

**Time and Date**

2.00 pm on Tuesday, 15th March, 2022

Place

Council Chamber - Council House, Coventry CV1 5RR

Please note that in line with current Government and City Council guidelines in relation to Covid, there will be reduced public access to the meeting to manage numbers attending safely. If you wish to attend in person, please contact the Governance Services Officer indicated at the end of the agenda

Public business

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 5 - 20)
 - (a) To agree the minutes from the meetings of Cabinet on 15th and 22nd February 2022
 - (b) Matters arising
4. **Holiday Activities and Food Programme 2022: Acceptance of Grant** (Pages 21 - 30)

Report of the Chief Partnerships Officer/Director of Education and Skills
5. **2022/2023 Transportation and Highways Maintenance Capital Programme** (Pages 31 - 52)

Report of the Director of Transportation and Highways
6. **Options to Improve the Provision of Temporary Accommodation for Homeless Families Through Property Acquisition** (Pages 53 - 62)

Report of the Director of Adult Services
7. **Transforming Mental Health Services** (Pages 63 - 68)

Report of the Chief Operating Officer (Section 151 Officer) and the Director of Adult Services and Housing

8. **Housing and Employment Land Availability Assessment (HELAA) Methodology** (Pages 69 - 144)
Report of the Director of Streetscene and Regulatory Services
9. **Affordable Housing Supplementary Planning Document - Adoption** (Pages 145 - 254)
Report of the Director of Streetscene and Regulatory Services
10. **Open Space Supplementary Planning Document - Adoption** (Pages 255 - 360)
Report of the Director of Streetscene and Regulatory Services
11. **Energy Supplementary Planning Document - Adoption** (Pages 361 - 460)
Report of the Director of Streetscene and Regulatory Services
12. **Outstanding Issues**
There are no outstanding issues
13. **Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

Private business

Nil

Julie Newman, Director of Law and Governance, Council House, Coventry

Monday, 7 March 2022

Note: The person to contact about the agenda and documents for this meeting is Michelle Salmon, Governance Services, Email: michelle.salmon@coventry.gov.uk

Membership

Cabinet Members:

Councillors R Brown, K Caan, G Duggins (Chair), P Hetheron, A S Khan (Deputy Chair), M Mutton, J O'Boyle, K Sandhu, P Seaman and D Welsh

Non-voting Deputy Cabinet Members:

Councillors P Akhtar, B Gittins, G Hayre and G Lloyd

By invitation:

Councillors P Male and G Ridley (Non-voting Opposition representatives)

Public Access

Please note that in line with current Government and City Council Covid guidelines, there will be limited public access to the meeting to manage numbers attending safely.

Any member of the public who would like to attend the meeting in person is required to contact the officer below in advance of the meeting regarding arrangements for public attendance. A guide to attending public meeting can be found here:

<https://www.coventry.gov.uk/publicAttendanceMeetings>

Lara Knight, Governance Services
Email: lara.knight@coventry.gov.uk

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Agenda Item 3

Coventry City Council

Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 15 February 2022

Present:

Members: Councillor G Duggins (Chair)
Councillor AS Khan (Deputy Chair)
Councillor R Brown
Councillor K Caan
Councillor P Hetherton
Councillor J O'Boyle
Councillor K Sandhu
Councillor P Seaman
Councillor D Welsh

Non-Voting Deputy
Cabinet Members:

Councillor P Akhtar
Councillor B Gittins
Councillor G Hayre
Councillor G Lloyd

Non-Voting Opposition
Members:

Councillor P Male
Councillor G Ridley

Other Non-Voting
Members:

Councillor N Akhtar
Councillor J Clifford
Councillor C Thomas

Employees (by Service):

Chief Executive

M Reeves (Chief Executive)

Adult Services

J Reading

Business, Investment and
Culture

M Dillow, B Willers

Finance

B Hastie (Chief Operating Officer (Section 151 Officer)),
P Jennings

Law and Governance

J Newman (Director of Law and Governance), M Salmon

Streetscene and
Regulatory Services

D Butler

Transportation and
Highways

C Knight (Director of Transportation and Highways),
P Bowman

Others Present: Alison Cole, Warwickshire County Council

Apologies: Councillor L Bigham
Councillor R Lakha
Councillor M Mutton
Councillor R Singh

Public Business

Former Councillor Margaret Lancaster

The Chair, Councillor Duggins, referred to the recent sad death of former Councillor Margaret Lancaster. The Cabinet held a minute's silence as a mark of respect.

72. Declarations of Interest

There were no disclosable pecuniary interests.

73. Minutes

The minutes of the meeting held on 11th January 2022 were agreed and signed as a true record. There were no matters arising.

74. 2021/22 Third Quarter Financial Monitoring Report (to December 2021)

The Cabinet considered a report of the Chief Operating Officer (Section 151 Officer), that would also be considered at the Audit and Procurement Committee on 21st March 2022, which advised of the forecast outturn position for revenue and capital expenditure and the Council's treasury management activity as at the end of December 2021. Appendices to the report provided details of the Revenue Position: Detailed Directorate breakdown of forecast outturn position; the Capital Programme: Analysis of Budget/Technical Changes; the Capital Programme: Estimated Outturn 2021/22; the Capital Programme: Analysis of Rescheduling; and Prudential Indicators.

The headline revenue forecast for 2021/22 was for net expenditure to be £12.8m over budget before the application of COVID-19 emergency funding for local government. After the use of this grant, the net forecast over-spend was £2.5m. At the same point in 2020/21 there was a projected underspend of £0.5m. This overall position incorporates two key areas of overspend.

There was an underlying overspend of £10.1m within Children's Services, although £8.5m of this has been attributed to the pandemic and funded from one-off Covid funding leaving a net overspend of £1.6m. (3.4m at Quarter 2). Despite this use of Covid funding the underlying overspend represented a serious worsening of the position since the start of the year and a heightened risk to the Council's overall financial position. Whilst this position was consistent with the basis of the 2022/23 Pre-Budget Report, it remained critical that work continued to be undertaken to understand the likelihood and extent of these pressures and any potential actions to reduce them in the future. It was clear that a combination of

societal and demographic trends and market pressures were creating a very difficult environment for the service, part of the effect of which was the challenging financial position reflected here.

After adjusting for the effects of Covid, the Streetscene and Regulatory Service was forecasting to be overspent by £4.3m by the year-end if the current industrial dispute by HGV drivers continued over this period. The HGV driver industrial dispute was resulting in a net pressure of c£1.8m, due primarily to the facilitation of the temporary waste collection sites, the revised arrangements for a fortnightly household waste collection and the loss of commercial waste income.

Elsewhere, lower-level budget pressures had continued or emerged within Business, Investment and Culture, Finance and Legal and Governance Services. Underspends were reported within Corporate budgets and Housing and Transformation such that the corporate position had stayed within acceptable tolerances and could be reasonably expected to improve towards the year-end.

The Council and the city continued to receive Government support linked to Covid within the 2021/22 financial year. This amounted to c£24m announced to date to support Council services directly and a further c£43m channelled through the Council to support Coventry businesses and external suppliers. Although further allocations could be ruled out, the pace of funding announcements had slowed markedly reflecting the wider easing of lockdown measures. The scale of any residual Covid related grants was therefore likely to be modest although the emergence of any further Covid- variants could still change the landscape of Government funding through 2022.

The Council's capital spending was projected to be £223.6m and included major scheme expenditure which ranged from: investment in the A46 Link Road; Coventry Station Masterplan; construction of a second office building and a hotel within the Friargate development; Air Quality highways works; and Secondary Schools expansion. The size of the programme and the nature of the projects within it continued to be fundamental to the Council's role within the city.

The Council's services and its financial position had been moving gradually towards a business-as-usual position as the year progressed with activity and impacts arising from the Covid pandemic starting to subside. This position could be disrupted with the recent rise in case numbers whilst some pockets of service activity continued to be significantly affected. Significant financial risk remained in relation to the underlying funding position for local government, the future trajectory of Covid costs and challenging financial situations within a few service areas. It remained a financial imperative therefore to focus on the medium-term horizon and for the Council to anticipate and address the anticipated legacy effects of Covid.

RESOLVED that the Cabinet:

- 1) Approves the Council's revenue monitoring position incorporating the application of Covid emergency funding.**

- 2) Approves the revised forecast capital outturn position for the year of £223.6m incorporating: £27.4m programme rescheduling since quarter two and £2.3m net reduction in spending relating to approved/technical changes.

75. **Coventry and Warwickshire All Age Autism Strategy 2021-2026**

The Cabinet considered a report of the Director of Adult Services that sought approval of an all-age Autism Strategy for Coventry and Warwickshire for the period 2021-2026. Appendices to the report provided the Joint All Age Autism Strategy 2021-2026, and the Autism Strategy Delivery Plan 2021-2022.

A Briefing Note and Presentation on the Strategy had been considered by the Health and Adult Social Care Scrutiny Board (5), with Members of Education and Children's Services Scrutiny Board (2) invited to the meeting, on 1st December 2021 (their minute 20/21 referred). The Board supported and endorsed the proposed Strategy.

Local Authorities and CCGs had a number of statutory responsibilities to support autistic people, such as those outlined in the Autism Act 2009, Equality Act 2010, Care Act 2014, Children and Families Act 2014, SEND code of Practice 2014 and NHS Long Term Plan 2019. In recognition of these statutory responsibilities and the inequalities faced by autistic people, the Coventry and Warwickshire Collaborative Commissioning Board approved the development of a joint all age strategy for autistic people. This was a joint five-year strategy owned by Warwickshire County Council, Coventry City Council, and NHS Coventry and Warwickshire Clinical Commissioning Group.

The Strategy built on the previous joint commissioning plan developed by Coventry City Council and Warwickshire County Council in 2017. Publication of the local Strategy was delayed while the national strategy was being developed, however, work had continued to work towards delivery of the Strategy in the meantime. Significant progress had been made since the previous joint commissioning plan to develop diagnostic pathways for adults and children; pilot new support services for autistic people pre and post diagnosis and those in mental health crisis; improve support for young people in education with communication and sensory needs; and deliver autism training for parents, carers, and the wider workforce. However, autistic people continued to experience inequalities due to gaps in services and support, hence the need for this Strategy.

This Autism Strategy was informed by a range of co-production and mapping activity which was completed in 2019 and 2020 with experts with lived experience and key professionals and was undertaken to build shared understanding of the experience of autistic people of all ages and their families in accessing support appropriate to their needs and getting a formal diagnosis of autism. An accessible and easy read version was being developed and would be published following sign off of the Strategy.

The Strategy gave the overarching objectives for the next 5 years. These would be delivered in a co-ordinated way across Coventry and Warwickshire and some elements would be delivered differently in different places to take account of the different services and communities across the area.

In line with the Coventry and Warwickshire Special Educational Needs and Disability (SEND) and Inclusion Strategies, the Autism Strategy emphasised the importance of promoting inclusive practice and supporting young people to access their full potential through education. Delivery of the Strategy would therefore be aligned with the Warwickshire SEND change programme and the Coventry SEND Strategy 2019 to 2022 'Lifting the Cloud of Limitation'.

The new national Autism Strategy (2021-2026) launched in July 2021 built on the previous national Strategy's pre-existing duties placed on commissioners and service delivery providers in relation to adults, and through the SEND Code of Practice in relation to children and young people. Overall, there was close alignment between the local and national strategies, although the priorities were described differently between the two documents.

A year 1 Strategy delivery plan had been developed to describe activities that had been initiated while awaiting the publication of the national Strategy. Priorities identified within this plan were funded and were deliverable. The year 1 plan focussed on reducing waiting times for a diagnosis and pre and post diagnostic support, as well as reducing the numbers of autistic people admitted to Mental Health hospitals. In year 2 priorities would reflect the wider scope beyond health, social care, and education.

In reflecting on the national strategy priorities, there was the opportunity to strengthen the focus on workforce development in the local delivery plan for year 2 and building the links with education, criminal justice, and public health as well as with the organisation's own employment practices in promoting the employment of autistic people. For example, greater consideration needed to be given in the local delivery plan to improving the experience of autistic people in accessing public transport and advocacy services and improving support in and environments of services working with autistic people.

RESOLVED that the Cabinet approves the Coventry and Warwickshire All Age Autism Strategy 2021-2026.

76. **Sustainable Warmth Competition (Inc. Green Homes Grant Local Authority Delivery Phase 3 and Homes Upgrade Grant)**

The Cabinet considered a report of the Director of Business, Investment and Culture that sought approval for acceptance of Sustainable Warmth Competition grant funding of c.£2.18 million to support the retrofit of energy efficiency measures for low income and low Energy Performance Certificate (EPC) rated residential households within the City.

The Midlands Energy Hub (MEH) was successful in a regional bid to the Sustainable Warmth Competition (SWC) from the Department of Business, Energy and Industrial Strategy (BEIS). A proportion of this funding was notionally allocated to Coventry City Council for which approval is now being sought to accept. Subject to acceptance, Coventry City Council's allocation would be c.£2.18 million (£1,908,500 to be spent on Local Authority Delivery (LAD) Phase 3 for on gas properties and £275,000 to be spent on Home Upgrade Grant (HUG) Phase 1 for off gas properties). Neither required any local match contribution from the Council.

Following Cabinet approval, full project development plans would be created, with delivery of the scheme to be completed by March 2023.

The SWC was available for up to 100% of both capital and revenue costs associated with its delivery. The SWC would support and complement the existing 'Keeping Coventry Warm' scheme that had been operating in Coventry for several years, in addition to building on the previous Green Home Grant schemes that the Council was already part-way through delivering.

The funding was essential to support some of the most vulnerable residents in the community to improve the energy efficiency of their homes and reduce the levels of fuel poverty across the City. This would in turn lead to:

- 1) Reduction in Coventry's domestic carbon emissions.
- 2) Reduction in health-related morbidity and mortality associated with living in cold homes.
- 3) Reduced demand placed on health and care services.
- 4) Improved energy efficiency for the homes supported, reducing their energy bills and increasing thermal comfort.

RESOLVED that the Cabinet:

- 1) Approves the acceptance of c.£2.18 million pounds of the Sustainable Warmth Competition grant funding from the Midlands Energy Hub to deliver a scheme of domestic retrofit measures to fuel poor and low-income households in Coventry as set out in this report.**
- 2) Delegates authority to the Director of Business, Investment and Culture, following consultation with the Chief Operating Officer (Section 151 Officer) and the Director of Law and Governance, to undertake the necessary due diligence, finalise the terms and conditions of the Sustainable Warmth Competition grant, and enter into any legal agreements required to facilitate delivery of the project.**
- 3) Requests that officers continue to pursue further funding opportunities that may be offered to support further decarbonisation of the City's residential buildings, following consultation with the Cabinet Member for Jobs, Regeneration and Climate Change and the Cabinet Member for Strategic Finance and Resources. This includes but is not limited to, further GHG LAD Schemes and further waves of the Social Housing Decarbonisation Fund.**
- 4) If further grant funding opportunities are secured, delegates authority to the Chief Operating Officer (Section 151 Officer), following consultation with the Director of Business, Investment and Culture, the Director of Law and Governance, the Cabinet Member for Jobs, Regeneration and Climate Change and the Cabinet Member for Strategic Finance and Resources, to undertake the necessary due diligence, finalise the terms and conditions of the grant and enter into any legal agreements required to facilitate delivery of each project up to a maximum amount of £2.5 million pounds.**

77. **Local Development Scheme**

The Cabinet considered a report of the Director of Streetscene and Regulatory Services sought approval of the updated Local Development Scheme, which was published in 2021, to incorporate new work.

It was a legal requirement that a Local Planning Authority must prepare and maintain a Local Development Scheme (LDS), it must be kept up to date and made publicly available. It was a project plan setting out which Development Plan documents were to be prepared and the timetable for the preparation of these documents, so that local communities and interested parties could keep track of progress.

The 2022 LDS was updated to include a Houses in Multiple Occupancy (HMO) DPD and a related Article 4 Direction.

The Local Plan for Coventry was adopted in December 2017. Paragraph 33 of the National Planning Policy Framework and Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 required that policies in local plans should be reviewed to assess whether they needed updating at least once every five years. Consideration had been given to whether the Local Plan should be reviewed earlier than this date and determined by Council on 8th December 2020 (their minute 58/20 referred) that the triggers had not been met, and that the review should take place in December 2022. This LDS therefore ran until December 2022 in line with the timescale for review of the policies.

For clarity (although not a legal requirement) the LDS, attached as an Appendix to the report, also included a timetable for a suite of Supplementary Planning Documents which expanded upon Local Plan policy. The topics for these Documents were: Open Space; Affordable Housing; Energy; Tall Buildings & View Management; Residential design; and Biodiversity.

For completeness, the LDS set out information and guidance on Neighbourhood Plans, local plan monitoring and data standards.

RESOLVED that the Cabinet approves the Local Development Scheme attached as Appendix 1 to the report, to be brought into effect at the earliest opportunity.

78. **To Seek Approval to Apply for Moving Traffic Enforcement Powers**

The Cabinet considered a report of the Director of Transportation and Highways that sought approval to apply to the Secretary of State for the powers to enforce moving traffic offences under the Traffic Management Act 2004 part 6 which would help to improve road safety and bus journey times, reduce traffic congestion, and thereby have a positive impact on air quality.

The TMA 2004 part 6 introduced civil enforcement of traffic offences in England and Wales. The legislation allowed local authorities to enforce parking restrictions together with some moving traffic offences, like making banned left / right turns, exceeding weight limits, and stopping in yellow box junctions.

To date, the powers to enforce moving traffic offences were not available to local authorities outside of London. However, in July 2020, the government committed to change this and allow local authorities outside of London the powers to manage moving traffic contraventions. Consequently, local authorities could now apply to the Secretary of State for a Designation Order to obtain moving traffic enforcement (MTE) powers.

The enforcement of speeding traffic and footway parking were not covered by the changes in legislation, any enforcement of these was currently undertaken by the Police under criminal law, although a relatively low priority for them.

The proposed adoption of the powers by the Council was expected to free up valuable Police resources to concentrate on tackling crime, although the Police would not relinquish their existing powers to the Council and therefore may continue to undertake MTE in conjunction with the Council subject to available resources and other priorities.

RESOLVED that the Cabinet:

- 1) Agrees that approval be given for officers to apply to the Secretary of State for the powers to undertake moving traffic enforcement pursuant to Part 6 of the TMA 2004 using CCTV camera systems, which requires consultation with stakeholders including West Midlands Police, and a minimum six-week public communication and engagement to raise public awareness.**
- 2) Delegates authority to the Director of Transportation and Highways, following consultation with the Cabinet Member for City Services and the Chief Operating Officer (Section 151 Officer) or nominated deputy, to approve the expenditure needed to implement moving traffic enforcement subject to a satisfactory business case.**
- 3) Delegates authority to the Director of Transportation and Highways, following consultation with the Cabinet Member for City Services, for the development of a 'Prioritisation Criteria' to identify locations where the introduction of moving traffic enforcement will have the greatest benefit and impact.**

79. Outstanding Issues

There were no outstanding issues.

80. Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved.

There were no other items of public business.

(Meeting closed at 2.40 pm)

Coventry City Council
Minutes of the Meeting of Cabinet held at 10.00 am on Tuesday, 22 February 2022

Present:

Members: Councillor G Duggins (Chair)
Councillor A S Khan (Deputy Chair)
Councillor R Brown
Councillor M Mutton
Councillor K Sandhu
Councillor P Seaman
Councillor P Hetherington
Councillor D Welsh

Non-Voting Deputy
Cabinet Members: Councillor P Akhtar
Councillor G Hayre
Councillor G Lloyd

Non-Voting Deputy
Cabinet Members: Councillor G Ridley
Councillor P Male

Other Non-Voting
Members: Councillor R Lakha

Employees (by Service):

Chief Executive M Reeves (Chief Executive)

Finance B Hastie (Chief Operating Officer (Section 151 Officer),
P Jennings

Law and Governance J Newman (Director of Law and Governance), S Harriott, L
Knight,

Apologies: Councillors J O'Boyle, B Gittins, J Clifford, N Akhtar, R Singh,
C Thomas, C Miks and L Bigham

Public Business

81. Declarations of Interest

There were no disclosable pecuniary interests.

82. Council Tax Setting Report 2022/2023

The Cabinet considered a report of the Chief Operating Officer (Section 151 Officer) which calculated the Council Tax level for 2022/23 and made appropriate recommendations to Council, consistent with the Budget Report 2022/23.

The report indicated that some of the figures and information set out within the report were identified as provisional, as the Police and Crime Commissioner and the Fire and Rescue Authority precepts had not been confirmed at the time of publication. The Cabinet were advised by the Chief Operating Officer that confirmation had now been received in relation to these precepts and that the figures within the report were all confirmed as accurate.

The report incorporated the impact of the Council's gross expenditure and the level of income it would receive through Business Rates, grants, fees and charges. This resulted in a Council Tax requirement, as the amount that its expenditure exceeds all other sources of income.

The report included a calculation of the Band D Council Tax that would be needed to generate this Council Tax requirement, based on the City's approved Council Tax base. The 2022/23 Band D Council Tax that was calculated through this process had increased by £52.06 from the 2021/22 level.

Each year the Government determined the maximum Council Tax increase that local authorities could set without triggering a referendum. For 2022/23 the Secretary of State had published a report which proposed that the rise in Coventry City Council's Council Tax must be below 3% in 2022/23 to avoid triggering a referendum, comprising a 1% precept for expenditure on adult social care and a maximum of 2% for other expenditure. At the time of writing, the Secretary of State's report was subject to parliamentary approval. The recommendations within the Budget Report 2022/23 were based on a proposed increase in Council Tax of 2.9%, including a core Council Tax rise of 1.9% and a 1% Adult Social Care Precept.

It was noted that the recommendations followed the structure of resolutions drawn up by the Chartered Institute of Public Finance and Accountancy, to ensure that legal requirements were fully adhered to in setting the tax. As a consequence the wording of the proposed resolutions was necessarily complex.

RESOLVED that, the Cabinet recommend that Council:

1. Notes the following Council Tax base amounts for the year 2022/23, as approved by the Cabinet on 11th January 2022, in accordance with Regulations made under Section 31B of the Local Government Finance Act 1992 ("the Act"):

(a) 84,264.3 being the amount calculated by the Council as its Council Tax base for the year for the whole Council area;

**(b) Allesley 356.9
 Finham 1,524.6
 Keresley 237.0**

being the amounts calculated by the Council as its Council Tax base for the year for dwellings in those parts of its area to which one or more special items relate.

2. That the following amounts be now calculated by the Council for the year 2022/23 in accordance with Sections 31A, 31B and 34 to 36 of the Act:

(a) £748,832,629 being the aggregate of the amounts that the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils (*Gross Expenditure and reserves required to be raised for estimated future expenditure*);

(b) £595,438,188 being the aggregate of the amounts that the Council estimates for the items set out in Section 31A(3) of the Act (*Gross Income including reserves to be used to meet the Gross Expenditure but excluding Council Tax income*);

(c) £153,394,441 being the amount by which the aggregate at 2(a) above exceeds the aggregate at 2(b) above, calculated by the Council in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year;

(d) £1,820.40
$$\frac{2(c)}{1(a)} = \frac{£153,394,441}{84,264.3}$$

being the amount at 2(c) above divided by the amount at 1(a) above, calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year. (*Average Council Tax at Band D for the City including Parish Precepts*).

(e) £43,527 being the aggregate amount of all special items referred to in Section 34(1) of the Act. (*Parish Precepts*);

(f) £1,819.88
$$= 2(d) - \frac{2(e)}{1(a)} = £1,820.40 - \frac{£43,527}{84,264.3}$$

being the amount at 2(d) above, less the result given by dividing the amount at 2(e) above by the amounts at 1(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of the area to which no special item relates. (*Council Tax at Band D for the City excluding Parish Precepts*);

(g)

Coventry (unparished area)	£1,819.88
Allesley	£1,856.73
Finham	£1,833.83
Keresley	£1,858.33

being the amounts given by adding to the amount at 2(f) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year of dwellings in those parts of its area to which one or more special items relate (*Council Taxes at Band D for the City and Parish*).

