - West Midlands Housing Association Planning Consortium
Attachments: 0310-12.M5 Borough Plan Review Publication Draft Plan – Regulation 19 Consultation .pdf

Categories: Processed

Good Morning,

Please find attached a representation to the Nuneaton and Bedworth Borough Plan Review Regulation 19 consultation, prepared on behalf of the West Midlands Housing Association Planning Consortium.

I would be grateful if you could confirm receipt of this email.

Kind regards,

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

Borough Plan Review Publication Stage

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

Email: planning.policy@nuneatonandbedworth.gov.uk

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

This form has two parts –

Part A – Personal details.

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

Part A

	<p>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.</p>	<p>2. Agent's details (if applicable)</p>
Title		Mr
First name		Iwan
Last name		Evans
Job title (where relevant)		Assistant Planner
Organisation (where relevant)	West Midlands Housing Association Planning Consortium	Tetlow King Planning
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Town		Bristol
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Telephone number		
Email address (where relevant)		



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

Date: 13 October 2023

Our Ref: IE M5/0310-12

By email only:
planning.policy@nuneatonandbedworth.gov.uk

Dear Sir/Madam

RE: NUNEATON AND BEDWORTH BOROUGH PLAN REVIEW – REGULATION 19 CONSULTATION

Tetlow King Planning represents the **West Midlands Housing Association Planning Consortium** (WMHAPC) which includes leading Housing Associations (HAs) across the West Midlands. Our clients' principal concern is to optimise the provision of affordable housing and to ensure the evolution and preparation of consistent policies that help deliver the wider economic and social outcomes needed throughout the West Midlands region.

As significant developers and investors in local people, the WMHAPC is well placed to contribute to local plan objectives and act as long-term partners in the community. We therefore welcome the opportunity to participate in the Borough Plan Review Regulation 19 consultation.

The adoption of the Borough Plan is anticipated in 2024. The WMHAPC acknowledges that Nuneaton and Bedworth Borough Council (NBBC) has adjusted the Borough Plan period from 2024 to 2021. Paragraph 22 of the National Planning Policy Framework (NPPF) is clear that "*Strategic policies should look ahead over a minimum 15 year period from adoption*". If any delay in the adoption of the Borough Plan occurs, the Plan will fail to comply with national policy.

Strategic Policy DS3 – Overall development needs

Draft Policy DS3 sets out a housing requirement of 545 dwellings per annum (dpa) across the 2021-2039 Plan period. Supporting paragraphs 6.21 and 6.22 on page 20 explain that this housing requirement figure originates from the 409 dpa set out in the 2022 sub-regional HEDNA, which is then adjusted through a proposed Planned Economic Growth Scenario to derive a housing requirement of 545 dpa.

While it is noted that the 545 dpa figure is above the standard method figure for Nuneaton and Bedworth of 442 dpa¹, it is disappointing that there has been a sizeable reduction in the proposed housing requirement from the 646 dpa that was consulted on in the Preferred Options document.

When considering the proposed affordable housing needs of 407 affordable dwelling per annum² against an overall housing requirement of 545 dpa, it is clear that the proposed housing requirement will fail to deliver anywhere near the full affordable housing needs of the authority. Considering this, the WMHAPC urges the Council to draft a more ambitious housing requirement for the authority which allows the Council to meet a larger proportion of its affordable housing need.

¹ See Table 2 on page 19 of the Publication Draft Plan.

² See paragraph 5.4 of supporting evidence base document 'Towards a Housing Requirement for Nuneaton & Bedworth'.

The need to consider a higher overall housing requirement to accommodate additional affordable housing delivery is acknowledged in the evidence base document 'Towards a Housing Requirement for Nuneaton & Bedworth', where at paragraph 5.18 of page 53 states:

"However, the affordable housing need is a consideration in setting the Borough's housing target and the high level of need for affordable housing adds further evidence in support of setting a higher housing requirement set out in the Nuneaton & Bedworth HEDNA is appropriate."

In order for a Local Plan to be found sound, paragraph 35 of the NPPF states that they must be 'positively prepared' and 'effective':

"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"

"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"

Table 2 on page 19 of the Publication Draft Plan sets out that Coventry has a standard method housing requirement figure of 3,247 dpa (including a 35% uplift), which compares to a housing requirement of 1,964 dpa identified by the 2022 sub-regional HEDNA. Applying either figure, it is very unlikely that Coventry is going to be able to meet its housing needs within its own boundary. It is therefore positive that the Borough Plan Review considers Coventry's unmet need.

Paragraph 4.37 on page 29 of the evidence base document 'Towards a Housing Requirement for Nuneaton & Bedworth' explains that the growth scenario inflated figure of 545 dpa (up from 409dpa) will help to accommodate some of Coventry's unmet housing need:

"The additional housing provision over and above the Borough's local housing need figure of 409 dpa would provide 'headroom' to contribute to unmet needs arising from other areas in a context in which the additional jobs growth envisaged herein would still be accommodated within the overall housing need identified in the sub-regional HEDNA. This as a contribution to meeting unmet need from other areas would support workforce growth within the Borough and could therefore contribute to and support the Borough's economic growth."