(h)

Valuation Band	Parts to which no special item relates	Parish of Allesley	Parish of Finham	Parish of Keresley
A	£1,213.25	£1,237.82	£1,222.55	£1,238.88
B	£1,415.46	£1,444.12	£1,426.31	£1,445.37
C	£1,617.67	£1,650.43	£1,630.07	£1,651.85
D	£1,819.88	£1,856.73	£1,833.83	£1,858.33
E	£2,224.30	£2,269.34	£2,241.35	£2,271.29
F	£2,628.72	£2,681.95	£2,648.87	£2,684.26
G	£3,033.13	£3,094.55	£3,056.38	£3,097.21
H	£3,639.76	£3,713.46	£3,667.66	£3,716.66

being the amounts given by multiplying the amounts at 2(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

3. Notes that for the year 2022/23 the Police and Crime Commissioner for the West Midlands and the West Midlands Fire Authority have stated that the following amounts in precepts issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwelling shown below:

Valuation Band	Police and Crime Commissioner for the West Midlands	West Midlands Fire and Rescue Authority
	£	£
A	125.03	45.35
B	145.87	52.91
C	166.71	60.47
D	187.55	68.03
E	229.23	83.14
F	270.91	98.26
G	312.58	113.38
H	375.10	136.05

4. That having calculated the aggregate in each case of the amounts at 2(h) and 3 above, the Council, in accordance with Sections 30 and 36 of the Act, hereby sets the following amounts as the amounts of Council Tax for the year 2022/23 for each part of its area and for each of the categories of dwelling shown below:

Valuation Band	Parts to which no special item relates	Parish of Allesley	Parish of Finham	Parish of Keresley
	£	£	£	£
A	1,383.63	1,408.20	1,392.93	1,409.26
B	1,614.24	1,642.90	1,625.09	1,644.15
C	1,844.85	1,877.61	1,857.25	1,879.03
D	2,075.46	2,112.31	2,089.41	2,113.91
E	2,536.67	2,581.71	2,553.72	2,583.66
F	2,997.89	3,051.12	3,018.04	3,053.43
G	3,459.09	3,520.51	3,482.34	3,523.17
H	4,150.91	4,224.61	4,178.81	4,227.81

5. Determines that its relevant basic amount of Council Tax for 2022/23 is not excessive in accordance with the principles set out in the Secretary of State's report, under Sections 52ZC and 52ZD of the Act.

83. Budget Report 2022/2023

The Cabinet considered a report of the Chief Operating Officer (Section 151 Officer), which set out the proposals for the Council's final revenue and capital budget for 2022/23.

The report followed on from the Pre-Budget Report approved by Cabinet on 14th December 2021, which had since been subject to a period of public consultation. The proposals within the report now formed the basis of the Council's final revenue and capital budget for 2022/23 incorporating the following details:

- Gross budgeted spend of £749m (£25m decrease from 2021/22)

- Net budgeted spend of £237m (£6 and 3% lower than 2021/22) funded from Council Tax and Business Rates less a tariff payment of £19.3m due to Government.
- A Council Tax Requirement of £153.4m (£7.1m and 5% higher than 2021/22); reflecting a City Council Tax increase of 4.9% detailed in the separate Council Tax Setting report on today's agenda.
- A number of new expenditure pressures and technical savings proposals.
- A Capital Strategy including a Capital Programme of £145.1m including expenditure funded by Prudential Borrowing of £23.9m.
- The updated Treasury Management Strategy, Capital Strategy and a Commercial Investments Strategy.

The financial position set out in the Budget Report is based on the Final 2022/23 Local Government Finance Settlement. Although the core funding position broadly matched that of 2021/22, the Settlement included some significant new one-off grants that will help the Council to manage the pressures it faces, in particular in relation to social care and the wider costs of inflation. The position after 2022/23 remains uncertain despite the Government's medium-term spending plans being set out in the Spending Review published in October 2021. A review of the local government financial allocation model will begin in 2022, although it is not yet certain whether this will be completed in time for 2023/24 Budget Setting. As a result, it is not possible to provide a robust medium term financial forecast at this stage and the Council has provided some prudent planning figures for future years. Initial assumptions indicate the likelihood that there will be a substantial gap for the period following 2022/23. The view of the Chief Operating Officer is that the Council should be planning for such a position.

The Pre-Budget Report was based on an increase in Council Tax of 2.9% and this position had been maintained for the final proposals in the report now submitted. This incorporated an increase of 1.9%, which was within the Government's limit of 2% above which a referendum would need to be held plus a further 1% Adult Social Care (ASC) Precept in line with Government expectations. The Precept was trailed in the Autumn Budget Report and Spending Review 2021 and included in the Local Government Settlement as the means for councils to maintain their "core spending power". The precept was essential to enable councils including Coventry to manage increases in the costs of care. In total, the rise in Council Tax bills would be the equivalent of around £1.00 a week for a typical Coventry household including the rises in precepts for Police and Fire.

The Local Government Finance Settlement helped the Council to close the significant financial gap which it has at the start of the Budget process. Further measures include the identification of additional Council Tax resources and new commercial and other income streams. All these proposals were set out in detail in Appendix 1 of the report. Where these were different to the proposals that were included in the Pre-Budget Report, this had been indicated within the Appendix to the report. There were no new service savings required as a result of this budget.

The proposals did not provide the Council with a balanced medium term position beyond 2022/23. The Council's current medium term bottom line incorporated a combination of future inflationary and service pressures and the fall out of uncertain specific grant resources. Some of the future funding assumptions were speculative at this stage and would be revised through 2022 as any changes to

local government finance become clearer. The initial approach would however be dictated by an intention to review and update technical information as it becomes available to the Council and to identify further efficiencies from, or generate further income within, Council Services. The Council is seeking currently to update its policy priorities and these will be included as part of the 'One Coventry Plan' which will be approved later this year. Through 2022 it will also refine and implement a programme of activity designed to review how best to deliver its services, improve integration between some of them and optimise the effectiveness of others.

Whatever the future holds for national changes to local government finance the Council remained committed to strengthening its own financial self-sustainability and the need to support the vibrancy and growth of the city. Over the coming year the Council would continue to invest in and pursue activities that strengthen its existing financial interests and those of the city although this would be done within the restrictions imposed by Government in relation to access to borrowing from the Public Works Loans Board. The Council's view was that a positive and ambitious strategy would be preferable to a more passive approach which would leave the Council more vulnerable to central government and the wider pressures on local government services. The Council's existing financial resilience and its belief in the city's long-term economic strength meant that this remained an ideal time to commit to Coventry's reset and recovery.

The recommended Capital Programme proposals were a key part of the Council's approach and amounted to £145.1m in 2022/23. The proposals reflected the Council's ambitions for the city and included: extensive highways infrastructure works including specific schemes relating to air quality, Pinchpoint schemes and the Housing Infrastructure Fund (HIF); work moving towards completion of the second office building within the Friargate district of the city; the Council's share of capital loan financing to progress the construction phase of the city's new Materials Recycling Facility; continuation of the A46 link road to the south of the city and initial stages of the City Centre South redevelopment. Over the next 5 years the Capital Programme was estimated to be £365m as part of on-going massive investment delivered by and through the City Council.

The annual Treasury Management Strategy, incorporating the Minimum Revenue Provision policy, and also the Commercial Investment Strategy were set out within the report. These covered the management of the Council's treasury and wider commercial investments, cash balances and borrowing requirements. These strategies and other relevant sections of the report reflected the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Treasury Management Code and Prudential Code for Capital Finance, as well as statutory guidance on Minimum Revenue Provision (MRP) and Investments.

The budget proposals also included additional investment for ICT licensing and assurance requirements. A proportion of this investment related to Microsoft licensing as part of the Council's Enterprise Agreement renewal, which needed to be in place by 1st April 2022. As a consequence, the report included recommendations relating to the procurement of the renewed Microsoft Enterprise Agreement covering the Council's use of the core Microsoft software packages for a three year period from 1st April 2022.

RESOLVED that the Cabinet:

- 1. Authorises the procurement of a new three year contract for a reseller for the renewal of the Council's Microsoft Enterprise Agreement for the 3 year period from 1st April 2022 (per paragraph 2.2.2 of the report)**
- 2. Delegates authority to the Chief Operating Officer and the Director of Law and Governance to agree the contract award following the procurement process.**
- 3. Recommends that Council:**
 - i. Approve the spending and savings proposals in Appendix 1 to the report.**
 - ii. Approves the total 2022/23 revenue budget of £749m in Table 1 in the report and Appendix 3 to the report, established in line with a 2.9% City Council Tax increase and the Council Tax Requirement recommended in the Council Tax Setting Report considered on today's agenda.**
 - iii. Notes the Chief Operating Officer's (Section 151 Officer) comments confirming the adequacy of reserves and robustness of the budget in Section 5.1.2 and 5.1.3 of the report.**
 - iv. Approves the Capital Strategy incorporating the Capital Programme of £145.1m for 2022/23 and the and the commitments arising from this programme totalling £365.5m between 2022/23 to 2026/27 detailed in Section 2.3 of the report and Appendix 4 to the report.**
 - v. Approves the Council's Treasury Management Strategy and Minimum Revenue Provision Statement for 2022/23 in Section 2.4 of the report and the Prudential Indicators and limits described and detailed in Appendix 6a to the report, the Commercial Investment Strategy for 2022/23 in Section 2.5 of the report and Appendix 5 to the report, and the Commercial Investment Indicators detailed in Appendix 6b to the report.**

84. Outstanding Issues

There were no outstanding issues.

85. Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved.

There were no other items of public business.

(Meeting closed at 10.08 am)



Cabinet

15 March 2022

Name of Cabinet Member:

Cabinet Member for Education and Skills – Councillor Dr K Sandhu

Director Approving Submission of the report:

Chief Partnerships Officer/Director of Education and Skills

Ward(s) affected:

All

Title:

Holiday Activities and Food Programme 2022: Acceptance of Grant

Is this a key decision?

Yes - the proposals involve financial implications in excess of £1m per annum and are likely to have a significant impact on residents or businesses in two or more electoral wards in the City.

Executive Summary:

The Government's Holiday Activity and Food Programme (HAF) is an enrichment programme for disadvantaged children which includes the provision of healthy food. The programme is primarily for pupils of statutory school age, who are eligible for benefits-related free school meals. Initially the programme was funded for the 2021/22 financial year only; and operated through the Easter, Summer and Christmas school holidays. The delivery details were set out in the Cabinet report of 9 March 2021 and the Council report of 16 March 2021.

The Government has confirmed that the Programme will be extended to the end of March 2025. Coventry has received an allocation of £1,514,770 for the financial year 2022/23, subject to meeting the conditions of the grant determination letter. It is anticipated that funding will be at an equivalent level for 2023/24 and 2024/25. This report sets out the intended approach for delivering HAF in 2022/23 and reports on 2021 activity.

Recommendations:

The Cabinet is recommended to:

- 1) Approve the acceptance of the Department for Education Holiday Activity and Food Programme grant allocation, of up to £1,514,770 for the 2022/23 financial year.
- 2) Delegate authority for decisions about the planning and delivery of the Holiday Activity and Food programme in 2022/23 to the Director of Education and Skills, following consultation with the Cabinet Member for Education and Skills. The City Council will centrally co-ordinate and award monies to relevant organisations to deliver the programme to a high standard.

List of Appendices included

Appendix 1: Summary of Coventry Holiday Activities and Food programme 2021 delivery

Background papers

None

Other useful documents

Cabinet report of 9 March 2021; Council report of 16 March 2021 - Holiday Activities and Food Programme 2021: Acceptance of Grant and Proposed Distribution

Department of Education HAF guidance (updated 28 January 2022)

<https://www.gov.uk/government/publications/holiday-activities-and-food-programme/holiday-activities-and-food-programme-2021>

HAF Summer of Fun 2021 video: <https://www.youtube.com/watch?v=Z5sk7bSC5ag>

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Holiday Activities and Food Programme 2022: Acceptance of grant

1. Context (or background)

- 1.1 Following the success of the national Holiday Activity and Food Programme (HAF) during the financial year 2021/22, the Government has announced the extension of the programme to March 2025. Details of the programme remain as set out in the Cabinet report of 9 March 2021 and the Council report of 16 March 2021.
- 1.2 The programme will continue to target statutory school age pupils, who are eligible for benefits-related free school meals. This means that 13,000 Coventry children will be entitled to access free enrichment activities and healthy food during Easter, Summer and Christmas school holidays of the 2022/23 financial year.
- 1.3 Coventry has been awarded an allocation of £1,514,770 for 2022/23. It is anticipated that the allocation for 2023/24 and 2024/25 will be maintained at a similar level. The programme allows for 15% discretionary spend on children who are not within the category of benefits-related free school meals.
- 1.4 The Department for Education's aims for children who attend the provision are to:
 - eat healthily
 - be active
 - take part in engaging and enriching activities which support the development of resilience, character and wellbeing along with wider educational attainment
 - be safe and not be socially isolated
 - have a greater knowledge of health and nutrition and
 - be more engaged with school and other local services.
- 1.5 The aims for parent and carers who participate in this programme are to:
 - develop their understanding of nutrition and food budgeting and
 - be signposted to other information and support (for example: health, employment and education).
- 1.6 Local Authorities are encouraged to work with a wide range of providers in the delivery of the programme, recognising the important role that community and voluntary organisations have played in its success so far.
- 1.7 Attendance on the programme is voluntary. Each eligible school-age child is entitled to access the provision for one week during the Easter and Christmas holiday period and four weeks during the summer. One HAF week is defined as being a total of four, four hourly sessions per week.
- 1.8 Coventry City Council can evidence the success and positive impact of its programme delivery during the 2021/22 financial year, as set out in Appendix 1: Summary of Coventry Holiday Activities and Food programme 2021 delivery. The Coventry HAF Summer of Fun 2021 video <https://www.youtube.com/watch?v=Z5sk7bSC5aq> evidences that the grant conditions were met through the demonstration of both the wide range of activities delivered across the City summary and the impact from a parent and child perspective.

2. Options considered and recommended proposal

- 2.1 Coventry City Council could decide not to accept the grant. The consequence would be that without the financial resources, the programme would cease. This is not the recommended option.

- 2.2 The City Council could seek to procure an external organisation to coordinate and deliver the HAF programme. If this decision was made, it is unlikely that the required infrastructure, coordination, expertise and experience would be procured in readiness for delivery by Easter 2022. The investment of the strong partnership developed between the Council's current HAF Team in leading and co-ordinating the programme with a wide range of delivery partners, would be lost, with potential service disruption. This is not the recommended option.
- 2.3 The City Council accept the grant and continue to co-ordinate the programme centrally. Funding would continue to be awarded via the grant agreement to organisations who are able to deliver the required specification of provision, building on the existing local partnership. This is the recommended option.

3. Results of consultation undertaken

- 3.1 No consultation is required or necessary for the programme. There is strong engagement and collaboration with a wide range of partners across Coventry and there has been significant feedback from families.

4. Timetable for implementing this decision

- 4.1 The acceptance of grant monies will be implemented immediately, and plans are already in place for delivery for the Easter 2022 holidays, building on the foundation of 2021 delivery.

5. Comments from the Chief Operating Officer (Section 151 Officer) and the Director of Law and Governance

5.1 Financial implications

The indicative maximum allocation available is £1,514,770 for 2022/23 financial year (a similar level to financial year 2021/22). The payments will be made by the DfE at various milestones throughout the year including receipt of delivery plans and reports back on actual activity and expenditure.

The funding is for the provision of free holiday club places (90% of the funding) in the Easter, Summer and Christmas holidays, and for Local Authority coordination costs (10% of the funding). A small team has been recruited to support the delivery of the programme within the 10% allocation.

The Department for Education will pay Coventry City Council up to 80% of the total 2022/2023 allocation in April 2022, following receipt of a prescribed report by 1 March 2022. The report will set out the detail of the programme activity including the number of children it aims to reach during 2022/23. The balance of 20% will be settled in April 2023 subject to the submission of a satisfactory report to the DfE by 15 February 2023, setting out the actual number of children who accessed the programmes. There is a small risk that funds would be withheld if the programme is not delivered. However, this risk is mitigated because Coventry's delivery plans are based on the scheme guidance and robust risk management arrangements are in place (see section 6.2).

Coventry City Council must provide an annual report on the Coventry HAF programme to the DfE by 30 June 2023. The report will include information about performance including numbers of beneficiaries and analysis according to participation of primary-age children,

secondary-age children and children with special educational needs and disabilities as set out in the “Annual Report” section of the programme guidance.

5.2 Legal implications

5.2.1 The Council has no specific statutory duty to deliver holiday-based food and activity for families.

5.2.2 By section 31(3) and 31(4) of the Local Government Act 2003 (Power to pay grant) the Department for Education has made grant provision available to enable local authorities to provide to school age children who are eligible for free school meals, healthy meals and enrichment activities during the Easter, Summer and Christmas holiday periods free of charge. The Grant Determination sets out the conditions upon which the grant has been made available and to which the local authority must comply.

5.2.3 Law and Governance support the recommendations outlined in this report and will support the process, ensuring the interest of the Council are protected.

6. Other implications

Any other specific implications

6.1 How will this contribute to the Council Plan (www.coventry.gov.uk/councilplan/)?

This programme aligns with the council plan, and can contribute towards the following aims:

- Improving educational outcomes by working with schools to continue to improve standards,
- Improving health and wellbeing by: helping children and young people lead healthier lifestyles including better mental health; keeping children and young people safe from harm; providing early intervention for families who need it; enabling people to exercise choice and control in their daily lives; reducing health inequalities: giving our children the best start in life.

6.2 How is risk being managed?

There are a number of risks associated with delivery of the programme.

To ensure that participating children and young people are safeguarded, only holiday provision that is approved (for example, registered as a provider with Ofsted) will be commissioned. Many of the organisations have developed a strong track record of working positively with children, families and schools across the City building a positive reputation based on trust. Checks will be in place to ensure that staff have appropriate qualifications, and that employment and safe recruitment checks are in place e.g. DBS.

The HAF programme is not a replacement for the previous arrangements in place for pupils for the provision of Free School Meals over 2021/22 year. The grant monies awarded is not sufficient to fully support all eligible children and young people in the city with the provision of food throughout the holidays. In order to manage this expectation, the scope of the HAF programme will be clearly communicated to parents and carers.

The HAF Steering Group has established a risk and issue management approach. If a risk exceeds the threshold of tolerance and threatens the delivery of the project or signals a significant change of approach is required, it will be escalated to the HAF Steering Group

for consideration and options for mitigation/response determined. Risks and issues of a lower impact will be mitigated and responded to within the day-to-day activity of the project team and will be recorded in the project risk log.

6.3 What is the impact on the organisation?

The programme is co-ordinated by a small team within Education and Skills (3 FTE).

6.4 Equality Impact Assessment (EIA)

As an intrinsic part of the programme, consideration is given to ensuring provision is accessible and engaging for all eligible children and young people (including those with a special educational need and disability, and older children). The programme has due regard to the requirements of the Equality Act in both the coordination and delivery of the programme.

6.5 Implications for (or impact on) climate change and the environment

None

6.6 Implications for partner organisations?

The Council will continue to work with a wide range of partner organisations in the delivery of this programme, ensuring partners are proportionately represented on the HAF steering group to oversee the implementation. In forming the HAF steering group, the Council has taken full account of the DfE recommendations on composition by including the following partners: local police and other uniform services; public health; school leaders; youth services; social services; charities and the voluntary sector. Membership of the steering groups is reviewed annually.

Report author(s):**Name and job title:**

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Contributor/ approver name	Title	Service	Date doc sent out	Date response received or approved
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Nicole Powell	Employee Relations Lead	Human Resources	17/02/22	18/02/22
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Names of approvers for submission: (officers and members)				
Rachael Sugars	Head of Service	Education and Skills	17/02/22	18/02/22
Christopher Whiteley	Finance Manager	Finance	17/02/22	18/02/22
Oluremi Aremu	Major Projects Lead Lawyer	Law and Governance	17/02/22	18/02/22
Kirston Nelson	Chief Partnerships Officer/ Director of Education and Skills	-	17/02/22	22/02/22
Councillor Dr K Sandhu	Cabinet Member for Education and Skills	-	17/02/22	21/02/22

This report is published on the council's website: www.coventry.gov.uk/councilmeetings

Appendix 1 – Summary of Holiday Activities and Food 2021 delivery

Purpose

The primary purpose of this Cabinet report relates to acceptance of the HAF grant. This appendix provides a summary of 2021 delivery. Please view the Summer of Fun 2021 (<https://www.youtube.com/watch?v=Z5sk7bSC5ag>) for a broader understanding of the Coventry HAF programme.

Principles

The HAF multi-agency steering group agreed the following principles for the Coventry HAF programme, linking with the DfE objectives. These are:

- Positive, memorable and happy holiday experiences that demonstrate the value of every person
- Impacts that last beyond the holidays and experiences that reach parents and families through children and young people
- Building on, and enabling, trusted relationships and Coventry strengths
- Collaboration and partnership across a wide range of organisations and engaging with children, young people and families throughout
- Joined-up locality offer - particularly in areas of higher deprivation
- Tailored approaches for primary and secondary ages with a key focus on children with Special Educational Needs and Disabilities
- Joining-up with school summer and education recovery programmes
- Continuous learning and improvement, including learning across Coventry, West Midlands and nationally
- Coventry HAF as a part of a joined-up offer for Coventry lower-income families

Positives

Coventry has made a good start to delivery of the Holiday Activities and Food programme. With a short lead time, probably Coventry's most comprehensive and diverse range of holiday activities, experiences and clubs ever, have been available to lower-income families. Clubs, activities and experiences have been available across Coventry, with more of these focussed in areas of higher numbers of HAF-eligible children and young people.

In our survey of HAF Christmas delivery, of the 280 respondents, 93% said that they would recommend HAF activities to others, indicating a very high level of satisfaction. The Christmas HAF programme benefitted approximately 2,150 eligible children (plus an estimated 2,000 family members). The summer HAF programme benefitted approximately 2,000 eligible children with approximately 100,000 hours of delivery. At Easter, the focus was on food parcels (with a total of 16 breakfasts in each) and activity packs. These food parcels benefitted approximately 2,600 children and there was positive feedback from families on these. Coventry Food Bank (Feed the Hungry UK) co-ordinated these arrangements together with the Coventry Food network.

The 2021 HAF delivery has enabled children and young people to participate in a wide range of activities, with a sample of these being: music, DJ, crafts (print making, clay), video production, sports activities and games, cooking and food preparation, team games, day trips, story-time, food nutrition, gardening, ice-skating, sports matches, pantomime, outdoor adventure, nature-based arts and crafts, drama, team-building, public speaking, transport innovation engagement sessions, dance, smoothie bikes, yoga, photography, circus skills and many more activities.

At Christmas, 85% of clubs provided hot food at every session (15% cold food at these other sessions) and 100% provided hot food at most sessions. Children have benefitted from nutritional food as part of the activities and experiences, with approximately 25,000 meals in the summer. This is in addition to food parcels for families at Easter and 950 cook-at-home packs (including

ingredients and recipes). Feedback ratings of 3.9/5 for contents of the pack and 3.8/5 for recipes in the pack.

The above has been delivered through a strong partnership approach in line with our One Coventry values and approach. A total of 58 organisations have been funded to deliver HAF including: community and faith organisations, schools, youth organisations, creative organisations, sports and leisure organisations and universities. Over 50 other organisations, businesses and services have also been involved in the HAF programme.

The programme has received positive comments from DfE and Childcare Works (who provide support to the national HAF programme) representatives.

Challenges

A key challenge in 2021 was the context of Covid-19 during 2021. For example, Easter HAF delivery needed to be through food parcels and activity packs, rather than face-to-face delivery of activities, experiences and clubs. Leading up to the school summer holidays, Covid-19 rates increased, and many children were isolating through being close-contacts. Just prior to the school Christmas holidays, Omicron rates started to accelerate rapidly. For example, at Christmas, many families booked, but then did not attend. Irrespective of Covid-19, this a factor when activities are available for free.

Key priorities and developments for 2022 and beyond

Key priorities for 2022 and beyond include the following:

- **Developing a consistent HAF offer for children and families.** A key focus on 2021 (and for Easter 2022) delivery has been on testing out different activities, experiences and providers. Based on factors including take-up rates, costs and quality a consistent programme can start to be developed, whilst recognising opportunities for different types of activities according to different school holidays and seasons.
- **Developing stronger partnerships between schools and providers.** Schools have promoted HAF, with several projects taking place on school sites. However, challenges with Covid-19 and capacity have meant that schools have needed to focus on term-time delivery. Good steps are being taken to increase collaboration with models of activities being delivered jointly by school staff and external providers.
- **Increasing participation and reach of HAF.** As noted earlier, Covid-19 meant that take-up was less than it would have been in a non-Covid-19 context. The programme was also new, and it was initially unclear whether funding would be continued beyond 2021/22. With this national commitment to funding for the next three years and easing of Covid-19 challenges it is anticipated that participation will increase significantly throughout 2022 including the proportion, and numbers, of secondary-age children.
- **Developing HAF as a broader offer to lower-income families.** This priority includes ensuring that HAF is not seen as a stand-alone programme, but as children are registered for Free School Meals, they are introduced to the HAF offer as well.

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Cabinet

15 March 2022

Name of Cabinet Member:

Cabinet Member for City Services – Councillor P Hetherton

Director approving the report:

Director of Transportation and Highways

Ward(s) affected:

All

Title:

2022/23 Transportation and Highway Maintenance Capital Programme

Is this a key decision?

Yes – Affects all wards across the city

Executive summary:

This report brings together a £15.9m capital programme for the maintenance and enhancement of the City's highways and transport infrastructure. The programme is funded through City Region Sustainable Transport Settlement, City Council resources, External Funding and Citizen Housing Right to Buy receipts.

As a result of the increased funding negotiated through the City Region Sustainable Transport Settlement, we have been able to expand this year's maintenance and transport programmes in comparison to previous years, coupled with the addition of the innovative JCB Pothole Pro machine this will enable a significant improvement in the speed and efficiency of road repairs.

In addition, the report highlights the ambitious range and scale of major projects to be delivered in the city, from sustainable transport improvements supporting the Gigafactory and other developments, to Coventry Very Light Rail, a pioneering project that showcases Coventry as a city at the forefront of innovation.

These projects not only benefit the residents of the city, and encourage continued growth and investment, they also provide sustainable solutions to support the tackling of climate change and inequalities by widening travel choice and promoting active travel.

With our continued success in attracting external funding, we are able to develop and deliver schemes and infrastructure that enable transformation and progression, laying the foundations for a vibrant and cutting-edge city to be proud of.

Recommendations:

The Cabinet is requested to:

- 1) Approve the 2022/23 programme of Transport & Highway schemes marked 'A' in Table 2 of the report.
- 2) Delegate authority to the Cabinet Member for City Services, to approve a programme of scheme development, Section 106 & externally funded schemes, marked 'B' in Table 2 of the report.

List of Appendices included:

Appendix 1 - Description of all Maintenance & Local Network Improvement Plan schemes

Appendix 2 - Breakdown of the Road Maintenance Programme including verges

Appendix 3 – Breakdown of the Local Network Improvement Plan Programme

Background papers:

None

Other Useful Documents:

Budget Report 2022/23 - Council Meeting 22nd February 2022

Has it or will it be considered by scrutiny?

No

Has it, or will it be considered by any other council committee, advisory panel or other body?

No

The City Council's five-year capital programme was approved by Full Council on 22nd February 2022.

Will this report go to Council?

No

Report title:
2022/23 Transportation and Maintenance Capital Programme

1. Context (or background)

1.1 This report sets out a detailed capital programme of all Highway Maintenance and Transport schemes which are due to be carried out during 2022/23. The report sets out individual allocations and the various sources of funding in Table 2 and sets out the specific details of each project in Appendices 1 to 3 of the report.

2. Options considered and recommended proposal

2.1 As part of the original West Midlands Devolution Deal, HM Government agreed to devolve a consolidated local transport budget and provide a multi-year transport funding settlement, which came under the control of the West Midlands Combined Authority Elected Mayor.

2.2 The devolved transport element of the settlement was made up of 3 main parts - the Integrated Transport Block (ITB) Highways Maintenance Block and Highways Maintenance Incentive Funding, with the later addition of the Transforming Cities fund.

2.3 In July 2021, West Midlands Combined Authority (WMCA) and other Mayoral Combined Authorities received notification from the Department for Transport (DfT) of the creation of a new approach to funding – the City Region Sustainable Transport Settlement (CRSTS)

2.4 CRSTS is a five-year capital funding settlement covering 2022 to 2027. The principal objectives are to support decarbonization of the transport system to tackle climate change along with promoting growth and tackling inequalities. It brings together previously separate elements of funding into one package, subsuming the ITB, Highways Maintenance Block (and associated Incentive Funding) and the final year of the Transforming Cities Fund. The CRSTS fund will be overseen by the DfT and provides the opportunity to plan transport investment over a longer time period than has previously been possible.

2.5 Following guidance from the DfT, the WMCA invited its district authorities to provide a programme of transport schemes to be included in its overall bid on behalf of the region. In order to be considered, schemes needed to show alignment with the objectives set out in section 2.4 above. There is a requirement for regular monitoring by Transport for West Midlands (TfWM) and DfT

2.6 In November 2021 the DfT confirmed that the provisional settlement awarded for the WMCA region would be £1.050bn for the five-year period. The WMCA Board approved a programme of schemes on 14th January for submission to Government, detailing how this funding would be invested. This programme is being reviewed by Government, with final funding approval expected in March 2022.

2.7 For Coventry, the following specific schemes are included in the WMCA's CRSTS programme as submitted to Government:

- Very Light Rail Regional Programme – total allocation of £71.7 million, of which £54 million is specifically for ongoing research and development, network development and the delivery of the Very Light Rail City Centre Demonstrator route within Coventry.

- Tile Hill Park and Ride – total allocation of £4.5 million which will include funding for the Tile Hill Station Park and Ride improvement scheme.
 - Foleshill Transport Package - £4.5 million allocation towards a package of transport improvements focussed on the Foleshill Road and A444 corridors.
 - Coventry South Sustainable Transport - £17 million allocation towards a package of transport improvements focussed on the London Road corridor supporting the Gigafactory and other developments planned for the Coventry Airport area and within the London Road corridor.
- 2.8 In addition to the above schemes, funding is also allocated within the CRSTS programme for Highways Maintenance, with an 18% uplift on the previous year and Local Network Improvement Plan (previously ITB) with a 21% uplift on the previous year. As in previous years, this funding will be distributed via TfWM in proportion to the population of each Local Authority. For Coventry, the expected 2022/23 allocation for Highways Maintenance is £4.074m and the Local Network Improvement Plan is £2.033m.
- 2.9 To provide an element of contingency within the programme, a reserve list of schemes has been developed that cannot be funded through the main programme, but which could potentially be brought forward into the programme should slippage occur with the delivery of other schemes.
- 2.10 For Coventry, those reserve schemes are: Keresley Link Road (for which alternative funding is being sought to enable early delivery in advance of S106 funding being secured) and cycle ‘superhighways’ to Keresley, Eastern Green and University of Warwick.
- 2.11 Scheme development funding has also been secured from the WMCA to allow early design work to proceed on the A46 Link Road, M6 Junction 3, and the cycle routes listed above. This funding, from CRSTS Revenue funding and Transforming Cities Fund sources, is worth around £1.1 million.
- 2.12 Table 1 sets out the available capital resources for Transport and Highways schemes (such as Corporate Capital Resources and Citizen Right to Buy Capital receipts).

Table 1 – Coventry Capital Resources

Funding Source	2022/23 (£m's)
Local Network Improvement Plan	2.033
Highways Maintenance	4.074
Corporate Resources	2.369
Subtotal of Core Funding	8.476
Citizen Housing Group contribution	1.007
Section 106 (development)	2.300
Active Travel Fund (WMCA)	2.700
Cycle to Rail (DfT)	0.429
MRN scheme development (Midlands Connect)	0.050
Office for Zero Emission Vehicles	0.941
Total	15.903

- 2.13 As with previous programmes, there is an emphasis on making the best use of existing infrastructure rather than creating new. The maintenance programme will focus on ensuring that the worst affected roads and pavements across the City are properly repaired and preventative maintenance is carried out. This is a key theme in the West Midlands Strategic Transport Plan and is driven by the City Council's Highways Infrastructure Asset Management Policy and Strategy (January 2016).

- 2.14 A further allocation of £400k is being made available from the capital programme to provide resilience to the pothole and patching service to ensure the city's roads and pavements are maintained to a safe standard. This year the allocation will also support the introduction of the new JCB Pothole Pro machine to the City, improving the Council's speed of response for road maintenance allowing us to deliver road repairs up to five times faster than conventional hand patching. Once the testing/training phase is complete the machine will be deployed maximising the effectiveness of the budget available, supporting an expanded maintenance programme.
- 2.15 Right to buy receipts (RTB) of £1m from the Citizen Housing Group will be used to provide a further programme of highway improvements in and around Citizen estates across the City. This will be the ninth year of improvements funded from right to buy receipts. The fund has now contributed to a significant investment in the City's road and pavement infrastructure, which equates to 71kms of treated footways and carriageways.
- 2.16 In compiling the programmes contained within this report, an underlying principle has been to maximize value for money by looking for opportunities to integrate projects wherever possible. As well as saving money, this minimizes disruption to the travelling public, businesses and residents.
- 2.17 Table 2 sets out the proposed capital programme for Local Network Improvement Plan and Highway Maintenance schemes for 2022/23. Each line represents either a programme of works or an individual scheme. Specific details of these programmes and schemes are provided in Appendices 1 to 3 of the report.
- 2.18 In addition to making the best use of existing infrastructure, as outlined above, wherever possible we will seek to reduce ongoing revenue expenditure through the removal of unnecessary infrastructure. This achieves two objectives: decluttering to improve the look of the city and reducing the ongoing maintenance.
- 2.19 Safety schemes will continue to be utilised to try to address areas where injury collisions occur. All requests or concerns raised by the public, both from individuals and petitions will continue to be investigated to determine if a local safety scheme should be implemented. More emphasis will be placed on enforcement with an expansion of the Average Speed Enforcement Cameras (ASE) programme. There are currently 10 schemes operating across the city and on average we are seeing a 70% reduction in the number of personal injury accidents and a reduction in severity. There is a strict criteria governing where ASE can be installed, and the support of the police is required.
- 2.20 We continue to use moveable vehicle activated signs which can be rotated around sites of concern, and in addition, we continue to collaborate with local police and work with residents to encourage the use of community speed-watch to monitor the speed of vehicles. New vehicle activated signs are also capable of collecting speed data.
- 2.21 Approval is sought for those schemes and scheme programmes (as detailed in the appendices) marked with an A in Table 2 below, and approval to delegate to Cabinet Member for schemes marked B.

Transportation & Maintenance Capital Programme 2022/23

Table 2

	Maintenance	£000s	£000s	£000s	£000s	£000s	£000s	Approval
		Corporate Resources	Local Network Improvement Plan	Highways Maintenance Block	Citizen RTB	S106 & Ext Funded	TOTAL	
1	Planing and Patching	0	0	800	0	0	800	A
2	Resurfacing	0	0	1350	0	0	1350	A
3	Surface Treatments	0	0	1100	0	0	1100	A
4	Footway Improvement Schemes	276	0	824	1007	0	2107	A
5	Verges	100	0	0	0	0	100	A
6	Vehicle Safety Fence	100	0	0	0	0	100	A
7	Structures	500	0	0	0	0	500	A
8	Drainage Surveys / Maintenance	600	0	0	0	0	600	A
9	Pothole and Patching Service (Revenue Expenditure)	400	0	0	0	0	400	A
10	Retread	393	0	0	0	0	393	A
	Sub Total	2369	0	4074	1007	0	7450	
	Local Network Improvement Plan							
11	UTMC	0	300	0	0	0	300	A
12	Safety Schemes	0	742	0	0	0	742	A
13	Vulnerable Users	0	200	0	0	0	200	A
14	Scheme Development	0	290	0	0	0	290	B
15	Traffic Management	0	223	0	0	0	223	A
16	Section 106 schemes	0	0	0	0	2300	2300	B
17	Active Travel Fund (WMCA)	0	0	0	0	2700	2700	B
18	Cycle to Rail (DfT)	0	0	0	0	429	429	B
19	MRN Scheme Dev (Midlands Connect)	0	0	0	0	50	50	B
20	Office for Zero Emission Vehicles	0	0	0	0	941	941	B
21	Contribution to wider programme	0	278	0	0	0	278	B
	Sub Total	0	2033	0	0	6420	8453	
	Grand Total	2369	2033	4074	1007	6420	15903	

Externally funded projects

- 2.22 Coventry, working in partnership with WMCA, the Universities and local and national companies, has secured significant funding to develop and showcase innovation transport solutions such as the Urban Airport. The Our Future Moves exhibition held at the Transport Museum last year showcased many of these initiatives. These projects use emerging technology to improve traffic management, influence road user behaviour, improve air quality, and encourage sustainable travel.
- 2.23 Subject to securing further funding from Government's Office for Zero Emission Vehicles, a further phase of on-street residential charge points will be installed during 2022/23 which will bring the total to 558 across the city. As previously reported to Cabinet, £50 million has been secured from Government for the All-Electric Bus City programme, and the first substantial order for electric buses has recently been submitted by National Express for 130 vehicles for delivery and entry into service during 2022/23. The Council is working closely with Transport for West Midlands and National Express to ensure that the process of procuring and installing charge point infrastructure for the buses is delivered during 2022/23
- 2.24 The City Council continues to work closely with TfWM and partners to deliver the Future Transport Zone projects within the city, with around 83 people having taken advantage of the Mobility Credits Scheme, and the recent expansion of the Demand Responsive Transport pilot project to cover the eastern part of the city, enabling passengers to travel to destinations from Ansty to the north through to the University of Warwick campus. The campus also hosts the e-scooter pilot scheme, which has been extended through to September 2022 pending a Government decision on whether to legalise the use of e-scooters
- 2.25 The Connected and Autonomous Vehicle Testbed is now operational, and the Council will continue to work with the WMCA and other partners to actively promote the CAV Testbed to attract companies to the city to test CAV technology. The Council will also work with partners to seek further funding for new transport innovation projects where opportunities exist to develop and deliver such projects within the city. One notable example of such partnership working in action has been securing the Urban Airport demonstrator project, which is currently under construction at Westminster Road Car Park in the city centre and which will be live during April and May 2022. This unique structure will give a major opportunity to promote Coventry as a living lab for emerging transport technology, and as a place for technology companies to locate and do business.
- 2.26 For active travel schemes, the focus in 2022/23 will be on constructing the Binley Cycle Route linking the city centre with the Hospital, with a decision of the final element of the funding package being expected in March. The Active Travel Fund programme will also be completed, subject to consultation, in 2022/23 with the delivery of schemes on Foleshill Road, the University Hospital (linked to the Binley Cycle Route) and the University of Warwick, as well as supporting initiatives to promote walking and cycling within these areas (such as cycle parking provision, cycle training etc).
- 2.27 In addition, the Council will work with the WMCA on the further rollout of the Cycle Hire scheme, which was successfully launched in the city in 2021 and currently comprises 263 pedal bikes and 38 e-bikes. To complement the cycle facilities at the new Coventry Station building, the Council has also secured £429,000 in grant from Government for improvement of cycle routes to the station, which will be focussed on route improvements to National Cycle Route 52 (NCN52, connecting the City Centre with Warwick University campus onto Kenilworth/Warwick) which serves the station from the south and west.

- 2.28 During 2022/23 it is anticipated that around £2.3 million of S106 developer contributions will be spent on a variety of schemes, including works to improve active travel and provide traffic calming in the vicinity of the University of Warwick, junctions on the Tamworth Road associated with the Kersley Link Road, and improvements to the walk / cycle route from Naul's Mill Park to the city centre.
- 2.29 We are delivering a £30m package of local air quality measures aimed at reducing roadside nitrogen dioxide emissions, funded by grant from Government's Joint Air Quality Unit and the WMCA, in accordance with the legal Direction issued by Government in May 2021. The package includes highway and cycling schemes at Spon End, ring road junction 7 and within the Holyhead Road area, the Coundon Cycle Route (which is nearing completion) and engagement with schools, businesses and local communities.
- 2.30 £50k has been secured from Midlands Connect (MRN scheme development) for a study looking at potential improvements to ring road junctions on the northern and western sides of the ring road (from junction 9 through to junction 5). This study is underway.
- 2.31 The City Council continues to work with the Environment Agency (EA) and the Regional Flood and Coastal Committee (RFCC), using secured Local Levy and Grant in Aid (GiA) funding to deliver flood alleviation schemes in Allesley, in the vicinity of Butts Lane and Washbrook Road and Eastern Green, in the vicinity of Broad Lane / Banner Lane. City Council funding was made available in drainage programme budgets from 2018/19 to 2020/21. The funding is being used to provide improvements including Natural Flood Management and Property Level Resilience. More work is due for delivery during the current financial year.

3. Results of consultation undertaken

- 3.1 The West Midlands Strategic Transport Plan 'Movement for Growth' replaced the Local Transport Plan (LTP 3). The then WM ITA consulted with the public and key stakeholders and adopted the plan in July 2015, it was approved by the WMCA in June 2016. In addition, many of the specific larger schemes within the programme have or will be consulted on widely as individual schemes.
- 3.2 In all cases, no scheme will be implemented without appropriate consultation being undertaken to ensure that all interested parties are involved in the process and that anticipated funding is secure.

4. Timetable for implementing this decision

- 4.1 The programme of schemes will be implemented throughout the 2022/23 financial year. The exact timing of individual schemes will depend on how well developed they are, and feedback from consultation. It is anticipated that all budgets described in the programme will be spent by the end of March 2023.

5. Comments from the Chief Operating Officer (Section 151 Officer) and the Director of Law and Governance

5.1 Financial implications

The core funding for the Transportation and Maintenance Capital Programme totalling £8.4m is set out in Table 1 of the report and this was approved by Council on 22nd February 2022. This programme is supplemented by additional funding from Citizen Right to Buy receipts, Section 106 funds and other external funding. This report sets out a strategic highways and transportation programme that explicitly recognises all sources of funding and implements a strong emphasis on robust project and programme management.

It should be noted that a permanent £400k budget virement from the capital programme to revenue has taken place. This is to provide resilience to the pothole and patching service to ensure the city's roads and pavements are maintained to a safe standard.

5.2 Legal implications

The Council is under various statutory duties relevant to this report which include:

- (a) Maintaining the City's adopted highway network and associated structures;
- (b) Maintaining the City's traffic management infrastructure;
- (c) Managing the City's road network to secure the expeditious movement of traffic;
- (d) Promoting/encouraging safe, integrated, efficient and economic transport facilities and services in conjunction with TfWM;
- (e) Investigating road accidents and introducing measures to reduce their recurrence;
- (f) Producing a definitive map recording all public rights of way in the City;
- (g) Acting as a 'risk management authority' in respect of highway drainage for the purposes of the Flood and Water Management Act 2010

The Council also has various statutory powers which allow it to improve or add to the existing highway/traffic management infrastructure.

Any major contracts will be procured and awarded to comply with all relevant UK procurement rules and the Council's own Rules for Contracts.

The core funding for the Transportation and Maintenance Capital Programme is set out in Table 1 above and totals £8.4m. As indicated, this is complemented by other specific sources of funding.

6. Other implications

6.1 How will this contribute to achievement of the Council's Plan?

The programme will help to address Council Plan objectives such as poor air quality and climate change by encouraging more sustainable forms of transport such as walking, cycling and public transport, promoting the City Councils 'Age Friendly' aspirations and helping to improve the health and wellbeing of the city's residents.

The schemes included in this report and the significant maintenance programme will help to address the plan priority of making streets and open spaces more attractive and enjoyable places to be, as well as improving the transport network and connectivity, encouraging investment in the City to promote jobs and growth, which in turn helps to tackle inequalities.

6.2 How is risk being managed?

For each programme/scheme, there are nominated project sponsors and managers who will be held accountable for delivery. The governance arrangement will be for the capital programme to be overseen by a board comprising the Director (Transport and Highways), service manager (project sponsor) and finance officers. The project managers collectively form the capital programme team which will ensure that the programme is delivered on time, to budget and to an appropriate standard. The findings and recommendations of the board will be reported to the responsible cabinet member/s via established briefing and reporting mechanisms as appropriate. In addition, summary updates are provided to Cabinet as part of the quarterly budgetary control process.

To manage physical risks, the Construction and Design Management (CDM) process is also used for all appropriate schemes (larger schemes which meet certain criteria) to ensure that risks are designed out and that construction takes place by an approved contractor in a safe way.

6.3 What is the impact on the organisation?

The programme will be delivered using existing resources where possible.

6.4 Equalities / EIA

An equality impact assessment was carried out during the formulation of the West Midlands Strategic Transport Plan.

6.5 Implications for (or impact on) climate change and the environment

The programme will have a beneficial impact on the environment as many schemes are designed to encourage sustainable forms of travel such as walking, cycling and public transport, as well as schemes to reduce congestion and improve the public realm.

6.6 Implications for partner organisations?

The implementation of the programme will have a positive impact on businesses and the general population of the City through improvements to road maintenance and the wider transport network. The Coventry and Warwickshire Local Enterprise Partnership (LEP) has identified transport as a high priority to support economic growth.

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Description of Maintenance and Transport Schemes

Highways Maintenance

The maintenance treatment programmes, as shown in Appendix 2, are aimed at providing the most appropriate treatments to the classified and unclassified road network. The opportunity will also be taken to link the implementation of road maintenance, integrated transport projects and public realm projects together to lower costs and minimise disruption.

This year will see the reintroduction of a road 'retread' process, which recycles up to 25% of material, saving time, energy and cost. There is further pavement preventative maintenance provided by the pavement slurry seal programme, which is additional to the pavement reconstruction programme.

It is important to note that exact limits for the extended footway programme are not provided in this report, due to volume of extra preparation work.

As shown in the report there is also an extra £1m provided by Citizen Housing Group for pavements and highway network improvements this year, which is provided from the Right to Buy Infrastructure Fund.

Pavement Treatments

Pavement Reconstruction: A scheme of work which will often include excavation of kerb lines, relaying or renewing of kerbs, replacement of slabs or tarmac and supporting layers. This restores the treated area to 'as new' condition. Some tarmac pavements can be 'overlaid', this is where a further layer of tarmac is laid over the top of the existing surface, adding strength to the pavement.

Pavement Slurry Seal (tarmac pavements): A process where a 'slurry' containing bitumen is spread across the existing tarmac. The process is thin, up to 10mm, so there are no problems meeting existing levels. This process is used on sites where early signs of deterioration are evident and hence is an excellent preventative maintenance treatment.

Pavement treatments vary in cost from around £8 per square metre for slurry seal up to £99 per square metre for full reconstruction. Reconstruction is very labour intensive which results in higher costs relative to road resurfacing work.

Road Treatments

Road Planing and Patching: This method of repair is best suited to those roads where there are larger (greater than 10 square metres) areas of deterioration, often at junctions and turning heads or where there are problems with old utility reinstatements. The process entails removing the top 40mm (or whatever is appropriate) and inlaying new material. Typical cost is £39 per square metre. This treatment has the added advantage of forming part of the preparation process for future preventative maintenance surface treatment schemes. Roads which have been planed and patched are very suitable for surface dressing or micro asphalt the following year. The Plane and Patch operation offers the flexibility to carry out large permanent repairs to roads which deteriorate quickly for any reason.

Road Resurfacing: This treatment is split into two types, inlay and overlay. Best value is achieved with overlay and, where possible, this is the preferred approach.

Inlay: This is an inherently expensive approach and will be used only where absolutely necessary, usually where there has been a structural failure in the base layers. It is recognised that there are a few locations where a deeper repair is essential. The costs of this approach can be over £55 per square metre.

Overlay: For roads where the deterioration is confined to the upper layers of the carriageway, a good solution is to overlay. Similarly, to pavement overlay, an extra layer of tarmac is laid over the existing surface. To maintain kerb height, it is usually necessary to plane out adjacent to the carriageway edges. The advantage of this approach is that it increases the thickness of tarmac, thereby strengthening the carriageway and reducing the amount of material that has to be taken away. For roads in poor repair, pre-patching is necessary. Typical costs are £42 per square metre.