However, considering the above it is important to note that Coventry City Council is still considering the potential of accommodating its housing needs through a Local Plan Review. Therefore, the capacity of Coventry and the subsequent quantity of unmet need that will need to be accounted for across the HMA remains unknown. Whilst it is appreciated that *"Collaboration between the Council and other local authorities and infrastructure providers, will be documented through Statements of Common Ground, demonstrating effective and on-going joint working and indicating cross boundary matters are being addressed and progressed"* (Nuneaton and Bedworth Borough Plan Review Publication Draft Plan, 2023, p.2), these documents are yet to be published by the Council. It remains difficult to see how matters relating to Nuneaton and Bedworth's housing requirement can be finalised until Coventry progresses its own Local Plan further.

As such, with the information currently available, and in reference to paragraph 35 of the NPPF, the Publication Plan may not be considered to be 'effective' or 'positively prepared'. The WMHAPC urges the Council to publish the aforementioned Statements of Common Ground so this matter can be considered in more depth.

The WMHAPC reminds the Council that the Examination Inspector will determine whether the duty to cooperate between authorities has been appropriately satisfied. The PPG is clear that authorities that are unable to provide robust evidence to support a strategy that does not plan for the unmet requirements of another local planning authority may fail the test of compliance with the duty to cooperate or the Plan may be found unsound (Paragraph: 019 Reference ID: 9-019-20140306).

Policy H2 – Affordable housing

In relation to the sub-section 'Proportion of affordable housing' contained in Draft Policy H2, the WMHAPC is pleased that the Council has implemented the amended policy wording that was set out in our response to the Preferred Options consultation.

Draft Policy H2 states *“For residential development proposals that consist of between, 11 to 14 dwellings, a contribution of two affordable housing units will be required, irrespective of any demolitions.”* This is an unusual approach to securing affordable housing provision which is contrary to PPG which states:

“Policy requirements should be clear so that they can be accurately accounted for in the price paid for land. To provide this certainty, affordable housing requirements should be expressed as a single figure rather than a range. Different requirements may be set for different types or location of site or types of development”. (Emphasis added)

(Paragraph: 001 Reference ID: 10-001-20190509)

To ensure consistency with PPG the policy should be reworded to express affordable housing provision as a percentage rather than by the number of units to be required.

Draft Policy H2 sets out the Council's policy approach to 'Tenure Mix and First Homes' stating that, *“National policy requires 10% of the total number of homes on a development site to be allocated for affordable home ownership (unless the proposal meets one of the exemption tests in the NPPF).”*

To ensure consistency with paragraph 65 of the NPPF, the WMHAPC advises that the wording of Draft Policy H2 is altered to reference the provision of affordable housing on major development sites as opposed to “development sites”. It should be noted that Annex 2 of the NPPF defines major development as *“housing development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.”*

Draft Policy H2 goes on to state *“Proposals must consider how they accord with the requirements set out in the Council's latest Affordable Housing SPD.”* Supplementary Planning Documents (SPDs) can only provide guidance for the adopted policies of the Development Plan. The Council should be aware that new planning policy cannot be introduced by SPDs, as set out in PPG:

“Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.”

(Paragraph: 008 Reference ID: 61-008-20190315)

Policy H4 – Nationally Described Space Standards

Policy H4 seeks to apply the Nationally Described Space Standard (NDSS) to any new dwelling. As referenced by the Council, the application of NDSS needs to be clearly justified. The PPG states:

“Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- **need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.
- **viability** – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.

- **timing** – *there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.*

(Paragraph: 020 Reference ID: 56-020-20150327)

Regarding the 'need' to apply NDSS in Nuneaton and Bedworth the Council references the Space Standards for Homes' study undertaken by RIBA in 2015. This study is dated given it was undertaken eight years ago, and the document considers the size of new homes being built regionally not locally. As such, the relevance and robustness of this document in establishing a need for NDSS in Nuneaton and Bedworth specifically is questionable. The WMHAPC suggests that the Council considers more recent evidence that considers the need for NDSS at the Borough level. This would ensure the policy is 'justified' and found sound at examination.

The WMHAPC takes this opportunity to remind the Council that the NDSS is not a building regulation and remains solely within the planning system as a form of technical planning standard. It is not essential for all dwellings to achieve these standards in order to provide good quality living.

The above comments are intended to be constructive, to ensure the policies are found sound at examination. We would like to be consulted on further stages of the above document and other publications by the Council, by email only to consultation@tetlow-king.co.uk; please ensure that the West Midlands Housing Association Planning Consortium is retained on the consultation database, with Tetlow King Planning listed as its agent.

Yours faithfully



IWAN EVANS BSc (HONS) MSc
ASSISTANT PLANNER
For and On Behalf Of
TETLOW KING PLANNING



Cc: Bromford
Citizen Housing Group
Platform Housing Group
Stonewater