Retread: This process is considered generally for use on unclassified roads where the overall condition is such that patching is not suitable and where an overlay is not an option. The process involves breaking up and recycling the existing road surface, thus saving on transport and disposal costs. There is also less need for new imported asphalt, helping to meet the Councils environmental aims. Cost is typically £25 per square metre.

Surface Treatments: All of the above processes extend the life of a road by a number of years and this life can be extended further by the application of surface dressing or other surface layer systems such as a Micro Asphalt. The importance of surface treatments is that they provide waterproofing to the road surface and prevent the ingress of water. In winter, water significantly contributes to deterioration and can cause weaker surfaces to break up. Surface treatments help to prevent this process occurring.

This year continues the successful programme of preventative maintenance. The value of this approach can be seen from the fact that surface dressing costs around £9.50 per square metre and Micro Asphalt is typically £15 per square metre, compared to over £42 per square metre for resurfacing.

Drainage Surveys/Maintenance

Capital maintenance schemes for drainage includes the repair, renewal of piped systems, new gullies and connections to the main sewer and often can involve the laying of new highway drains. These works address capacity or damage issues which are usually evidenced by flooding on or adjacent to the Highway. The Council's annual CCTV programme surveys the Highway drainage network and highway culverts and helps to build the asset register.

Flood Relief Schemes

The purpose of these schemes is to reduce the risk of flooding in known high risk areas. Such works are usually carried out in conjunction with the Environmental Agency (EA). Flood relief measures can entail construction of storage areas on the Highway or private land, e.g. ponds, swales and ditches. Other measures include naturally slowing flows using a technique known as Natural Flood Management (NFM), using tree and hedge planting together with other natural obstacles. Other measures such as Property Flood Resilience (PFR) provide resilience to internal flooding during extreme events.

Verges

This programme allows for the protection of verges, typically through the use of bollards in accordance with the adopted verge policy. It may also include provision of lay-bys or simply re-soiling existing verges, where new protective measures are in place. Use of grass-grid type materials continues to be successful. These systems allow vehicle over-run whilst maintaining a green verge like appearance to the street scene.

Vehicle Safety Fences

This allocation is used to maintain existing safety fences (Vehicle Restraint Systems) on the network and can include bridge parapets. The budget allows for the testing and replacement of lengths of fencing to meet modern standards.

Structures

We will continue to provide a programme of capital maintenance across the City's 308 structures which comprise road bridges, culverts, footbridges, retaining walls, sign gantries and subways. Schemes cover a wide range of maintenance works, including strengthening, waterproofing, repair of structural elements, and replacement of movement joints. The programme also includes detailed structural inspections and assessments of substandard structures. It should be noted that all locations are subject to detailed investigation and possible delays caused by engineering difficulties/consultation issues.

Local Network Improvement Plan

Safety Schemes

This allocation will be used in the development and implementation of road safety schemes in areas where there is a high incidence of recorded personal injury collisions (at least six in three years). In addition, the allocation will be used to carry out route-based road safety studies and schemes with specific focus on locations with a disproportionate number of vulnerable road user casualties including pedestrians, cyclists and motorcyclists.

Vulnerable Users

This allocation, which complements the safety schemes programme, will be used to carry out improvements for our most vulnerable road users including cyclists and pedestrians of all ages, such as 20mph speed limits/zones where appropriate, , car free school streets and the design of low traffic neighbourhoods.

As part of the initiative to make Coventry an 'Age Friendly City,' it will also fund pedestrian dropped kerbs, on-street advisory disabled bays and access protection markings. A contribution will be used to support the recording of the Rights of Way network and its maintenance.

Traffic Management

This budget will be used to carry out changes to the public highway to reduce congestion and make more efficient use of existing road space and improve safety. Examples include Traffic Regulation Orders, residents parking schemes, signing and lining changes, minor engineering works and a programme of using movable vehicle activated signs.

Urban Traffic Management Control (UTMC)

This allocation will be used to improve traffic control across the city. Areas of work will include improvements such as the introduction of pedestrian phases or crossing points to help address some road safety issues. This budget also allows for improvements to the communication system on the highway network, such as, integrating existing and new wireless communication and adding new traffic cameras to manage congested routes. It will also include works to replace vehicle detectors to improve operation of the traffic signals throughout the city.

Scheme Development

Funding is allocated within the capital programme for scheme development, supplementing scheme development funding secured from the WMCA via the CRSTS and Transforming Cities Fund programmes. This funding will be used to support the development of a segregated cycle network for the city, including routes to the Eastern Green, Keresley and South Coventry areas, to develop corridor proposals for the A444 and London Road corridors, develop a junction strategy for the ring road, and update transport modelling tools that are essential to support the development of business cases.

Carriageway Plane and Patch

Road Name	From	To	Ward
Acacia Avenue	Various		St. Michael's
Wallace Road	Various		Bablake
Ferrers Close	Various		Woodlands
Weavers Walk	Various		Longford
Coundon Street	Various		Sherbourne
Coat of Arms Bridge Road	Various		Earlsdon
Beech Tree Avenue	Various		Westwood
Yewdale Crescent	Various		Henley
Ibstock Road	Various		Longford
Wainbody Avenue South	Various		Wainbody
Ribble Road	Various		Lower Stoke
Cheveral Avenue	Various		Radford
Milner Crescent	Various		Henley
Wildcroft Road	Various		Whoberley
Biggin Hall Crescent	Various		Lower Stoke
Outermarch Road	Various		Radford
Stoke Row	Various		Upper Stoke
Barras Green	Various		Upper Stoke
Roseberry Avenue	Various		Longford
Wyken Way	Various		Upper Stoke
Norton Hill Drive	Various		Wyken
Parkgate Road	Various		Holbrook
Ibex Close	Various		Binley and Willenhall
Red Lane	Various		Foleshill
Harnall Lane East	Various		St. Michael's
Tamworth Road	Various		Bablake
Alderminster Road	Various		Woodlands
Holbrook Lane	Various		Holbrook
Allard Way	Various		Binley and Willenhall
Humber Road	Various		Lower Stoke
Skipworth Road	Various		Wyken
Hocking Road	Various		Wyken
Hertford Place	Various		St. Michael's
Freeman Street	Various		Foleshill
Southbank Road	Various		Sherbourne

Carriageway Resurfacing

Road Name	From	To	Ward
Manor Road	Full Length		St. Michael's
Park Road	Full Length		St. Michael's
Sandy Lane	Railway Bridge	St Nicholas Street	Radford
Uplands	Mercer Avenue	Alliance Way	Upper Stoke
Wyken Croft	Doncaster Close	Hermes Crescent	Henley
Beake Avenue	Burnaby Road	Rylston Road	Bablake / Holbrook
Links Road	Beake Avenue	Sadler Road	Radford
Rochester Road	Beechwood Avenue	Radcliffe Road	Earlsdon
Alfall Road	Uplands	Dennis Road	Upper Stoke
Stonebrook Way	Full Length		Longford
Ringway St Johns	Start of slip	New Union Street Roundabout	St. Michael's
Old Church Road	Canal Bridge	Foleshill Road	Foleshill
Clifford Bridge Road	Roundabout (link to A46)		Wyken

Carriageway Surface Treatment – Surface Dressing

Road Name	From	To	Ward
Wheelwright Lane	Boundary	Hen Lane	Holbrook
Cypress Croft	Full Length		Binley and Willenhall
Kirby Corner Road	Full Length		Wainbody
Cramper's Field	Full Length		Radford
Parkville Highway	83/95 Parkville Highway Spur Road	End of cul-de-sac	Holbrook
Hollyfast Lane	Full Length		Bablake
Bennetts Road South	Greens Road	Penny Park Lane	Bablake
Keresley Green Road	Full Length		Bablake
Foster Road	Sadler Road	Heathcote Street	Radford
Troutbeck Road	Full Length		Woodlands
Tudor Avenue	Full Length		Woodlands
Guild Road	Full Length		Foleshill
Maycock Road	Full Length		Foleshill
Longford Road	Full Length		Longford
Swan Lane	Walsgrave Road	Harnall Lane East	St. Michael's
Spencer Road	Full Length		Earlsdon
Wigston Road	Woodway Lane	Hemingford Road	Henley

Carriageway Surface Treatment – Micro Asphalt

Road Name	From	To	Ward
Eden Road	Full Length		Henley
Paradise Way	Full Length		Henley
Browett Road	Barkers Butts Lane	Max Road	Sherbourne
Pomero Close	Full Length		Westwood
Copperas Street	Full Length		Longford
Trensale Avenue	Full Length		Sherbourne
Lawford Close	Full Length		Binley and Willenhall
Mill Street	Full Length		Sherbourne
Warwick Street	Full Length		Earlsdon
Capmartin Road	Outermarch Road	Owenford Road	Radford
Blythe Road	Full Length		St. Michael's
Peel Street	Full Length		Foleshill
Cobden Street	Full Length		Foleshill
Hall Lane	24 Hall Lane	55 Hall Lane	Henley
Watersmeet Grove	Full Length		Upper Stoke
Sedgemoor Road	Full Length		Cheylesmore

Carriageway Retread

Road Name	From	To	Ward
Buckingham Rise	Risborough Close	Dunchurch Highway	Whoberley
Lion Fields Avenue	Full Length		Bablake
Lynmouth Road	Full Length		Henley
Sunway Grove	Full Length		Earlsdon
Wingfield Way	Full Length		Holbrook
Thirsk Road	Full Length		Earlsdon
Marina Close	Full Length		Westwood
Pegmill Close	Full Length		Cheylesmore
Dymond Road	Full Length		Holbrook
Shortley Road	Full Length		Cheylesmore

Footway Improvement Schemes - Reconstruction / Overlay Schemes

Road Name	From	To	Ward
Links Road	Wallace Road	Beake Avenue	Radford
Westbury Road	Full length		Sherbourne
Oldfield Road	Allesley Old Road	Billing Road	Whoberley
Winifred Avenue	Full length		Earlsdon
Cannon Close	58 Cannon Close	Fletchamstead Highway	Earlsdon
Gaza Close	Full length		Westwood
Coleby Close Link Footpath	Coleby Close	Park Wood Lane	Westwood
Sedgemoor Road	93 Sedgemoor Road	Shetland Road	Cheylesmore
Foxton Road	Foxton Road	Primary School Entrance	Binley and Willenhall
Longfellow Road	Mellowdew Road	Browning Road	Lower Stoke
Kineton Road	Full length		Wyken
Elgar Road	Full length		Longford
Compton Road	Full length		Holbrook
Swan Lane	Walsgrave Road	14 Swan Lane	St. Michael's
Bennetts Road South	Penny Park Lane	Sandpits Lane	Bablake
Dane Road	Stoke Row	72 Dane Road	Upper Stoke
Quinton Road	Daventry Road	Franciscan Road	Cheylesmore

Footway Improvement Schemes – Slurry Seal Schemes

Road Name	From	To	Ward
Brookford Avenue	Full length		Holbrook
Howard Street	Stoney Stanton Road	Harnall Lane West	Foleshill
Halford Lane	Penny Park Lane	Glentworth Avenue	Foleshill
Garth Crescent	Full length		Binley and Willenhall
Watery Lane	Elphin Close	Penny Park Lane	Holbrook
Henley Road	Deedmore Road	Woodway Lane	Henley
Hartington Crescent	200 Beechwood Avenue	34 Hartington Crescent	Earlsdon
Penny Park Lane	84 Penny Park Lane	Watery Lane	Holbrook
Arden Street	Full length		Earlsdon
Nutbrook Avenue	24 Nutbrook Avenue	45 Hawthorn Lane	Woodlands
Red Lane	Full length		Foleshill
Barbican Rise	Full length		Wyken
Mayflower Drive	Full length		Wyken
Alfriston Road	53 Alfriston Road	129 Alfriston Road	Wainbody
Billing Road	Allesley Old Road	7 Billing Road	Whoberley
Grosvenor Road	Grosvenor House	Westminster Road	St. Michael's
Highfield Road	Full length		St. Michael's
Smith Street	Full length		Foleshill
Howard Street	Full length		Foleshill

Drainage Schemes

Road Name	From	To	Ward
Oldham Avenue	Hipswell Highway	Hocking Road	Wyken
Binley Road	Marlborough Road	Brays Lane	Lower Stoke
Green Lane	Oak Tree Avenue	Wainbody Avenue North	Earlsdon
Clifford Bridge Road	Bridgeacre Gardens	Portree Avenue	Wyken
Allesley Old Road	Billing Road	Maudslay Road	Whoberley

Highway Structure Schemes

Road Name	Structure	Description	Ward
Ringway Swanswell	Swanswell Viaduct	Investigation & bridge repairs	St. Michael's
Ringway Hill Cross	Hill Cross Flyover	Bridge joint replacement	Radford/ St. Michael's/ Sherbourne
Leaf Lane	Jaguar Access Bridge/ River Sherbourne Bridge	Bridge joint replacement	Cheylesmore
Pickford Way	Allesley By-Pass Footbridge	Investigation & bridge repairs	Bablake/ Whoberley
Willenhall Lane	St James Lane Footbridge	Bridge inspection	Binley and Willenhall
Ringway Queens/ Ringway St Patricks	Friargate Bridge	Bridge joint replacement	St. Michael's
London Rd	Whitley Footbridge	Bridge repairs	Cheylesmore
Holbrook Lane	Lockhurst Lane Viaduct	Bridge joint replacement	Radford/ Holbrook/ Foleshill

Verge Schemes

Road Name	From	To	Ward
Beake Avenue	Berwyn Avenue	Rylston Avenue	Bablake/ Holbrook
Charter Ave	Mitchell Avenue	John Rous Avenue	Westwood
Jobs Lane	Woodcraft Close	Woodcraft Close	Woodlands
Wallace Road	Full Length		Bablake

Safety Schemes

List of Schemes	Description
Wheelwright Lane	Safety scheme using various measures along route
Walsgrave Road	Average Speed Enforcement (ASE) scheme from its junction with Sky Blue Way to its junction with Ansty Road
Radford Road/ Keresley Road	ASE scheme -from its junction with Keresley Green Road to the Ring Road
Holyhead Road	ASE scheme - from its junction with Pickford Way to the Ring Road
Tamworth Road	ASE scheme - from its junction with Keresley Road to city boundary
Charter Avenue	ASE scheme - from its junction with A45 to Cromwell Lane
Kenilworth Road	ASE scheme - from its junction with Warwick Road to A45
Hearsall Common/ Hearsall Lane	ASE scheme - from its junction with Tile Hill Lane to Spon End
Allard Way	ASE scheme - from its junction with Binley Road to its junction with London Road
Allesley Old Road	ASE scheme - from its junction with Pickford Way to Spon End

Traffic Management Schemes

Heading	Description
General low cost action	General low cost traffic management measures such as road markings, traffic signs, bollards and minor remedial measures to improve safety/ease congestion.
Minor Traffic Management Schemes	Small scale schemes to address traffic management issues e.g. refuges
Traffic Regulation Orders	Advertisement and implementation on a quarterly basis of new and amended waiting restrictions
Resident Parking Schemes	Programme of new and amendments to existing resident parking schemes
Mobile Vehicle Activated Sign (VAS) programme	Locations identified with VAS to be deployed to address speed concerns and to collect speed data.

Urban Traffic Management Control

Heading	Description
UTMC Fibre Communications	Roll out of fibre network for UTMC assets
Pedestrian Crossing Upgrades	Design and Implementation of proposed schemes: Sewell Highway/Blackberry Lane Sewell Highway/Bell Green Road Humber Road Beake Avenue/Burnaby Road Wheelwright Lane
General	Low cost works associated with UTMC
UTMC CCTV	Improvements to the UTMC CCTV system

Vulnerable Users

Heading	Description
General low cost action	Improvements for vulnerable road users including pedestrians and cyclists, installation of dropped kerbs and advisory disabled parking bays.
Rights of Way	Supporting recording the Rights of Way network and its maintenance
School gate parking issues	Using school keep clears and waiting restrictions, also piloting Car Free School Streets
School time advisory 20mph schemes	Investigation and implementation
20 mph zones	Investigation and implementation
Low Traffic Neighbourhoods	Investigation and implementation

Scheme Development

Description	Proposed Scheme
Proposed schemes to be developed using Scheme Development and Section 106 funding allocation.	Keresley Link Road A444 Corridor Study B4110 / A4082 / A4114 London Road Corridor Study Coventry South cycle routes Eastern Green Cycle Route Keresley Cycle Route A46 Link Road M6 Junction 3 CASM Update Monitoring Strategy

Note: None of the schemes included in the appendices are in priority order.
 All locations could be subject to change or possible delays due to engineering difficulties

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Cabinet
Council

15th March 2022
22nd March 2022

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor D Welsh

Director approving submission of the report:

Director of Adult Services and Housing

Ward(s) affected:

All - City wide

Title: Options to Improve the Provision of Temporary Accommodation for Homeless Families Through Property Acquisition

Is this a key decision?

Yes - the proposals involve financial implications in excess of £1m per annum and are likely to have a significant impact on residents or businesses two or more electoral wards in the City.

Executive summary:

The Council has a statutory duty to provide Temporary Accommodation (TA) to homeless households who are eligible and have a priority need.

In order to meet demand from homeless families who require temporary accommodation of 3 or more bedrooms this report seeks permission to initially add £6m to the Councils capital programme to purchase, refurbish and manage 25 properties to use as temporary accommodation for homeless families. Subject to review, and once 25 properties have been achieved and/or £6m resource has been used the programme may be increased by a further 25 properties bringing the total to 50 properties. In completing this programme of work the City Council will focus on bringing as many Houses of Multiple Occupation (HMOs) back into family use for temporary accommodation as possible within the delivery timescales.

In addition, the Council will seek nomination agreements for a further 25 properties of 3 or more bedrooms for use as temporary accommodation from existing approved budgets.

There remains a significant demand for Temporary Accommodation from families and as of 11 February 2022 there were 83 families in 3 and 4 bedroomed nightly Temporary Accommodation. There is no indication that this number will reduce.

Previous programmes of work undertaken within the Housing and Homelessness Service has focussed on temporary accommodation for smaller families, requiring 1 or 2 bedrooms and

accommodation for single people. These initiatives have resulted in both a reduced cost and improved supply of TA.

The proposals contained within this report aim to deliver a similar set of outcomes to those achieved for smaller families and single people through both reducing the cost and improving the supply of Temporary Accommodation.

Recommendations:

The Cabinet is requested to approve:

1. That Capital resource of up to £6m is added to the capital programme to purchase, refurbish and manage 25 properties which are 3 or more bedrooms to use as Temporary Housing for homeless families.
2. That approval is sought to enable Nomination Agreements to be entered into for 25 properties which have 3 or more bedrooms for use as Temporary Housing for homeless families using existing approved budgets.
3. A further £7million to purchase, refurbish and manage properties to use as Temporary Housing for homeless families to be added to the capital programme once the £6million has been expended and/or 25 properties have been purchased in recommendation 10 above, and delegated authority be given to the Chief Operating Officer (Section 151 officer), following consultation with the Director of Adult Services and Housing, the Cabinet Member for Housing and Communities and the Cabinet Member for Strategic Finance and Resources, to ensure it continues to deliver value for money in purchasing properties to use as Temporary Housing for homeless families.
4. Delegate authority to the Chief Operating Officer (Section 151 officer), following consultation with the Director of Adult Services and Housing, the Cabinet Member for Housing and Communities and the Cabinet Member for Strategic Finance and Resources, to finalise and agree the detailed terms of the acquisitions. The authority under this delegation shall also include the power to enter into the necessary legal agreements and subsequently the power to negotiate and agree variations to the terms of such agreements.

Council is requested to approve:

1. That capital resource of up to £6m is added to the capital programme to purchase, refurbish and manage 25 properties which have 3 or more bedrooms to use as Temporary Housing for homeless families.
2. That approval is sought to enable Nomination Agreements to be entered into for 25 properties which have 3 or more bedrooms for use as Temporary Housing for homeless families using existing approved budgets.
3. A further £7million to purchase, refurbish and manage properties to use as Temporary Housing for homeless families to be added to the capital programme once the £6million has been expended and/or 25 properties have been purchased in recommendation 1 which is delegated authority to the Chief Operating Officer (Section 151 officer), following consultation with the Director of Adult Services and Housing, the Cabinet Member for Housing and Communities and the Cabinet Member for Strategic Finance and Resources, to ensure it continues to deliver value for money in purchasing properties to use as Temporary Housing for homeless families.

4. Delegate authority to the Chief Operating Officer (Section 151 officer), following consultation with the Director of Adult Services and Housing, the Cabinet Member for Housing and Communities and the Cabinet Member for Strategic Finance and Resources, to finalise and agree the detailed terms of the acquisitions. The authority under this delegation shall also include the power to enter into the necessary legal agreements and subsequently the power to negotiate and agree variations to the terms of such agreements.

List of Appendices included:

None

Background papers:

None

Other useful documents

Housing and Homelessness strategy

www.coventry.gov.uk/downloads/file/30137/housing_and_homelessness_strategy_2019

Has it or will it be considered by scrutiny?

No

Has it or will it be considered by any other council committee, advisory panel or other body?

No

Will this report go to Council?

Yes - 22 March 2022

1. Context (or background)

- 1.1. The Council has a statutory duty to provide Temporary Accommodation (TA) to homeless households who are eligible and have a priority need.
- 1.2. Over the last two years the service has successfully eradicated the use of Bed & Breakfast (B&B) for families and no family has been placed by the homeless service in B&B since 2019. This position has been achieved as a result of a number of initiatives.
- 1.3. In respect of single people requiring temporary accommodation the purchase by the City Council of Houses for Multiple Occupation has also reduced the costs and improved the financial sustainability of the service.
- 1.4. There remains a significant demand for Temporary Accommodation from families and as at 7 February 2022, approximately 330 families were living in Temporary Accommodation. Over the previous six months this number has fluctuated between 305 and 340. As of 11 February 2022, there were 83 families in 3 and 4 bedroomed nightly Temporary Accommodation. There is no indication that this number will reduce.
- 1.5. Where families require Temporary Accommodation of three or more bedrooms this demand is currently met through a combination of agreements, a voluntary sector organisation, and private landlords (nightly lets). These arrangements are short term which creates a lack of stability of supply and also high cost as the amount paid to nightly let providers is much higher than the amount of Housing Benefit the City Council can claim back as subsidy through Housing Benefit.
- 1.6. Under current Housing Benefit Legislation where the Council has direct ownership of Temporary Accommodation the recovery of Housing Benefit is much higher than any other form of Temporary Accommodation. Therefore, to maximise income and reduce the cost to the Council, this paper seeks approval to purchase properties for use as Temporary Accommodation while keeping the total housing stock owned by the Council below 200 dwellings so as to remain under the threshold set by the Secretary of State where the City Council would otherwise be required to operate a Housing Revenue Account.

2. Options considered and recommended proposal

2.1. Option 1 (recommended) – acquire properties for use as Temporary Accommodation

- 2.1.2 The recommendation would allow the service to purchase, refurbish, manage and let an estimated 25 self-contained family properties subject to the size of the properties which are purchased. The size and location will be subject to further analysis and the availability of properties for sale. They are likely to consist of 19 3-bedroomed properties and 6 4-bedroomed or larger with this split to be kept under review as purchases are made. Purchases will take place on a city-wide basis with an emphasis on bringing former HMOs back into use as temporary family housing.
- 2.1.3 The Council has a proven ability to deliver this type of project as demonstrated through the acquisition of properties to use as Temporary Accommodation, this included 6 large family homes and a number of Houses of Multiple Occupation (HMO) to accommodate single people.
- 2.1.4 If approved the same project team that successfully delivered the HMO programme would be deployed to deliver the recommendations within this report.

- 2.1.5 This recommendation keeps the property and management resource 'in house' to be delivered directly by the City Council. Not only will this allow closer management and stability as the service can ensure it accepts families that other providers may refuse, but it is considered the most cost-effective way to provide family Temporary Accommodation. Once purchased the properties would be managed by the housing & homelessness service in partnership facilities management.
- 2.1.6 These properties would be owned by the Council and 100% of all the eligible rent will be covered by Housing Benefit, significantly reducing the cost to the Council.
- 2.1.7 The rent is estimated to cover all of the associated costs with running and owning the properties such as interest on borrowing, overheads, staffing, repairs and maintenance. It will not cover capital repayments.

2.2 Option 2 (recommended) – Enter into nomination agreements for properties for use as Temporary Accommodation

- 2.1.1 Alongside the direct purchase of properties, it is possible to enter into a nomination agreement for properties from private landlords to use as Temporary Accommodation.
- 2.1.2 Any arrangement would make clear the responsibility of the landlord to repair and make the property fit for occupation within a set time period to avoid a fee reduction or a financial penalty.
- 2.1.3 This would have an impact on the Housing Benefit subsidy that could be recovered as this form of Temporary Accommodation can only claim 90% of the 2011 LHA rate.
- 2.1.4 Entering into a nominations agreement for private sector properties will be more expensive than option 1, however it would be cheaper than the current position (option 4). It also reduces the capital commitment required and can give more flexibility to cease using a particular property. By pursuing this recommendation alongside a purchase recommendation, it is likely that the total stock of available temporary accommodation could be grown at a faster rate than option one alone. Pursuing both options also enables a review of the relative merits of both options once a threshold of 25 properties has been met, before proceeding further.
- 2.1.5 Alongside the financial impact of lea there would be less control over the housing management and quality of the accommodation, however if a small number of properties were leased this would be manageable by existing resources. Lease agreements would also contain clauses meaning the lease value would not be paid should the property be unavailable due to the Landlords actions or inactions.

2.2 Option 3 (not recommended) – utilising existing Housing Association properties as Temporary Accommodation

- 2.2.1 Utilising housing Association stock as Temporary Accommodation would result in less availability for homeless households seeking permanent accommodation. Three-bedroom Housing Association stock for permanent accommodation is already limited so redesigning some of this stock for use as Temporary Accommodation would result in longer length of stays for families in Temporary Accommodation.

2.3 Option 4 (not recommended) – Continue with current arrangements

- 2.3.1 The Council could maintain its current approach to providing Temporary Accommodation to larger families through using private sector nightly let properties. Although the use of poor quality and expensive accommodation has been eliminated and no family has been accommodated in B&B for over 2 years the use of these nightly let properties means a significant financial loss through Housing Benefit collection and subsequent subsidy loss that we have an opportunity to reduce further through pursuing the recommended options.

3 Results of consultation undertaken

- 3.1 There has been no specific consultation in respect of this proposal. However general feedback from families who require Temporary Accommodation is that suitable quality and security of being able to use the accommodation for the period required is important. Through approving the recommendations, the Council improves its ability to deliver this at a reduced cost the local authority.

4 Timetable for implementing this decision

- 4.1 If approved the project team will begin to identifying properties as soon as possible. The service aims to purchase up to 25 properties within 18 months, depending on availability within the market. The intention is for a phased purchase to allow for a gradual build – up of properties undergoing refurbishment before being let to homeless households.

5 Comments from the Chief Operating Officer (Section 151 Officer) and the Director of Law and Governance

5.1 Financial Implications

5.1.1 Purchased properties – Recommendation One

- 5.1.2 The maximum amount that can be claimed for nightly let accommodation is £98 per week for any size of property whereas the City Council pays a higher level than this to landlords.
- 5.1.3 For example, a 3 bed nightly let property at £50 per night costs the Council £350 per week. In this example the Council will be required to fund £252 or 72% of the Housing Benefit in subsidy loss each week.
- 5.1.4 By replacing nightly rate TA with Council owned TA properties, the Council will reduce its annual spend on TA as all running costs will be met through HB subsidy except for the capital element of any loan repayment.
- 5.1.5 Although an ongoing revenue cost, the loan repayments clears debt and strengthen the Council's balance sheet over time.
- 5.1.6 The family TA model assumes the Council owned properties will achieve an average occupancy of 90%. This is, through experience, an achievable target as larger families tend to remain in TA for longer than smaller families. It does also allow adequate time for repairs, cleaning etc. when a tenant leaves the property. At this occupancy level, the projected savings per property are c£7k per annum.

- 5.1.7 To purchase 25 family properties, £6m of capital funding is required. The funding will cover legal fees, stamp duty land tax, purchase costs, surveys and remedial works.
- 5.1.8 The annual saving that is expected for the purchase of 25 properties is estimated to be £176k per annum. This is based on borrowing over 40 years, these savings are the net position after taking into account repayment of borrowing.

5.2 Nominations Agreement – Recommendation Two

- 5.2.1 Under the Nominations agreement the Council is expected to make a saving against nightly lets in two ways; increased subsidy and cheaper rents.
- 5.2.2 There is no additional funding required in respect of the recommendation to enter into Nomination agreements. Through entering into nomination agreements for 25 properties the City Council can expect to reduce expenditure by approximately £50k - £110k, the exact savings will depend on the rent discount achieved and the size of the properties secured through the nominations agreement.
- 5.2.3 The total anticipated savings associated with both recommended options is £226k – £286k per annum from an existing spend of £3.16m per annum.

5.3 Legal Implications

- 5.3.1 Under Section 12 of the Local Government Act 2003 the Council has a specific power to invest. The power states "a local authority may invest for any purpose relevant to its functions under any enactment or for the purposes of the prudent management of its financial affairs". This provides the Council with a power to invest in properties, for any purpose relevant to its functions (this function would have to be identified) or if the Council can show it is for the prudent management of its financial affairs. Under section 1 of the Localism Act 2011, the Council also has a power "to do anything that individuals generally may do" (the "General Power of Competence"). "Individual" means an individual with full capacity. The General Power of Competence gives the Council:
- i. power to do a thing anywhere in the United Kingdom or elsewhere,
 - ii. power to do it for a commercial purpose or otherwise for a charge, or without charge, and
 - iii. power to do it for, or otherwise than for, the benefit of the authority, its area or persons resident or present in its area.
- 5.3.2 Where the Council uses the General Power of Competence to do something for a commercial purpose, section 4 of the Localism Act 2011 requires that the Council must do so through a company (which has a wider definition than for the purposes of section 95 Local Government Act 2003).
- 5.3.3 The General Power of Competence is limited by any restrictions on any pre-existing powers of the Council. The General Power of Competence can be used in conjunction with existing powers, for example the section 95 trading power.

The Council has a direction under section 74(3)(d) of the Local Government and Housing Act from the Secretary of State to own up to 200 properties which are to be used for the purposes of temporary accommodation only to house the homeless. As a result the Council are not required to have a Housing Revenue Account.

The Council will not be creating any securing tenancies when licencing the properties to accommodate the homeless families.

6 Other implications

6.1 How will this contribute to the achievement of the council's key objectives / corporate priorities (corporate plan / scorecard) / organisational blueprint / LAA (or Coventry SCS)?

The provision of quality temporary accommodation for larger households meets a number of key council priorities.

6.2 How is risk being managed?

A number of risks have been identified related to this project along with mitigations:

- Risk that occupancy levels are not maintained at the properties, this will be mitigated by close housing management and performance monitoring. There is high demand for accommodation of this type and there will not be a shortage of suitable clients. The Accommodation Team have experience maintaining other properties above 90% occupancy.
- Risk that properties are not available for purchase on the open market. A review of the market has been undertaken and there are sufficient appropriate properties available.
- Risk that Benefits Legislation changes (reducing reclaimed subsidy) – there is no immediate indication that this legislation is set to change. If a change is proposed the Council would still make significant savings for the period that current legislation continued. If there was a substantial change to legislation the Council would still own an asset that could either be sold or repurposed.
- Risk that the required team structure costs are more than we can claim through HB – internal discussions in relation to team costs are being undertaken to ensure they fit within HB guidelines.
- Risk of upcoming legislative changes to EPC regulations, these changes require properties to meet minimum standards. Mitigation will involve careful consideration of properties before purchase and using capital to improve environmental efficiencies.
- Risk that the exemption regulations under section 74(3)(d) to own 200 properties could change and the Council would need to open a Housing Revenue Account (HRA). Mitigations considered that the asset could be sold or repurposed, however there is no indication of any upcoming changes or proposed changes to section 74(3)(d).
- Risk of legislative changes to licence agreements to occupy could create secure tenancies, this could create a right to buy. Mitigation considered that the asset could be sold or repurposed, however there is no indication of any upcoming changes or proposed changes to section 74(3)(d).

6.3 What is the impact on the organisation?

There will be some additional resources required to deliver and manage the properties, the cost of these staff will be met through income generated through the project.

6.4 Equalities / EIA?

No formal Equalities and Consultation Analysis has been carried out for this project. Households placed in the accommodation related to this project will be determined based on the homelessness duties owed and their specific housing need. Due to the nature of the proposal this scheme will naturally only have an impact on families.

Beyond this it is not anticipated that there will be any particular impact on any group based on age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

All households affected will have a Personal Housing Plan which must take into account the applicant's individual circumstances including due regard to the public sector equality duty.

6.5 Implications for (or impact on) climate change and the environment?

In line with the Councils environmental objectives, the service aims to improve the energy efficiency of each property during refurbishment works.

6.6 Implications for partner organisations?

None

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Ewan Dewar	Finance Manager	Finance	16/02/2022	17/02/2022
Martin Donovan	Housing and Homelessness Operational Lead	Adult Services and Housing	11/02/2022	16/02/2022
Michelle Salmon	Governance Services Officer	Law and Governance	17/02/2022	17/02/2022
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Barrie Hastie	Director of Finance	-	17/02/2022	18/02/2022
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Pete Fahy	Director of Adult Services and Housing	-	11/02/2022	16/02/2022
Councillor D Welsh	Cabinet Member for Housing and Communities	-	17/02/2022	21/02/2022

This report is published on the council's website: www.coventry.gov.uk/meetings



Cabinet
Council

15th March 2022
22nd March 2022

Name of Cabinet Member:

Cabinet Member for Adult Services – Councillor M Mutton
Cabinet Member for Strategic Finance and Resources – Councillor R Brown

Director approving submission of the report:

Chief Operating Officer (Section 151 Officer)
Director of Adult Services and Housing

Ward(s) affected:

All

Title:

Transforming Mental Health Services

Is this a key decision?

Yes - the proposals involve financial implications in excess of £1m per annum.

Executive summary:

The ambitions set out in the Mental Health Implementation Plan 2019/20–2023/24, remain the foundation for the transformation of local mental health services across the Coventry and Warwickshire footprint.

To support driving that change it is proposed that the Council enter into a partnership agreement with Coventry & Warwickshire Clinical Commissioning Group and Coventry and Warwickshire Partnership Trust. This is a partnership agreement whereby NHS organisations and local authorities contribute an agreed level of resource into a single pot (the pooled budget) that is then used to drive the integration and improvement of existing services.

City Council budgets are not part of this proposed pooling arrangement, with the pooled sums being provided by Coventry and Warwickshire Clinical Commissioning Group and Coventry and Warwickshire Partnership Trust. The Council will provide officer time and the fulfilment of hosting responsibilities.

Recommendations:

That Cabinet recommend that Council:

- (1) Approve entering into a partnership agreement with Coventry and Warwickshire Clinical Commissioning Group and Coventry and Warwickshire Partnership Trust to support the transformation of mental health services.
- (2) Approve that the Council is the host for the pooled budget to support the partnership arrangement.
- (3) Delegate authority to the Chief Operating Officer (Section 151 Officer), following consultation with the Director of Law and Governance, to undertake all necessary due diligence to finalise the terms of the partnership arrangement including the authority to enter into all necessary legal agreements and where necessary any contract awards to third parties to bring into effect the recommendations set out in this report.

Council is recommended to:

- (1) Approve entering into a partnership agreement with Coventry and Warwickshire Clinical Commissioning Group and Coventry and Warwickshire Partnership Trust to support the transformation of mental health services
- (2) Approve that the Council is the host for the pooled budget to support the partnership arrangement.
- (3) Delegate authority to the Chief Operating Officer (Section 151 Officer), following consultation with the Director of Law and Governance, to undertake all necessary due diligence to finalise the terms of the partnership arrangement including the authority to enter into all necessary legal agreements and where necessary any contract awards to third parties to bring into effect the recommendations set out in this report.

List of Appendices included:

None

Background papers:

None

Other useful documents

None

Has it or will it be considered by scrutiny?

No

Has it or will it be considered by any other council committee, advisory panel or other body?

No

Will this report go to Council?

Yes – 22nd March 2022

Report title: Transforming Mental Health Services

1. Context (or background)

- 1.1. The ambitions set out in the Mental Health Implementation Plan 2019/20–2023/24, remain the foundation for the transformation of local mental health services across the Coventry and Warwickshire footprint. National non-recurrent service development funding has been provided to support the NHS Long Term plan ambitions and additional mental health COVID recovery resources have also been provided to support the transformation of services and recovery from the pandemic. Progress to deliver the ambitions are underway, however the impact of the COVID pandemic has exacerbated difficulties in recruitment and impacted upon the ability of the Voluntary, Community and Social Enterprise (VCSE) sector and other partners to engage, which has delayed progress. Local Authority and Health partners have been reviewing how this work can best be progressed.

2. Options considered and recommended proposal

- 2.1. **Option 1 – Recommended Option:** Enter into a partnership agreement with the Council acting as host.
- 2.2. The pooling of resources and coming together of partners to drive transformation aligns to the One Coventry approach. The partnership agreement will describe the governance and practical management arrangements specifically in relation to any services to be provided using the pooled resources.
- 2.3. The regulations require that one of the partners is nominated as the host of the partnership arrangement and management of the pooled budget and this body is then responsible for the budget's overall accounts and audit.
- 2.4. The agreement will include specific details of any risk sharing arrangements in relation to the elements of the pooled budget.
- 2.5. **Option – 2 – Not recommended:** Do not enter into a partnership agreement.
- 2.6. This option was rejected as it does not provide the most effective way for the partners to come together and drive transformation of services.

3. Results of consultation undertaken

- 3.1. No specific consultation has been carried out in relation to this proposal. Discussions with partner organisations has led to the suggested approach.

4. Timetable for implementing this decision

- 4.1. The pooled budget will be set up at the end of March 2022, with the scheme deliverables expected to span 3 years.

5. **Comments from the Chief Operating Officer (Section 151 Officer) and the Director of Law and Governance**

5.1. Financial Implications

The pooled budget will be managed in accordance with the partnership agreement.

The value of the pooled budget will be £8m.

The City Council will not be adding any budgets as part of this proposed pooling arrangement, with the pooled sums being provided by Coventry and Warwickshire Clinical Commissioning Group and Coventry and Warwickshire Partnership Trust from non-recurrent service development funding and mental health covid recovery resources. The Council will provide officer time and the fulfilment of hosting responsibilities to contribute to the proposed pool.

5.2. Legal Implications

Section 75 of the National Health Services Act 2006 allows local authorities and NHS bodies to enter into partnership arrangements to provide a more streamlined service and to pool resources. A Section 75 agreement can only be entered into if such arrangements are likely to lead to an improvement in the way functions are exercised. The types of arrangements permitted by Section 75 include:

- The formation of a fund (pooled budget) out of which payments are made towards spending incurred in the exercise of prescribed NHS and prescribed local authority functions
- The exercise by an NHS body of the council's health related functions (and vice versa)
- The provision of staff, goods or services or the making of payments in connection with these arrangements

Regulations made under the Act set out the functions of NHS bodies and local authorities which can be the subject of a Section 75 and which may not.

Where, as here, a pooled fund is to be established, the Section 75 Agreement must specify:

- the agreed aims and outcomes of the pooled fund arrangements
- the contributions to be made to the pooled fund by each of the partners and how those contributions may be varied
- the functions which are the subject of the arrangements
- the persons and the kinds of services likely to be affected by the functions exercised by the partnership
- the staff, goods, services or accommodation to be provided by the partners in connection with the arrangements
- the duration of the arrangements and provision for the review or variation or termination of the arrangements
- how the pooled fund is to be managed and monitored, including which body or authority is to be the host partner

In addition, the Regulations require that the Agreement deals with management of the pooled fund, accounts, auditing, reporting and monitoring. Before entering into a partnership arrangement, the partners should ensure that their obligations to inform and consult interested parties are discharged where appropriate.

Law and Governance colleagues will continue to advise on any specific issues arising from this report to ensure that the Council's involvement being the host of the partnership arrangement is adequately protected including ensuring that any contract awards by the Council to third party organisations comply with the procurement regulations (where applicable) as well as the Council's Contract Procedure Rules.

6. Other implications

6.1. How will this contribute to the achievement of the council's key objectives / corporate priorities (corporate plan / scorecard) / organisational blueprint / LAA (or Coventry SCS)?

Entering into the partnership agreement and taking a One Coventry approach to the delivery of mental health services will support the Council Plan by contributing to the following objectives: Improving the quality of life for Coventry people, Improving health and wellbeing, Protecting our most vulnerable people, Reducing health inequalities and Enabling active communities and empowered citizens.

6.2. How is risk being managed?

The partnership agreement will include specific details of the risk sharing in relation to the individual elements of the programme and financial responsibility for any variation.

6.3. What is the impact on the organisation?

The pooled budget will support further integrated working between the Council and Health partners.

6.4. Equalities / EIA?

Entering into the partnership agreement provides the mechanism for further joint working to support improvements to mental health services across the city.

6.5. Implications for (or impact on) climate change and the environment?

None

6.6. Implications for partner organisations?

The pooled budget will support further integrated working between the Council, Coventry and Warwickshire Clinical Commissioning Group and Coventry and Warwickshire Partnership Trust.

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Cabinet

15 March 2022

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor D Welsh

Director Approving Submission of the report:

Director of Streetscene and Regulatory Services

Ward(s) affected:

All

Title:

Housing and Employment Land Availability Assessment (HELAA) Methodology

Is this a key decision?

No - Although the matters within the report affect all wards in the city, it is not anticipated that the impact will be significant

Executive Summary:

This report seeks consent to adopt the proposed Housing and Employment Land Availability Assessment (HELAA) Methodology attached at Appendix 1. This methodology would be used when assessing proposed employment or housing sites in terms of whether or not they are suitable for development, which is an essential part of the Local Plan process. The methodology would also be used by the other Warwickshire District and Borough authorities who form part of the Housing Market Area (HMA) and who are working together under the statutory Duty to Co-operate. The adoption of the methodology will enable the Council to proceed with a Call for Brownfield sites in order to update the evidence base to support a Local Plan review.

Recommendations:

Cabinet is recommended to:

- 1) Adopt the Housing and Employment Land Availability Assessment Methodology contained in Appendix 1 to the report.
- 2) Authorise the launch of a Call for Brownfield Sites to run for a period of ten weeks in Spring 2022.

List of Appendices included:

Appendix 1 – HELAA Methodology
Appendix 2 – Consultation Responses

Background papers:

None

Other useful documents:

Local Development Scheme 2022 (the timetable for the Local Plan and associated activities)

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

The methodology has been endorsed by the Coventry, Solihull and Warwickshire Association of Planning Officers (CSWAPO) who oversee statutory Duty to Co-operate matters for the sub-region

Will this report go to Council?

No

**Report title: Housing and Employment Land Availability Assessment (HELAA)
Methodology**

1. Context (or background)

- 1.1 Coventry and Warwickshire Local Planning Authorities (LPAs) have a long history of constructively working together to address a range of strategic planning matters. This relationship has enabled the LPAs to achieve sound Local Plans, Shared evidence and a collaborative approach is a vital element of being able to fulfil the statutory Duty to Co-operate and needs to be demonstrated to Planning Inspectors when Local Plans are examined.
- 1.2 The evidence base which informs the development of a Local Plan needs to be regularly reviewed and updated. Many of the Local Plans in the Coventry and Warwickshire area are currently being reviewed and updated, all running at different timescales. Similarly, the Government has updated the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG), so evidence needs to be reviewed in the light of this.
- 1.3 In delivering sufficient housing and employment land to meet identified requirements it is important that each Local Authority keeps an up-to-date database of sites, which it needs to assess to see if they are suitable, available and can realistically be delivered to meet the needs of the area. This is especially important in order to be able to demonstrate a five-year supply of housing sites (one of the government's key indicators for measuring success of a Local Authority's planning policies in delivering its stated ambitions for housing growth) and in encouraging brownfield opportunities to come forward, reducing pressure upon land which has not previously been developed. It is also important in understanding which sites are being promoted for potential economic use, so that a balanced and sustainable local economy can be achieved across the area.
- 1.4 The database of sites is known as the Housing and Employment Land Availability Assessment (HELAA). In order to keep this essential evidence up to date, each Local Authority will run its own 'call for sites' process, which in effect is an invitation for land owners, developers and their agents to express their interest in having their site considered for a range of uses such as housing, employment or even a range of other uses they wish to be considered through the local plan process. Inclusion in the HELAA document does not mean they will be developed: that is for the Local Authority to determine through their assessment process.
- 1.5 However, it is important that Local Authorities work together to make sure that they operate consistently. This is especially important when addressing areas where there are strong strategic relationships which stretch across different administrative boundaries such those relating to housing and the economy. This applies to the Coventry and Warwickshire area, which forms a single Housing Market Area (HMA).
- 1.6 It is therefore essential that when Local Authorities look at the detail of how they plan for growth, they do it in line with a common methodology to ensure consistency of approach and understanding. The attached methodology has been prepared by Coventry and Warwickshire Local Planning Authorities to ensure that sites are being assessed within a common framework which accords with the most up to date National Planning Policy and guidance. It updates the previous agreed version which is now out of date.

- 1.7 Before the methodology was finalised, it was considered good practice to publicly consult for a period of six weeks to provide any opportunity for feedback and make any changes should this be necessary. This will ensure that the Local Authorities are operating within a robust framework as they develop and progress the detail of their own local plans.
- 1.8 Consultation took place between 10th November and 22nd December 2021, running concurrently between the six Local Authorities. Representations were jointly considered (Appendix 2) and the methodology amended accordingly. The final version was agreed at the CSWAPO (Duty to Co-operate) meeting on 9th February 2022, with each Local Authority to then take the final document through their own Councils for approval.
- 1.9 Coventry City Council has committed, through its Local Development Scheme (the project timetable for the Local Plan), to undertake a 'call for brownfield sites' which will be specifically focused upon encouraging brownfield sites to come forward for consideration. This updated methodology will greatly assist with this commitment.
- 1.10 The Call for Brownfield sites will be publicised in line with the Council's Statement of Community Involvement and will involve inviting landowners, agents and developers to put forward Brownfield sites for future development. Non-brownfield sites will not be considered or assessed during this process. At the conclusion of this process the Council will have a robust and up-to-date evidence base for the possible provision of brownfield land towards development, which will be used in any future Plan Review.

2. Options considered and recommended proposal

- 2.1 Cabinet could adopt the HELAA methodology. This would constitute best practice and would be consistent with the other authorities in the Housing Market Area (HMA). It is therefore the recommended option.
- 2.2 Cabinet could choose not to use the HELAA methodology and use the methodology used in the run up to the Local Plan. However, there have been changes to the National Planning Policy Framework and the Planning Practice Guidance and updating the methodology is appropriate. This option would mean we were using a process different to the rest of the HMA authorities which, as outlined in section 1, would be contrary to our Duty to Co-operate. This option is therefore not recommended.
- 2.3 Officers therefore recommend adopting the HELAA methodology in Appendix 1, in line with best practice and in conjunction with our neighbouring authorities in the HMA.
- 2.4 Cabinet could choose not to progress with the Call for Brownfield Sites; however this would be contrary to the recently adopted Local Development Scheme, and would also hinder the assessment of available brownfield land for future development. As such, this option is not recommended.

3 Results of consultation undertaken

- 3.1 A six-week consultation was undertaken between 10th November and 22nd December 2021 with the six Local Authorities running this concurrently. The representations, responses and changes to the methodology can be seen at Appendix 2 to the report.

4 Timetable for implementing this decision

- 4.1 Once adopted the methodology will be applied as part of the Call for Brownfield Sites process and therefore can be utilised with immediate effect.

5 Comments from the Chief Operating Officer (Section 151 Officer) and the Director of Law and Governance

5.1 Financial implications

There are no financial implications associated with this report.

5.2 Legal implications

There are no legal implications associated with this report.

6 Other implications

6.1 How will this contribute to achievement of the Council's Plan?

Planning policy documents and planning applications help deliver the aims and objectives of the One Coventry Corporate Plan by determining the type and quantum of development needed, where this should be located, areas which should be protected, enhanced or improved and the infrastructure which should be provided. In line with the Corporate Plan, this document focuses upon supporting local communities and the local economy by gathering information which will help the council to increase the supply, choice and quality of housing and employment land by identifying a range of suitable sites.

6.2 How is risk being managed?

There are no risks associated with this report

6.3 What is the impact on the organisation?

No direct impact.

6.4 Equalities / EIA

A full Equality and Impact Assessment (EIA) was undertaken as part of developing the Local Plan. As part of that analysis, the Council had due regard to its public sector equality duty under section 149 of the Equality Act (2010).

6.5 Implications for (or impact on) climate change and the environment

The methodology and subsequent Call for Brownfield Sites aims to identify sustainable options for development in line with the National Planning Policy Framework.

6.6 Implications for partner organisations?

Adoption of the methodology ensures a consistent approach to assessing sites with partners in Warwickshire as part of the statutory Duty to Co-operate.

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**Coventry and Warwickshire
Sub-Regional Joint Method
Statement**

**Housing and Economic Land
Availability Assessment -
Methodology**

February 2022

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1. Introduction
2. Methodology
3. Implementation

APPENDICES

Appendix 1. Example Proforma

1. Introduction

1.1 The National Planning Policy Framework (the “NPPF”) specifies that policy-making authorities should prepare strategic assessments of land availability for their areas. Arising from this assessment, strategic policies can be formulated to identify areas and locations for growth that can meet development need.

1.2 This joint statement has been prepared between the authorities that comprise the Coventry and Warwickshire sub-regional area and is an update from the Joint Statement published in May 2015 to ensure that it reflects the most up to date national guidance from Government.

1.3 In line with the recommendations of the Planning Practice Guidance (PPG)¹ the methodology is an agreed approach between the Local Planning Authorities (LPAs) that make up the Coventry and Warwickshire Housing Market Area (the HMA) and the Functional Economic Market Area (FEMA) where these two areas overlap. The LPAs are:

- Nuneaton and Bedworth Borough Council
- Coventry City Council
- Rugby Borough Council
- Warwick District Council
- Stratford on Avon District Council
- North Warwickshire Borough Council

1.4 Forming part of this update is a joint movement away from the original sole focus on housing land assessment, which was referenced as a Strategic Housing Land Availability Assessment (SHLAA) to a **Housing and Economic Land Availability Assessment (HELAA)**, which considers both housing and employment sites . This has been agreed by the LPAs to more appropriately reflect the updates made by the PPG in 2019:

“Plan-making authorities may carry out land availability assessments for housing and economic development as part of the same exercise, in order that sites may be identified for the use(s) that is most appropriate.”

1.5 It is not the objective of this joint methodology to standardise the methods made to assess land availability in each Local Authority, but rather provide a broad framework to ensure a consistent approach, which each Local Authority can then use to inform more detailed assessment work. The Planning Practice Guidance provides the context in terms of development types which could be considered:

“Suggested potential type of development (eg economic development uses – retail, leisure, cultural, office, warehousing etc; residential – by different tenures, types and needs of different groups such as older people housing, private rented housing and people wishing to build or commission their own homes)”²

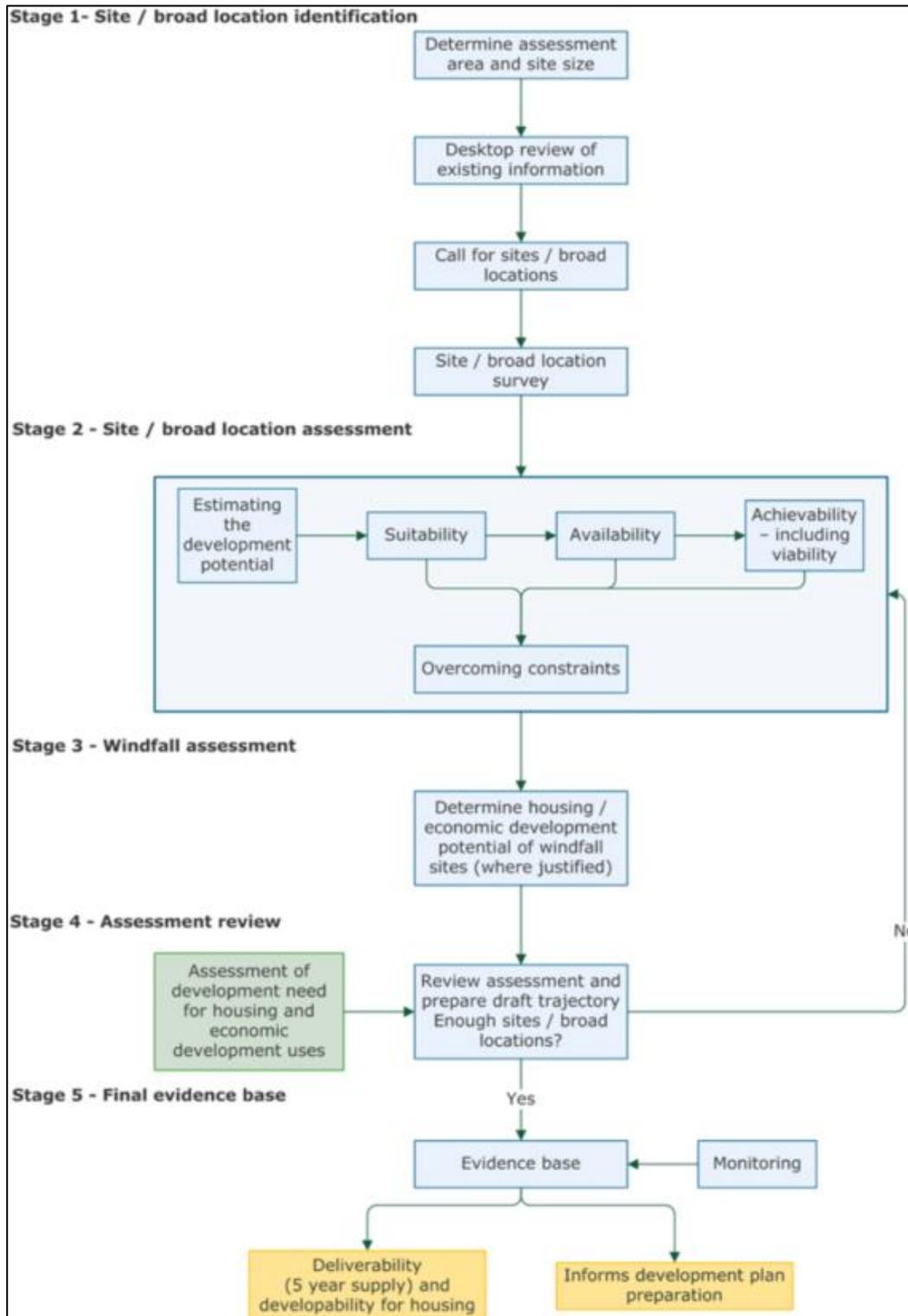
¹ Paragraph 007 Reference 3-007-20190722

² Paragraph: 012 Reference ID: 3-012-20190722, 22/07/2019

- 1.6 The detailed HELAA produced by each Local Authority should:
- Identify sites and broad locations with development potential (housing, economic or other);
 - Assess their potential for development in terms of:
 - o their availability for development and whether they can be brought forward as locations for housing, economic or other form of development;
 - o their suitability to accommodate development, taking into consideration their context, constraints and policy designations;
 - o their achievability in terms of market desirability and viability for development.
- 1.7 Sites that are identified through the HELAA are assessed as to whether they could be developed. The assessment does not make a judgement whether they should be developed. **Assessment does not allocate land for development, nor does it determine the acceptability of development on any site.**
- 1.8 The HELAA will form a part of the Local Plan evidence base for each Local Authority, and sites identified as being developable will need to be considered further in the light of additional evidence.
- 1.9 It will also assist in the preparation of Local Plans by quantifying the availability of land for housing, economic and other development
- 1.10 In preparing the update to the joint methodology, the LPAs consider it to be good practice to publish a draft (this document) and invite feedback for a six-week consultation period to be held in Autumn 2022.
- 1.11 In terms of the further work which each Local Authority will undertake relating to their detailed Call for Sites and assessment processes, it will be the decision of individual Authorities to develop the detail and separately consult on this in a way in which they feel most appropriate within their local context.

2. Methodology

- 2.1 The methodology will establish the basis of the approach to site assessment, but will allow appropriate provisions for further detail to be made to reflect the individual contexts of each LPA area.
- 2.2 The Planning Practice Guidance provides the following flow chart which establishes the basis of the approach to site selection and assessment:



Stage 1: Identification of sites and broad locations

2.3 The PPG establishes that a geographical extent of site selection and assessment should be the plan-making area. This joint statement seeks to establish the basis of a consistent methodology between the parties involved to reflect the functionality of the HMA and FEMA and comply with the provisions of the Duty to Cooperate.

2.4 Guidance states that in the first instance, sites of a smaller size than 0.25ha, or with a capacity fewer than 5 dwellings, should not be considered as part of the HELAA process. The joint methodology will adopt this approach, but LPAs which comprise this joint method may individually opt to consider smaller sites where appropriate justification can be made.

Site Identification

2.5 National Guidance stipulates two primary sources in identifying sites:

- Desktop Review
- Call for Sites Exercise

2.6 Active desktop review ensures that all suitable sites can be identified even in the case where they have not been submitted to an LPA for consideration.

2.7 A desktop review of sites may utilise, but not limited to, the following sources³:

Type of site	Potential data source
Existing housing and economic development allocations and site development briefs not yet with planning permission	Local and neighbourhood plans Planning application records Development briefs Local Economic Partnerships, business groups etc
Planning Permissions for housing and economic development that are unimplemented or under construction	Planning application records Development starts and completion records Local Economic Partnerships, business groups etc
Planning applications that have been refused or withdrawn	Planning application records
Surplus and likely to become surplus public sector land	National register of public sector land Engagement with strategic plans of other public sector bodies such as county councils, parish councils, central government, NHS, police, fire services,

	utilities services, statutory undertakers
Sites with permission in principle, and identified brownfield land	Brownfield land registers (parts 1 and 2) National Land Use Database Valuation Office database Active engagement with sector
Vacant and derelict land and buildings (including empty homes, redundant and disused agricultural buildings, potential permitted development changes, eg offices to residential)	Local Authority empty property register English Housing Survey National Land Use Database Commercial property databases (eg estate agents and property agents) Valuation Office database Active engagement with sector Brownfield land registers Local Economic Partnerships, business groups, retail forums etc
Additional opportunities for un-established uses (eg making productive use of under-utilised facilities such as garage blocks)	Ordnance Survey maps Aerial photography Planning applications Site surveys County, district and parish council assets
Business requirements and aspirations	Enquiries received by local planning authority Active engagement with sector Local Economic Partnerships, business groups, retail forums etc
Sites in rural locations	Local and neighbourhood plans
Large scale redevelopment and redesign of existing residential or economic areas	Local Economic Partnerships, business groups etc Planning applications
Sites in adjoining villages and rural exception sites	Ordnance Survey maps Aerial photography
Potential urban extensions and new free-standing settlements	Site surveys

2.8 In addition to a desktop review, a Call for Sites exercise can also enable third parties to promote sites to the LPAs for assessment. This ensures completeness in the HELAA process.

2.9 A Call for Sites conducted independently by each LPA (or LPAs where a joint plan is being prepared) will ensure that sites suitable for all land uses can be submitted for assessment. Submissions can be from any third party, with information stored to comply with data protection regulations.

2.10 A proforma, a copy of which can be seen at **Appendix 1**, will be provided to third parties to provide site submissions to the LPAs. This will provide as much information as possible, including the following details:

- Site location
- Suggested potential type of development
- Scale of development
- Constraints to development

2.11 In respect of constraints, the proforma at Appendix 1 has been developed to allow submissions to establish any mitigations possible to overcome identified constraints. This is to “front-load” site assessment as far as possible and assist in the overall assessment process. This will ensure a more comprehensive assessment of proposed broad locations and potential sites as established in the PPG. It could also help identify potential new broad locations where development may be suitable, such as clusters of individual sites for example where cumulatively they could provide suitable infrastructure to deliver growth in a sustainable way.

2.12 Significant constraints should be considered at this stage where they will affect the assessment of broad locations and sites. This is to ensure that they are appropriately assessed before the detailed assessment stage. The joint statement allows provisions for LPAs to decide on what designations / limitations / constraints might result in site omission at this stage, given the unique contexts of each administrative area.

Stage 2: Site/broad location assessment

2.13 The PPG outlines that at this stage site assessments should analyse sites for their capacity, developability, suitability and achievability.

2.14 *Capacity* should be determined by adopted and/or emerging policy determining appropriate densities, in the context of the National Planning Policy Framework in achieving efficient use of land. This should also take into consideration viability, given the quantum may affect viability and therefore, achievability and so inform developability within 5 years or beyond.

2.15 *Suitability* should be assessed against locational factors, identifiable constraints, their potential for mitigation as well as balancing on their potential impacts as a result of their development. Relevant information to inform this assessment may include:

- National and local policy designations
- Appropriateness and likely market desirability of potential development
- Contribution towards regeneration areas and priorities
- Potential impacts on landscape, natural and heritage designations

emerging policy as well as the principle of development established by planning permissions or permissions in principle.

- 2.17 *Availability* can be assessed on the best information obtainable by the LPAs. This can be confirmed through submissions via Call for Sites by agents, landowners and/or promoters. Extant or expired planning permission can also inform availability and will establish 5-year timeframes, or beyond, of developability.
- 2.18 *Achievability* is assessed through best judgement on the economic viability of a site and its desirability to be delivered within particular market conditions. This can also be informed via submissions by third parties, where indication can be made of the potential type of development and how this will influence viability/desirability.
- 2.19 Assessment of overall developability should take into consideration any constraints and how they may influence the suitability of the site and its achievability. Desktop review will take this into account but this will need to draw on various sources of information to make an appropriate best judgement. In the case of a submission via a Call for Sites, front-loading information will be vital in identifying constraints and establishing mitigation. This will provide evidence in presenting the overall developability of a site.
- 2.20 When taking all of the above into account, the LPAs will be able to identify a timescale and rate of development that could be realised on those sites determined as deliverable and developable (suitable, available and achievable). This will take into account size, scale and quantum of development, which in turn should take into consideration lead-in times and build-out rates.
- 2.21 Whilst best judgement by the LPAs can guide these timescales and development rates, advice will also be sought from developers and other third parties submitting sites for assessment.

Stage 3: Windfall assessment

- 2.22 Development sites that come forward outside of identification through the HELAA (or any other Planning Authority spatial assessment) are defined as windfall sites.
- 2.23 The PPG outlines that an allowance of windfall sites may be included within the land supply identified through the HELAA, but must be appropriately justified as established at Paragraph 71 of the National Planning Policy Framework (July 2021);

“Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans

should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.”

2.24 It is not the objective of this joint statement to establish windfall allowances for each LPA. The windfall allowance is specific to each Local Authority area and the local evidence base for each will be used to inform this work and decide the extent to which windfall development should be considered in the HELAA process. An explanation of this assessment, with justification of conclusions will be provided by each LPA individually.

Stage 4: Review of the assessment

2.25 Following assessment of sites and broad locations, an indicative trajectory will be produced. This will express the development quantum potentially available in terms of housing numbers and employment land and potentially the amount of other land uses that have been identified.

2.26 The trajectory will outline the forecasted delivery of development in three increments; 1 to 5 years, 6 to 10 years and 11 years and beyond. A risk assessment will accompany any trajectory, explaining specific issues to delivery which may impact on the trajectory.

2.27 At this stage, an LPA may identify a shortfall in supply to meet the needs of the plan area. The PPG advises that a Local Authority should re-visit their assessment, including enhancing or changing site capacities and densities in line with the NPPF’s promotion of efficient use of land.

2.28 If evidence shows that a shortfall in provision continues to exist, LPAs should consider continued cross-boundary provisions in accordance with the statutory Duty to Co-operate. This will enable the necessary Statements of Common Ground and other joint agreements to be formulated as Local Plan work progresses, helping to achieve sound Local Plans.

Stage 5: Final evidence base

2.29 The final HELAA report for each Local Authority (or Authorities where a joint plan is being prepared) will establish the approaches taken and identify the deliverable and developable sites and show a clear supply trajectory. All sites will be cross-referenced with location maps and their site assessments. The final report should also include sites that have been omitted from the supply, with reasons why.

2.30 The HELAA will be used by the Local Authorities to demonstrate a 5-year housing land supply position, as well as informing other strategic policies within the plan preparation process. Paragraphs 20-23 of the National Planning Policy Framework provide more detail on what is meant by ‘strategic

2.31 A final report with appendices where appropriate and relevant will be published on each Authority's website for public view.

3. Implementation

- 3.1 This statement establishes the joint methodology in implementing a HELAA across the Coventry and Warwickshire sub-region.
- 3.2 The Planning Practice Guidance determines how housing and economic land assessment should be conducted and this has been closely woven into the joint methodology.
- 3.3 How this is implemented in practical terms is dependent on the local context. As such, this joint methodology references the functional relationships of the HMA and FEMA, whilst also providing sufficient flexibility for assessing sites in a range of contexts.
- 3.4 For example, the LPAs have agreed the importance of “front loading” information as far as possible. Previous experience has identified issues with understanding constraints and how they can be mitigated. The model Call for Sites proforma (Appendix 1) has therefore been updated from the previous version, allowing for additional information to be submitted, and each LPA can adapt this as it sees fit. This will assist in the site assessment stage.
- 3.5 Understanding the broader context of promoted sites is helpful and this is also reflected in the model proforma, where promoters are encouraged to indicate land for assessment (red line), and other land under the same ownership (blue outline). This provides additional flexibility in site assessment, especially in the case where the ‘red-line’ areas may be particularly constrained, but the additional ‘blue-line’ land may be available for mitigation purposes.
- 3.6 Although a detailed approach to assessment is not specified in this joint statement, to allow for flexibility for each individual LPA, it is expected that final assessments will produce conclusive commentary as to how sites have been assessed in either narrative or pictorial form, or both, presented in a clear, transparent and accessible manner.
- 3.7 To illustrate this point, an example is set out below. In this instance, a ‘red-amber/yellow -green’ approach (RAG) has been used. Sites would be scored using particular suitability, achievability and availability considerations. Those sites for which constraints are absolute and cannot be mitigated would be scored red. Amber sites would have the potential to be mitigated and could be ‘upgraded’ to yellow depending on the level of information supplied which could demonstrate this mitigation. Green sites would have no constraints and could readily form part of the short-term supply.

Figure1: Example of a site assessment matrix (illustrative: each LPA would develop its own methodology for this level of detail)

		Availability & Achievability		
		Red	Orange	Green
Suitability	Red	Red	Red	Red
	Orange	Orange	Orange	Yellow
	Green	Orange	Yellow	Green

3.8 To summarise: this document has been prepared jointly to ensure a consistent shared approach to identifying and assessing sites for housing and employment uses, which will be used by each Local Authority (or alliance of Local Authorities where shared plans are developed) as the framework within which they will develop their detailed assessment and selection processes.

Appendix 1 Example Call for Sites Proforma

Housing and Economic Land Availability Assessment (HELAA)

Call for Sites Proforma

- Please complete this form if you would like to suggest proposals for future land use and development within XX Council on sites capable of delivery 5 or more homes, sites larger than 0.25ha or sites which are to be considered for economic uses (see Planning Practice Guidance for further information).
- The sites will be assessed as part of the HELAA and used as an evidence base document for the Local Plan preparation process.
- Please complete a separate form for each site. Complete each section clearly and legibly to the best of your knowledge. If you require more space, please use Section 9, or append additional pages.
- You must attach a 1:1250 scale Ordnance Survey map clearly showing the precise boundaries of the site and details of site ownership.

Data Protection Disclaimer

Details submitted to the Council as part of a Call for Sites will help inform the HELAA and assist in identifying land for development to contribute to a land supply to meet local need. The submitted information will not be confidential as it will be published as part of a comprehensive land assessment via published reports available for public consumption. This information will also be shared with other parties, including employees of the Council, other Council departments and third parties, such as the Planning Inspectorate and other Local Planning Authorities.

Details provided in Section 1 will be kept and stored confidentially by the Council. Details in Section 2, the names of which should match those provided in Section 1, will be made publicly available as established above. As such, only names of organisations/agents/applications will be made public where it has been clearly declared through this submission form. No other details, such as addresses or contact information, will be made available.

By submitting this form to the Council, you are providing consent for us to retain your details on our Planning Policy as part of the Call for Sites process, the HELAA and to enter your details to our consultation database so that we may contact you in future to advise on the Local Plan preparation process.

1. Your Confidentially Held Details			
Title		Name	
Organisation (if relevant)			Representing
Address			
Postcode		Telephone	
Email			
Signature			
Date			

2. Your Publicly Viewable Details	
Name/Organisation	
Status in relation to site	
Representing (if applicable)	

3. Site Location			
Site Name			
Site address (inc. postcode if known)			
OS Grid Easting		OS Grid Northing	
Total Site Area		Developable Area	
<p>Please attach a 1:1250 scale Ordnance Survey map clearly showing the precise boundaries of the site. The area of the site you wish to be formally assessed should be enclosed by a red line. Any other relevant land under your ownership should be enclosed by a blue line</p>			

4. Site ownership (please tick as appropriate and/or provide details)				
Do you own the site?	Yes – sole owner	Yes – part owner	Yes – acting on behalf of the owner(s)	No
Is the site available?	Yes – immediately	Yes – In 5-10 years	Yes – 11+ years	No
Have you notified the landowner/other landowners that you have submitted the site?			Yes	No
Other relevant information eg is there a pre-emption option agreement, is a developer on board etc				

5. Site Constraints (on site or at boundary – please mark as appropriate and/or provide details)					
Current/previous use					
Adjacent land uses					
Planning History					
Existing Infrastructure	Electricity	Gas	Mains Sewer	Mains Water	Telecoms
Access from Highway	Yes – Classified Road		Yes – Unclassified Road		No
Highway Works					
Ransom Strips / third party land required etc					
Legal Issues					
Existing Occupiers					
Public Access/Rights of Way					
Topography					
Ecology/Wildlife Designations and other known issues	Yes – Details:		Reports/Mitigation Strategy:		No
Trees, hedgerows and woodlands (eg TPOs, other					No

protections and designations)			
Land Contamination / unexploded ordnance (in areas where this is relevant)	Yes – Details:	Reports/Mitigation Strategy:	No
Heritage Designations (eg listed buildings, conservation areas, local list, archaeology etc)	Yes – Details:	Reports/Mitigation Strategy:	No
Flooding	Yes - details	Reports/Mitigation Strategy:	No
Other Physical Constraints (eg water bodies, ditches etc)	Yes – Details:	Reports/Mitigation Strategy:	No
Infrastructure Constraints (eg pylons, gas mains, telecommunications etc)	Yes – Details:	Reports/Mitigation Strategy:	No
Open space and recreation Eg playing pitches, parks and gardens, allotments and orchards etc	Yes - details	Reports/Mitigation Strategy:	No
Other Knowns Issues/Constraints			
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6. Site Accessibility (please provide distance as measured from the middle of the site “as the crow flies” and utilise journey planner to determine walking time)			
Distance to closest bus stop (m/km)		Walking time to closest bus stop (mins)	
Distance to closest amenities (m/km)		Walking time to closest amenities (mins)	
Distance to closest rail station (m/km)		Walking time to closest rail station (mins)	
Any known issues with public transport – frequency of services etc		Any known issues with amenities eg limited capacity at schools, GPs etc	
Other accessibility issues relevant to the nature of the proposal			

7. Previous site promotional work (please cross reference with Section 5 where relevant)		
Has any work been undertaken to promote the site and/or to overcome constraints?	Yes	No
If yes, please provide more details and copies of reports where available:		

Have any viability appraisals been undertaken?	Yes	No
If yes, please provide more details and provide copies of reports where available:		
Are there any specific or immediate intentions to start development?	Yes	No
If yes, please provide more details (such as Pre-application discussions)		

8. Proposal Details (please mark as appropriate and/or provide details)					
Description of Proposed Development					
Proposed Land Use	Residential	Employment	Retail	Mixed	Other
Site capacity/density (homes/floor space)			Details of mixed/other land uses		
Potential Development	For sale/marketed for development		Negotiations with developer	In control of developer	Ready for release by owner
Development time scales	Short term (within 5 years)		Medium term (6-10 years)	Long term (11-15 years)	Beyond (16+ years)
Development Timescale/Phasing (incl. build-out rates)					

9. Additional information eg relevant evidence, other constraints and challenges, market desirability, planned infrastructure, opportunities etc

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10. If the site fits the criteria for a brownfield site are you happy for us to include it on the relevant LPA brownfield land register (tick as appropriate)

Yes	No

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HELAA Methodology Consultation – Summary of Representations

Prefix Codes for the representations:

ALL: same comments submitted to all Local Authorities involved in the consultation

CCC: Comments received by Coventry City Council

NWBC: Comments received by North Warwickshire Borough Council

NBBC: Comments received by Nuneaton and Bedworth Borough Council

RBC: Comments received by Rugby Borough Council

WDC & SDC: Comments received by Warwick and Stratford-on-Avon District Councils (joint consultation process)

Officer responses and changes to the methodology collectively agreed with CSWAPO.

Abbreviations used:

HELAA: Housing and Economic land Availability Assessment

NPPF: National Planning policy Framework

PPG: Planning Practice Guidance

LA / LPA: Local Authority / Local Planning Authority (used interchangeably)

Responses received by all / several Local Authorities					
Comment Reference	Respondent	Page/Para reference	Consultation Response (Summary)	Officer Response	Proposed Change to Methodology
ALL1	Stoford (Commercial Developer)	Stage 1 of the (Methodology Identification of sites and broad locations)	<ul style="list-style-type: none"> Recommend that the locational requirements for employment land are recognised as being different to that of housing ensuring that sites for employment land are identified appropriately. Recommend that sites with good connections to the strategic road network are included within the desktop review for employment land and also those with rail connectivity (for movement of freight). Use the West Midlands Strategic Employment Sites study (WMSESS May 2021) to inform key locations Identify opportunities to extend existing employment allocations and sustainable urban extensions to cluster employment and provide opportunities for existing businesses to expand or relocate whilst maintaining labour supply. Covid-19 has created uncertainty over demand for office space so opportunities for other uses should be considered. 	<p>The existing proforma could capture all necessary detail including reference to key evidence which the promoter feels should be taken into account. Suggested details could be submitted during call for sites process and would form part of site assessment process.</p> <p>Any site can be submitted as part of HELAA process and desktop review. The subsequent analysis and assessment of constraints and policies, local, national and/or emerging will determine which are identified as having potential for development</p> <p>Each LPA's individual assessment framework will have regard to key evidence such as the Housing and Economic Development Needs</p>	<p>Amended the text at the start of the Call for Sites proforma to include reference to economic uses, and link to the PPG added in to para 1.5 for context.</p> <p>Prompt added to 'additional information' section.</p>

				<p>Assessment (HEDNA) and the WMSESS.</p> <p>However the introductory text at the start of the proforma should be amended to include employment. Further, the 'additional information' section could encourage links to key evidence and information such as that raised here.</p>	
ALL2	Stoford (Commercial Developer)	2.7	Clarification around how it is envisaged that engagement with the business sector will look. (As detailed by the 'Business requirements and aspirations' in the table of potential sources of information at para 2.7).	This is something each Local Authority needs to consider as part of its more detailed work on its individual HELAA as local context and issues will vary. However the table at 2.7 could be expanded to provide examples eg engagement with LEP, economic development team, Chamber of Commerce, local business forums and associations etc. Each individual's Statement of Community Involvement (SCI) will set out further detail on engagement.	Expanded examples in the table at 2.7
ALL3	Stoford (Commercial Developer)	2.14	More detail needed around how employment densities will be calculated and the net/gross ratios that will be applied against	This text is taken directly from the PPG. Information on densities and net / gross	No change

			employment sites that vary by size / number of units / infrastructure ratios.	factors will be a matter of each LPA to consider as part of its more detailed work on the HELAA as this will depend on local context. However in broad terms this work will be informed by the HEDNA.	
ALL4	Stoford (Commercial Developer)	2.15	A lack of detail is observed here, more needed with regards to what locational factors will be judged, recommend: <ul style="list-style-type: none"> ○ The 'Golden Triangle of Logistics' ○ Motorway / A -road junctions and proposed /planned improvements ○ The key locations identified in the West Midlands Strategic Employment Sites Study (May 2021) ○ Railway stations 	This text is taken directly from the PPG. The detail will be a matter of each LPA to consider as part of its more detailed work on the HELAA as this will depend on local context. Such matters could also be referenced in the proforma by those promoting particular projects.	No change
ALL5	Stoford (Commercial Developer)	2.15	'Likely market desirability' should be added to the proforma.	This is something which site promoters could include in the 'additional information' section of the proforma	No change
ALL6	Stoford (Commercial Developer)	Stage 2 of Methodology	<ul style="list-style-type: none"> ● Planned infrastructure to be fully considered within the assessment of sites. ● Also recommend that flood zones are also considered to inform assessment suitability – mitigation can be made against sites that are partly in a flood zone. This ensures such potential sites are not ruled out. 	Noted: Flood risk will inevitably be a constraint applied that will negatively impact development potential, to reflect national policy and guidance. Where sites are submitted that include parts of flood zones the potential of such areas will	No change

				be difficult to assess or prejudice as suggested, So such submission sites must/should include additional information showing how impact on flood risk areas will be addressed such as by avoidance of flood risk sensitive development or replacement and compensatory measures for lost flood storage capacity etc. In the absence of such additional information assessment potential may inevitably be constrained. This will be a matter for the detailed assessment by each LPA	
ALL7	Stoford (Commercial Developer)		Significant green belt within Coventry and Warwickshire should be acknowledged. It should be considered as part of a 'policy neutral' assessment. Support WMSESS recommendation for a Green Belt review.	Noted. The HELAA is a 'policy off' document.	No change.
ALL8	Stoford (Commercial Developer)	Para 2.20	Recommends consideration of timing and funding triggers for infrastructure.	Noted: This will of course vary significantly, dependant on site size, location, authority area and its infrastructure capacities and deficiencies. It is expected that each LA's engagement with statutory	No change

				and non-statutory consultees during detailed site discussion will address much of these concerns as well as reference future investment programmes and management plans by statutory service and infrastructure providers/agencies. This context will be included in the detailed assessment process undertaken by each LPA.	
ALL9	Stoford (Commercial Developer)	Stage 4 Para 2.26	Would welcome developer ability to input into trajectory risk assessment.	Developer engagement on this would come later in the process.	No change
ALL10	Stoford (Commercial Developer)	Stage 4 Para 2.28	Encourage Councils to establish need for strategic employment sites at the earliest opportunity e.g. cross boundary sites.	The Coventry and Warwickshire Councils work closely to fulfil their duty to cooperate requirements.	No change
ALL11	Stoford (Commercial Developer)	Stage 5 para 2.29	Seek clarity on whether consultation will be provided on those sites that are omitted. Aimed at ensuring that suitable sites are not wrongly disregarded.	The HELAA is technical evidence to support plan making and delivery. The opportunity to comment on omission sites will be provided through the various stages of consultation during local plan preparation.	No change
ALL12	Stoford (Commercial Developer)		In respect of reporting, we would ask that a District wide map is produced of all sites, and numbered, to help with identification. Appendices of separate site maps without an overarching map are difficult to interpret.	Agreed that LPAs should present their HELAAs in a clear, transparent and accessible manner.	Amended para 3.6 to address this point.

ALL13	Stoford (Commercial Developer)	3.7	In RAG assessments, 'amber' sites should be upgraded to green if evidence that mitigation can address constraints.	The methodology makes it clear that the example is illustrative and each LA will take forward the detail	No change
ALL14	Stoford (Commercial Developer)	Comments on the Pro-Forma – Appendix 1	<p>Suggest the following additions to the example site proforma:</p> <ul style="list-style-type: none"> ○ At section 4 seek to understand if there is a developer on board. ○ At section 6 include criterion relating to the accessibility of the site to a motorway or A Road. Excellent access to the strategic road network is needed for employment land. ○ Include a section on the appropriateness and likely market desirability of the potential development as set out in paragraph 2.15 of the methodology. ○ Include a section on planned infrastructure <p>Inclusion of 'likely market desirability' to be included in the call for sites pro forma in line with para 2.15.</p>	Agreed these would assist with the illustrative proforma. Amend at section 4, 6 and 9 to cover these suggestions.	Amended proforma in line with officer comments
ALL15	Historic England		Historic England advocates that, when using this methodology, a wide definition of the historic environment is used. This includes not only those areas and buildings with statutory designated protection but also those which are locally valued and important. In addition, it includes the landscape and townscape components of the historic environment, as well as archaeology, the importance and extent of which is often unknown and may extend beyond designated areas.	Noted. This will be down to the approach employed by each LPA when they undertake detailed assessment. Officers will use mapping to identify initial site constraints. Officers will engage HE during detailed site discussions which will include the definition and application	No change

			Information in the Historic Environment Record (HER) may indicate areas of known interest, or high potential where further assessment is required before decisions or allocations are made. The possible cumulative impact of a number of site allocations in one location could also cause considerable harm to the historic landscape/townscape.	of historic environment within the local context. No changes are proposed as it is considered that Officer assessment and engagement with HE will capture potential impacts and relevant issues.	
ALL16	Historic England	Pro Forma	Whilst Historic England is therefore pleased to see 'Heritage Designations' included in the site constraints listed in Section 5 of the "Example Call for Sites Proforma", we suggest that the proforma be amended to also include non-designated heritage assets, noting that the NPPF refers to non-designated heritage assets of archaeological interest being as demonstrably of equivalent significance to scheduled monuments (Footnote 68). We strongly recommend that advice should be sought from your Conservation Officer and Archaeological advisor throughout the site selection process	Amendment to the proforma not considered necessary as the presence of non-designated assets will be captured by Officers and further consultation with HE. Officers will consider HE guidance on site selection when assessing sites. However it should also be noted that the proforma is illustrative and can be adapted to contain additional fields should the individual LPA consider it helpful to do so within the local context. No changes are proposed as it is considered that Officer assessment and engagement with HE will capture potential impacts and relevant issues.	No change

ALL17	Historic England	General	If a site which affects heritage assets is allocated, we would therefore expect to see reference in the ensuing policies and supporting text on the need to conserve and seek opportunities to enhance the on-site or nearby heritage assets and their setting	Officers will use mapping to identify initial site constraints. Officers will engage HE during detailed site discussions. No changes are proposed as it is considered that Officer assessment and engagement with HE will capture potential impacts and relevant issues.	No change
ALL18	Historic England	General	Bearing in mind the overarching principle that harm to heritage assets should be avoided wherever possible, as a point of principle, we would expect sites that would have an unacceptable impact on the significance or special interest of heritage assets not to be taken forward.	Noted. Officers will consider HE guidance on site selection when assessing sites and will engage HE during detailed site discussions	No change
ALL19	Natural England	General	Natural England has no specific comments to make on the methodology consultation and instead offers generic advice on landscape, biodiversity, geological conservation, best and most versatile agricultural land, and public rights of way and access for use in producing or revising the HELAA.	Comments noted.	No change
ALL20	Natural England		No specific comments. Generic advice available on key natural environment considerations for use in producing or revising HELAA's, which we hope is of use. 1. Landscape Avoiding harm to the character of nationally protected landscapes - National Parks, the Broads and Areas of Outstanding Natural Beauty - and locally valued landscapes. Cumulative impacts may also occur as a result of the combined effects of more than one housing development. The	Noted. Officers will use mapping to identify initial site constraints. and engage with statutory and Non-statutory consultees during detailed site discussions.	No change

			assessment of potential housing sites should be informed by the landscape character approach. The National Character Area (NCA) profiles will provide useful information. Further information on LCAs is at Landscape Character Assessment .		
ALL21			<p>2. Biodiversity Avoiding harm to the international, national and locally designated sites of importance for biodiversity. The key to assessing these is to understand the potential impact pathways that may exist between the development and sensitive sites.</p> <p>Avoiding harm to priority habitats, ecological networks and priority and/or legally protected species populations Priority habitats and species listed under Section 41 of the Natural Environment and Rural Communities Act, 2006 and UK Biodiversity Action Plan (UK BAP). Protected species are those species protected under domestic or European law. A Phase 1 Habitat Survey is the commonly used standard for habitat audit and provides a starting point for determining the likely presence of important species.</p> <p>Seeking opportunities to contribute to the restoration and re-creation of habitats, the recovery of priority species populations and biodiversity enhancement</p> <p>.</p> <p>Seeking opportunities to enhance and create Green Infrastructure The SHLAA should consider the availability of GI and opportunities to enhance GI networks when considering sites for development.</p>	Noted. Officers will use mapping and/or GIS tools to identify initial site constraints. and engage with statutory and Non-statutory consultees during detailed site discussions.	No change
ALL22			<p>3. Geological conservation Avoid harm to nationally and locally designated sites of importance for geological conservation - geological SSSIs and Local Geological Sites (also known as RIGS - Regionally Important Geological Sites).</p>	Noted. Officers will use mapping to identify initial site constraints. and engage with statutory and	No change

			Seeking opportunities to contribute to landscape restoration and enhancement.	Non-statutory consultees during detailed site discussions.	
ALL23			4. Best and Most Versatile Agricultural Land Avoiding Best and Most Versatile Agricultural Land Land quality varies from place to place. Information on Best and Most Versatile Agricultural land (grades 1,2 and 3 a) is available from the Agricultural Land Classification (ALC). Not all land has been surveyed in detail and more detailed field survey may be required to inform decisions about specific sites.	Noted. Officers will use mapping to identify initial site constraints. and engage with statutory and Non-statutory consultees during detailed site discussions.	No change
ALL24			5. Public rights of way and access Seeking opportunities to enhance public rights of way and accessible natural green space. Housing allocations should avoid adverse impacts on National Trails and networks of public rights of way and opportunities should be considered to maintain and enhance networks and to add links to existing rights of way networks.	Noted. Officers will use mapping to identify initial site constraints. and engage with statutory and Non-statutory consultees during detailed site discussions.	No change
ALL25 (sent to WDC & SDC / NWBC)	Warwickshire County Council		HELAA should look to include data specifically around older people's housing needs, accessible housing needs and supported housing needs. Where LAs use consultants to produce HELAA they should ensure that WCC People directorate and Health are consultee's within the spec for consultants to deliver on.	Noted : It is expected LA's engagement with statutory and Non-statutory consultees during detailed site discussion will address much of these concerns as well as reference future investment programmes and management plans by statutory service and infrastructure providers/agencies etc...	No change

				It is also expected that once agreed all Local Authorities will process their HELAA based on the agreed methodology and this methodology will apply to, and be applied by, any consultants contracted to and by those authorities for the purposes of producing their HELAA.	
ALL26 (sent to WDC & SDC / NWBC)			In terms of the Employment aspect, those sites which will impact People directorate are sites for residential care homes, and potentially community centres. Engagement with Planning Authorities is sought to ensure the need is fully understood based on the new census data when released .	Noted: It is expected LA's engagement with statutory and Non-statutory consultees during detailed site discussion will address much of these concerns as well as reference future needs for statutory services based on most up to date data available.	No change

Responses received by Coventry City Council					
Comment Reference	Respondent	Page/Para reference	Consultation Response (Summary)	Officer Response	Proposed Change to Methodology
CCC1	Claremont (Planning Consultancy)	Stage 1 of Methodology	<p>Observed omissions of parts of the PPG which are considered to be relevant to the document:</p> <p>Paragraph 008 – Reference ID:3 – 008 -20190722 is advised to be considered.</p> <p><i>‘The assessment needs to identify all sites and broad locations (regardless of the amount of development needed) in order to provide a complete audit of available land. The process of the assessment will, however, provide the information to enable an identification of sites and locations that are most suitable for the level of development required.’</i></p> <p>This advice is detailed further in paragraph 010 Reference ID:3-010-20190722 of PPG, that recognises that when carrying out a desktop review, plan-makers need to be proactive in identifying as wide range of sites and broad locations for development as possible (including those existing sites that could be improved, intensified or changed). Identified sites, which have particular constraints, need to be included in the assessment for the sake of comprehensiveness. PPG identifies that an important part of the desktop review is to identify sites and their constraints, rather than simply rule out sites outright which are known to have constraints.</p> <p>It is important to note that the identification of all sites and broad locations is a ‘policy-off’ approach before assessment is made of the suitability of the site. This will ensure as wide range of sites and broad</p>	<p>Noted. This is covered by paras 2.4 – 2.7. Detailed interpretation of the guidance (beyond the scope of this broad HELAA framework) will be taken forward by each individual LPA to reflect the local context and circumstances.</p>	No change

			locations is identified as possible, and sites are not dismissed too early that could otherwise come forward for development.		
CCC2	Claremont (Planning Consultancy)	2.4	Paragraph 2.4 of the draft document identifies those sites of a size of less than 0.25 hectares or fewer than 5 dwellings that should not be considered as part of the HELAA process. What is omitted from this paragraph, however, is the advice contained in PPG <i>that 'a range of different site sizes from small-scale sites to opportunities for large-scale developments such as village and town extensions and new settlements should be considered where appropriate.'</i> It is recommended that an additional sentence is included in this paragraph to recognise this advice.	Noted. This is covered by paras 2.4 – 2.7. Detailed interpretation of the guidance (beyond the scope of this broad HELAA framework) will be taken forward by each individual LPA to reflect the local context and circumstances.	No change
CCC3	Claremont (Planning Consultancy)	2.15	Stage 2: It is considered that Paragraph 2.15 should recognise in terms of a site's suitability for development the advice contained in paragraph 018 Reference ID: 3-018-20190722. This identifies that sites in existing development plans or with planning permission can generally be considered suitable for development although it may be necessary to assess whether circumstances have changed which would alter their suitability.	This is addressed in para 2.16	No change
CCC4	Resident	1.5	I am a resident in the CCC area. I have no commercial or professional interests that are relevant to my response regarding Planning strategy or decisions. The initiative to seek a common assessment and data gathering methodology across contiguous councils is a good one. At last there appears to be a common-sense and pragmatic effort to recognize the critical inter-dependability of HMA and FEMA issues in the same assessment methodology.	The Framework will be agreed and adopted by the LPAs involved. However this paragraph will be amended to make it clear that the	Amended para 1.5 to provide more clarity.

			<p>If the approach framework will allow respective councils to "adapt" to suit, this risks unravelling the methodology and key principles. The "adaptations" scope needs to be more specific in its definition and limitations.</p>	<p>framework itself will not be changed but that detailed assessment work will be taken forward by each LPA using the framework as the starting point for more detailed appraisal work which takes account of the local context.</p>	
CCC5	Resident	2.11	<p>"new broad locations.....where cumulatively they could provide suitable infrastructure to deliver growth in a sustainable way":- Does this open the way for compulsory purchase orders to merge suitable development 'pockets' into broader schemes? See also s.2.15 - "Suitability". This also touches on my greatest criticism of Planning's current assessment of major housing development applications: viz. applications in the same area/region are considered on their individual merits with no apparent assessment of the CUMULATIVE effects of the combined developments' scale on local community services, highways, etc. As an example - Eastern Green, Banner Lane, Cromwell Lane, Westwood Heath, Southern Relief Road combined development impacts on the merged area and resulting local pinch-points. In particular, S.106 contributions levied in a piecemeal way will fail to provide a meaningful solution to health, education, highways, retail and cultural/leisure needs.</p>	<p>The methodology has been written to reflect national guidance but detailed matters would need to be considered on a case by case basis by each LPA to reflect the local context and circumstances. This would include consideration of whether clusters of sites might provide benefits as part of a more co-ordinated approach to infrastructure delivery as stated in 2.11, and the</p>	No change.

				method for that delivery.	
CCC6	Resident	2.20	"Lead times and build-out rates" - this is a critical component of the assessment process. If these are not specified in Reserved Matters, with penalties for non-observance, there is a clear risk of long-term speculative land-banking and sporadic build periods leading to nuisance and adverse effects on adjacent housing valuations. A "pecking" approach by a major site developer(s) also significantly interferes with community services planning, and the meaningful application of s.106 community levies.	Noted, however legislation determines the scope of what can be achieved here regarding planning applications. The HELAA process however is concerned with informing site assessment for strategic planning purposes.	No change
CCC7	Resident	2.27	There MUST be a timescale and frequency for formally revisiting the methodology of approach and Local Authority's assessment criteria. I suggest the current Applications' validity of 3 years.	The assessment of sites is concerned with strategic planning and the allocation of sites, the majority of which will not yet have reached the planning application stage.	No change.
CCC8	Resident	2.28	'The Statutory Duty for co-operation between councils regarding cross-boundary land allocations MUST embrace the ability for those new residents to be accepted by the 'requesting' Authority for THEIR health and education services if so desired (by postcode definition). Likewise, s.106 levies MUST be allocated to the 'donor' authority.'	The planning process only requires that sufficient infrastructure is delivered to support development based upon appropriate	No change

				evidence (eg education and health as mentioned here) and this evidence would be provided by the relevant bodies. In terms of where those residents live who will access those services, this is beyond the scope of the planning process as the relevant providers (GPs, schools etc) have their own processes for determining who they accept.	
CCC9	Resident	2.30	“ other spatially strategic policies” - this is a loose definition that needs clarification and examples.’	Noted, the text will be amended for clarity to explain that paragraphs 20-23 of the NPPF provide the definition.	Amended text for clarity
CCC10	Resident	3.5	Red Line / Blue Line area and "mitigation", and "overcoming constraints by mitigation". In my experience "mitigation" invariably leads to a net local LOSS. This section provides an excess of 'wiggle-room' for predetermined decisions to be 'qualified' by ill-defined mitigation that is ultimately un-policed at the (post)-development stage.	These are matters that would be considered in detail by the case officer at the planning application stage.	No change

<p>CC11</p>	<p>Resident</p>	<p>Joint approach</p>	<p>It is welcome to see that there will be an agreed approach between the Local Planning Authorities (LPAs). However, this approach should be extended further to identify potential cross boundary effects at the earliest possible stage i.e., during strategic assessment of land availability. For example, the methodologies and modelling used to produce other strategic assessments should also be consistent across the LPAs especially where cumulative impact is a consideration and, ideally, they should be produced to provide data at the Coventry and Warwickshire sub-regional area level but enable drilling down to the level of individual LPAs or specific geographical areas. This should include the following aspects:</p> <ul style="list-style-type: none"> - traffic levels (local and strategic road networks) - air quality - flood risk and flood storage - sewage and surface water systems - climate change – mitigation and adaptation - nature recovery - access to green space and sports/play facilities - access to services e.g., GP, dentist, schools - community facilities <p>Not only would this assist in the early identification of constraints, infrastructure requirements and locations where cumulative impacts could be an issue but would also help inform the evidence base for Local Plans. In addition, it has potential to streamline the process for developers especially for those who may be considering submitting an application for a site close to an administrative boundary.</p> <p>There have been significant and ongoing issues with several sites allocated within the Nuneaton and Bedworth Borough Council's (NBBC) Borough Plan where cumulative impacts on the wards of Longford, Foleshill and Holbrook were not sufficiently considered. In</p>	<p>Noted, and the authorities are working together on a shared strategic evidence base to inform future local plan work and a co-ordinated approach to this. In terms of para 1.5, the Framework will be agreed and adopted by the LPAs involved. However this paragraph will be amended to make it clear that the framework itself will not be changed but that detailed assessment work will be taken forward by each LPA using the framework as the starting point for more detailed appraisal work which takes account of the local context.</p>	<p>Amended para 1.5 for clarity</p>
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			<p>particular, impacts on Coventry's AQMA; traffic levels – local and strategic road networks (M6 J3 and A444); local economy – Coventry Building Society Arena and shopping park; flood risk in areas such as Rowley's Green(River Sowe), access to green space and sports/play facilities and access to services, including schools and GP practices.</p> <p>Currently, communities appear to be 'falling through the cracks' created by administrative boundaries. However, residents living at these locations should be afforded the same protections as others; inequalities in public health or access to services should not be exacerbated by sites which have been identified within neighbouring LPAs; through their planning policies e.g., Local Plan and SPDs, or planning decisions made about them at a later stage.</p> <p>The clause 'It is not the objective of this joint methodology to standardise the methods...' in 1.5 is of concern. How will a 'consistent approach' be achieved when a Local Authority can make adaptations? Would a proposal for an adaptation need approval by the other LPAs? Would local people be consulted on any changes made?</p>		
CCC12	Resident	2.19	<p>Understanding constraints</p> <p>It is welcome to see that Appendix 1 has been developed to '...establish any mitigations possible to overcome identified constraints' and the concept of "front-loading" site assessment. How much support will a landowner be given when they are filling in a proforma particularly with identifying constraints? Will consultees be involved in this stage of the process e.g., National Grid, National Highways, Natural England, etc? Will the landowner be required to provide supporting evidence such as assessments produced by qualified professionals/consultancies e.g., an Ecological</p>	Noted. The further detail including any support will be down to the approach employed by each LPA when they undertake detailed assessment. Officers will use mapping to identify initial site constraints. The	No change

			<p>Impact Assessment (EClA) produced by an ecologist registered with CIEEM. How will identification of constraints be robust at this stage without having an illustrative masterplan? How is the accuracy and availability of data checked? For example, in areas with a history of under recording, desktop based biological searches and maps may not be reliable and surveys may be required for protected species, birds, etc. Is there a process for reviewing RAG rates to ensure they remain up to date and accurate?</p>	<p>evidence needed will be proportionate to the stage at which the plan- making process has reached and issues identified including the reliability of the evidence used.</p>	
CCC13	Resident	Section 5 of Appendix 1	<p>Additional Constraints:</p> <p>Could the following be added to the list of constraints in Section 5 of Appendix 1:</p> <ul style="list-style-type: none"> - Tree Preservation Order(s) – - Mature, veteran and/or ancient trees - Hedgerows - Grassland, pasture and/or meadow - Woodland - Main river and/or ordinary watercourse - Lakes, ponds and/or ditches - Sports fields - Allotments and/or orchards - Parkland and/or gardens - Protected species <p>Site features which are located within an ecological network; could contribute towards nature recovery and/or flood storage; where loss would have a negative impact on mitigation and adaptation to climate change e.g., carbon sequestration, the heat island effect, etc, or have</p>	<p>The form at Appendix 1 is illustrative and can be tailored by each LPA to reflect the local context. However the suggestions will be included in the illustrative example as these are useful prompts</p>	<p>Amendments made to the proforma</p>

			the potential to improve access to green space or sports/play facilities should be identified early on.		
CCC14	Resident	General	<p>Proposed Land Use:</p> <p>The section on proposed land use should be more detailed. In particular, it requires specifics on Use Classes i.e., B, C, E, F and Sui Generis.</p> <p>For example, on p31 of the NPPF it says the following,</p> <p style="padding-left: 40px;">'109. Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use.'</p> <p>A proposal for use for 'B8 Storage or distribution' would require provision for overnight lorry parking and sufficient parking to cater for 'anticipated use.' Furthermore, an increase in HGV movements could introduce other issues such as impacts on air quality. If located within a residential area, landscape buffers may also be required to mitigate against noise pollution, light pollution, storage of hazardous materials, etc. This shows that constraints and site suitability are dependent on the Use Classes involved. Therefore, this information should also form part of the site assessment matrix and RAG ratings as it may be necessary to outline which Use Classes have been excluded or provide specific RAG ratings for each land use proposal if there is more than one option.</p>	Noted – however the categories have been prepared in line with national guidance and the matters raised are issues which would be addressed by each LPA at the site assessment stage. Parking for B8 (including overnight provision) would still be classed as B8 for example as it would be ancillary to the main proposed use. It is for the site promoters to provide the further detail and evidence to demonstrate why they consider their scheme to be a good proposal so it can be properly assessed.	No change

<p>CC15</p>	<p>Resident</p>	<p>General</p>	<p>Widening the scope of the assessment</p> <p>When we are facing impacts from climate change, the biodiversity crisis and poor air quality, it is essential that land availability for green infrastructure is considered alongside that for housing and economic purposes. Green infrastructure should be seen as an integral part of sustainable growth and not an afterthought at the level of individual sites. In wards where there is a deficit e.g., Foleshill, opportunities for nature recovery and improving access to open space should be prioritised. Furthermore, local planning authorities should work with landowners to explore funding opportunities (e.g., Environmental Land Management schemes, carbon offsetting schemes, Severn Trent Community Fund, Highways England Designated Fund) and encourage collaboration with other organisations which have environmental, health and social goals.</p> <p>A sub-regional infrastructure strategy already exists and is underpinned by the Habitat Biodiversity Audit, the longest continuously running survey of its kind in the UK. In addition, there is a Warwickshire, Coventry and Solihull Green Infrastructure map which could be used to identify locations that could contribute towards Nature Recovery Networks, ‘joined-up, nature-rich spaces of all sizes, across all areas.’ Currently, these do not appear to be integrated within the HELAA process allowing potential sites to be lost and ecological networks to become further fragmented.</p> <p>Land use to provide access to services should also form part of the assessment as it is essential that the future needs of a community are considered especially in areas where there is ‘growth’. This should look at aspects such as access to education (early years, primary, secondary and colleges); GP practices and healthcare facilities; dentists; libraries; community meeting spaces; sports facilities; play areas; neighbourhood shopping centres and corner</p>	<p>All points noted and these are all matters which will be considered through the detailed assessment and plan-making processes undertaken by each LPA. However the HELAA itself has clear parameters (Housing and Employment) which are set out in the National Planning Practice Guidance and these have been followed for the purpose of this specific methodology. This is not to say that sites for other uses could not be put forward though as this is helpful to inform the local plan process.</p>	<p>No change</p>
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			<p>shops; places of worship; sheltered housing, assisted living facilities and nursing homes; etc. Without these aspects 'growth' cannot be sustainable; health, social and cultural well-being should be at the heart of the entire planning.</p> <p>process. If sites are not identified early on for these purposes, opportunities to build in social infrastructure will be lost and this can have long-term impacts especially in deprived areas.</p> <p>According to the NPPF,</p> <p style="padding-left: 40px;">'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways...an economic objective...a social objective...an environmental objective.'</p> <p>Previously, the process appeared to be focused on meeting certain aspects of the economic and social objectives such as delivering national housing targets. Even though a Green Infrastructure sub-group of CSWAP0 existed, which was responsible for producing the Warwickshire, Coventry and Solihull Green Infrastructure Strategy, this did not seem to be translated into land availability assessments which called for and identified sites to address the NPPF's environmental objective and health and well-being aspects of its social objective such as nature recovery; mitigating flood risk and providing flood storage areas; improving access to open space and services; improving air quality and mitigating and adapting to climate change.</p> <p>'b) a social objective...by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</p>		
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			<p>c) an environmental objective—to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'</p> <p>Hopefully, the new statement and methodology will be able to rectify this. Could the HELAA even be renamed to become the HECGILAA (Housing, Employment, Community and Green Infrastructure Land Availability Assessment)?</p>		
CCC15	Chair of Residents Group (Allesley and Coundon Wedge Society)	General	<p>Your document would seem to be better referred to as a 'Developers Charter' where they are invited to recommend sites for potential future development, it is ingenuous to suggest that they would seek to use Brownfield sites as these inevitably require further expense to develop, so they will naturally opt for existing greenfield sites.</p> <p>Furthermore, the Coventry Planning Depts record on actioning responses from such consultations is abysmal, being little more than lip service to meet regulatory requirements.</p>	Local Authorities are unable to plan for their identified development needs without an understanding of what sites are available, suitable and deliverable. The HELAA provides essential evidence to enable sites to be assessed in a thorough and considered manner. The National Planning Policy Framework prioritises brownfield sites.	No change

Responses received by Rugby Borough Council					
Comment Reference	Respondent	Page/Para reference	Consultation Response (Summary)	Officer Response	Proposed Change to Methodology
RBC1	Fenny Compton Parish Council (Stratford District)	General	Framework consistent with Stratford District Council Site Allocation Plan process. No mention of HELAA consultation process itself. Request additional step that District Councils consult Parish Councils	Comments noted. Parish Councils will be consulted	No change
RBC2	Agent/house builder- Goldfinch OBO Lockley Homes	General	The representation concerns a site within Stratford District. The representation states that the site in question should be considered alongside two earlier Local Plan representations made to the South Warwickshire Local Plan Scoping and call for sites	The site relates to the South Warwickshire Local Plan and does not adjoin Rugby's boundary. It is therefore not appropriate for Rugby Borough Council to offer detailed comments	No change
RBC3	Other- Wolston Parish Council (within Rugby Borough)	Title page	The formal RBC consultation statement uses the word Employment, not Economic	The correct terminology for the HELAA is the Housing and Economic Land Availability Assessment however the Planning Practice	Amended para 1.5 for clarity

				Guidance provides more context so this has been added in to para 1.5 for clarity.	
RBC4	Other-Wolston Parish Council (within Rugby Borough)	Title page	To what extent is the HELAA applicable to an NDP?	The HELAA informs all housing and employment requirements. NDPs will be considered when assessing submitted sites	No change
RBC5	Other-Wolston Parish Council (within Rugby Borough)	Para 1.6, sub-point 3	Criteria identified (market desirability) is considered subjective	This is taken from national guidance.	No change
RBC6	Other-Wolston Parish Council (within Rugby Borough)	Para 2.11	Para 2.11 conflicts with Para 1.7. Greater clarity on 'acceptability' required. Does it include social, sustainability and environmental?	Yes, 'acceptability' includes all factors identified in the NPPF	No change
RBC7	Other-Wolston Parish Council (within	Para 2.6	Suggests the replacement of 'suitable' with 'prospective' as 'suitable' suggests a site is Green on the RAG assessment	Suitable is considered acceptable on the basis that 'suitable' is frequently used in	No change

	Rugby Borough)			the NPPF and guidance.	
RBC8	Other-Wolston Parish Council (within Rugby Borough)	Para 2.7 - table: Section 4 Section 7 Section 9	Suggest adding Parish Councils due to knowledge PCs have	Parish Councils will be engaged further	Text on Parish Councils added to list
RBC9	Other-Wolston Parish Council (within Rugby Borough)	Para 2.11	First sentence appears to conflict with earlier statements in the document	This is considered consistent because interested parties are able to suggest suitable mitigation measures to make land suitable for development	No change
RBC10	Other-Wolston Parish Council (within Rugby Borough)	Para 2.12	The use of 'may' instead of 'will' as this avoids predetermination	The text is considered to refer to serious constraints so change not considered necessary	No change
RBC11	Other-Wolston Parish Council (within Rugby Borough)	Para 2.21	Replace 'sort' with 'sought'	Commented noted	Corrected the typo

RBC12	Other-Wolston Parish Council (within Rugby Borough)	Para 2.25	Suggests that text should read: "...the amount of land for which other uses have been identified"	Phase 'land uses' considered pertinent in this sentence	No change
RBC13	Other-Wolston Parish Council (within Rugby Borough)	Para 2.26	'will' should read 'should'	Risk assessment considered important so will need to be included	No change
RBC14	Other-Wolston Parish Council (within Rugby Borough)	Para 2.27	Suggest adding that another 'Call for Sites' may assist	Noted. Each LPA will have its own approach to the call for sites.	No change
RBC15	Other-Wolston Parish Council (within Rugby Borough)	Para 2.29	"will" should read 'should'	Change not considered necessary as the identified text is considered important to ensure a robust process	No change

Responses received by Nuneaton and Bedworth Borough Council					
Comment Reference	Respondent	Page/Para reference	Consultation Response (Summary)	Officer Response	Proposed Change to Methodology
NBBC1	Sport England	General	Sport England wishes to make no comment but where playing field sites (existing or disused) have been submitted for assessment Sport England would be happy to assist with any assessment of the sites.	Noted.	No change
NBBC2	Oxalis Planning (Commercial Developer)	General	Will the Environment Act 2021 shape the HELAA process in any way and will it have an effect on the way in which sites submitted through the 'Call for Sites' exercise will be assessed?	The ecological merits/constraints/mitigation of a site will be assessed and be considered by each LPA.	No change
NBBC3	Oxalis Planning (Commercial Developer)	General	With regard to employment development, will the HELAA process begin taking regard to the sectoral priorities and strategies of the relevant Local Enterprise Partnerships?	Yes, part of the 'Suitability' assessment of a site which will be considered by each LPA.	No change
NBBC4	Oxalis Planning (Commercial Developer)	Para 2.13	Accessibility, including sustainable access and travel to potential development sites, is a key indicator for the identification for broad locations where development may be most suitable.	Would be assessed as part of the 'Suitability' of a site. Part 6 of the illustrative proforma includes this.	No change
NBBC5	Oxalis Planning	General	Suitability for distribution or industrial employment development will require the HELAA to consider the need for sites capable of delivering	Noted.	No change

(Commercial Developer)	large-scale buildings as part of the mix and range of land and buildings needed to respond to market needs.		
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Responses received by Warwick and Stratford-on-Avon District Councils					
Comment reference	Respondent	Page / para reference	Consultation response (summary)	Officer response	Proposed change to methodology
WDC & SDC 1	Resident	General	<p>Suggest a clear statement be included about where development will <u>not</u> be allowed.</p> <p>As well as housing and business, there should be concurrent consideration of land for all other purposes including transport networks, education, recreation, exercise, health and social care, local and central government premises</p>	The HELAA is a database of sites which are to be considered for assessment, it is for each LPA to determine what is to be omitted or taken forward as part of its own detailed site assessment process.	No change
WDC & SDC 2	Resident	General	<p>The draft methodology proposed only makes passing reference to Neighbourhood plans as a source of potential development sites. The methodology makes no reference to democratic decision making or another Referendum on future development.</p> <p>All sites obtained via a call for sites process should be put to the rigour of a neighbourhood referendum.</p>	This approach would not be in line with national planning practice guidance. Neighbourhood plans can allocate sites and these are subject to referendum once they have been deemed suitable to proceed to	No change

				referendum by an independent examiner.	
WDC & SDC 3	Oxalis Planning (Commercial Developer)	General	When assessing potential sites for strategic employment, infrastructure provision and accessibility should be a key component of the assessment, which will be crucial to the eventual success of any site.	Noted, and site promoters would be expected to illustrate this within the context of their proposals.	No change
WDC & SDC 4	Other - Pillerton Priors Parish Council (within Stratford District)	General	The drive to reduce impact on carbon emissions through the use of the car must feature in decision making. Developers want to build out in the green fields which simply ensures more cars. Response to climate change must feature in your assessments. Good use of existing brownfield sites should feature in your assessment.	Noted, national planning policy prioritises brownfield land and sustainable planning and these are matters which would be assessed in detail in relation to the sites put forward. Section 5 of the proforma asks for current / previous use of the land which enables LPAs to determine whether the site is brownfield or not.	No change.
WDC & SDC 5	Resident	General	There must be a moratorium on all greenfield development. Given the changes in retail and office activity, accelerated since the pandemic, the increased availability of redundant urban accommodation should make this possible.	Detailed evidence has to be developed which sets out how much development each local authority needs to deliver.	No change.

			There must be active resistance to pressure from property developers for greenfield sites where profit margins are greater.	National planning policy prioritises brownfield land and sustainable planning and these are matters which would be assessed in detail in relation to the sites put forward and whether this can be accommodated without having to resort to greenfield. However national policy does not allow for a moratorium to be placed on greenfield sites.	
WDC & SDC 6	Resident	Section 2.15 (Suitability)	The first sub bullet point states "National (and local) policy designations". Is this intended to suggest that the site designation policies already identified at a District (Local Plan) and local (Neighbourhood Plan) level are in some way of secondary consideration compared to National directives?	This is not the intention, the wording has been adapted from national guidance, the brackets will be removed for clarity.	Amended – removed the bracket
WDC & SDC 7	Resident	General	Provide confirmation that when sites are listed for consideration for housing and employment in the future, there will not be amongst them any sites whatsoever that have already been the subject of planning applications that were refused unless the reasons for refusal no longer substantially apply.	This information would be considered in detail at the site assessment stage.	No change
WDC & SDC 8	Other - Harbury Parish	Appendix 1. Proforma, section 6	In relation to Q6 regarding site accessibility and distance and walking time to the nearest bus stop, that while we have several bus stops in and around Harbury, the bus service is so infrequent that the	Noted – agreed that this information would be helpful.	Amended pro forma to include this

	Council (Stratford District)		proximity of the bus stops is immaterial. Surely a more pertinent question would be how frequently and at what times does the bus service run?		
WDC & SDC 9	Other – Southam Town Council (Stratford District)	General	Advised that emerging Neighbourhood Plans that have gone past Reg 16 should be taken into account.	Noted and these would be considered during the detailed assessment stage although the weight given would be proportionate to the stage at which the plan had reached (eg in examination / modification / referendum)	No change
WDC & SDC 10	Other – Warwick Town Council (Warwick District)	General	The Town Council wish to make a return of no comment.	Noted	No change
WDC & SDC 11	House builder – Savills on behalf of Barratt David Wilson Homes (Mercia)	Section 2. Methodology	Sites should not only be assessed for their development potential on what is principally a constraint-based assessment, as currently drafted. It is important that the benefits and opportunities provided by the development proposals on the assessed sites, as well as the benefits and opportunities provided by the wider context, should be reviewed and recorded through the HELAA process and taken into consideration in deciding which sites to allocate.	Section 9 ‘ additional information’ of the proforma provides this opportunity.	No change
		Appendix 1. Proforma, section 4	Sites being promoted by parties may be subject to an Option or Promotion agreement that gives the party control to promote the site for development. The party may therefore have a recognisable interest in the site but is not however the freehold or leasehold owner	Section 4 provides the opportunity to elaborate on the circumstances	Amended section 4 of the proforma to prompt further detail

			of the site. The 'Do you own the site?' part of Section 4 should be amended to reflect this.	however a note will be added.	
WDC & SDC 12	Other – Wellesbourne & Walton Parish Council (Stratford District)	General	The only reference to parishes and local councils were that the Parish's Neighbourhood Plan would be looked at but Cllrs felt Parish Councils should be contacted and consulted directly as changes may have occurred in the parish that needed to be taken into consideration and that Made Neighbourhood Plans should be followed not just considered.	Noted – Parish Councils would be consulted as per the consultation mechanisms employed by each LPA.	No change
WDC & SDC 13	Other – National Highways	General	Support the emphasis placed on the assessment of potential development sites at the earliest stage with respect of their capacity, developability, suitability and achievability. On this matter, we wish to stress the importance of identifying the transport implications at the earliest possible stage, as the need for transport mitigation, may delay the local authority in realising their five-year land supply.	Noted	No change
WDC & SDC 14	House builder – Harris Lamb on behalf of Barratt David Wilson Homes (Mercia)	Section 2. Methodology	The benefits of proposed allocations should be set out within the HELAA in order to assist in the identification of development sites. Sites should not be assessed for their development potential on what is, by and large, a constraint-based only assessment as currently drafted.	Section 9 'additional information' of the proforma provides this opportunity.	No change
		Appendix 1. Proforma, section 4	Sites being promoted by parties may be subject to an Option or Promotion agreement that gives the party control to promote the site for development. The party may therefore have a recognisable interest in the site but is not however the freehold or leasehold owner of the site. The 'Do you own the site?' part of Section 4 should be amended to reflect this.	Section 4 provides the opportunity to elaborate on the circumstances however a note will be added.	Amended section 4 of the proforma to prompt further detail
WDC & SDC 15	Other – Radford Semele Parish Council (Warwick District)	Paragraph 2.31	The call for sites gives a major role to prospective developers. They have the opportunity to advocate for their prospective sites including mitigation measures. There appears to be no opportunity for town and parish councils or local communities to have an input to the assessment of prospective sites. Paragraph 2.3.1 says that the final assessment will be published on each authority's website for public view. This suggests that town and parish councils and local	Parish Councils and communities will have a say when the Local Authority undertakes consultation on the different stages of	No change

			communities will see the outcome of the process but will have no role in it. The parish council has noted that the analysis identifies sites which could be developed not sites which should be developed. Nevertheless, this process is a fundamental sift of prospective sites and will affect the subsequent stages.	the Local Plan, or which this evidence will form part.	
		General	Concerned about the weight which will be given to existing policies in the assessment of prospective sites. In particular, the Green Belt currently covers a large part of South Warwickshire and impacts on the allocation of development. If the current Green Belt policy and extent is taken as it stands decisions on prospective sites will be taken in advance of the substantive local plan decisions on the future policies and extent of the Green Belt.	These are matters for the detailed site assessment process by each LPA to consider in the context of how much development it needs to provide and how much urban capacity / suitable brownfield land it has to accommodate this as first priority in line with national planning policy.	No change
WDC & SDC 16	Other – Environment Agency	Paragraph 2.15, Appendix 1 – Proforma. Section 5	The impact of flood risk affects the ‘capacity’ and ‘suitability’ of a site and therefore, we advise this is clearly considered as relevant information to inform the assessment under paragraph 2.15. In terms of suitability of the flood risk and sites for Housing and Employment, the following principles should be adhered to: <ul style="list-style-type: none"> • SUITABLE - Flood Zone 1 • MAY BE SUITABLE - Flood Zone 2 and 3a • NOT SUITABLE - Flood Zone 3b (<i>functional floodplain</i>) 	Noted, it is considered that 2.15 covers this and flood risk is highlighted in the proforma. Detailed assessment would apply the principles highlighted.	No change
		General	Advise that any new development is not at risk of flooding both now and in the future due to climate change. SFRAs may show developments are at increased flood risk in the future where they may be currently located in Flood Zone 1. We strongly advise this is	Noted and this will be taken account of in detailed assessment work.	No change

			considered as part of the assessment and informed by your Strategic Flood Risk Assessment (SFRA).		
SDC & SDC 17	Star Planning on behalf of Richborough Estates Limited	Paragraphs 1.5 and 3.6	There is reference to the joint methodology not having the objective of standardising the methods to assess land availability within each local planning authority. Although a framework is proposed to be created to ensure a consistent approach is adopted, there is a lost opportunity to introduce higher degree of standardisation across the Sub-Region. Such standardisation gives greater certainty to all stakeholders about the inputs required and the veracity of the outcomes.	The context for each Local Authority area is very different (City / towns / villages /rural) so a broad framework allowing for local flexibility is considered a robust approach.	No change
		Paragraph 2.14, Paragraph 2.15, Paragraph 2.18.	As recognised at paragraph 2.14, the quantum of development can impact upon viability and paragraph 2.18 then refers to the best judgement on economic viability of a site being applied. Although mention is made of viability in the call for sites pro forma, the Statement is unclear what specialist inputs will be sought by the local planning authorities to address the critical viability and deliverability elements. Will the onus be placed upon the landowners/promoters of broad locations or sites to demonstrate viability or will the authorities seek advice from an Agent? Is the fact that a land promoter or housebuilder being actively involved with a parcel of land sufficient to demonstrate its market desirability? Clarification about how viability and market desirability will be assessed is required.	The onus is placed on those promoting the sites. Viability in terms of the Local Plan process comes at a later stage and each LPA would arrange for this themselves.	No change
		Section 3 - Implementation	Ensure that constancy is applied to the RAG approach, and provide further guidance to the local authorities of the boundaries between the red, amber and green scores.	The context for each Local Authority area is very different (City / towns / villages /rural) so a broad framework allowing	No change

				for local flexibility in the assessment process is considered a robust approach.	
	Appendix 1 – Proforma	<p>The example pro forma is not a user friendly document.</p> <p>Alongside a location plan, it would be beneficial to ask for any masterplan or vision document for a site to be provided.</p> <p>In Section 4 for the question “Do you own the site?” it is impossible for someone to say “Yes – acting on behalf of the owner(s)”. The body answering the question would not own the site but there will be a legal agreement in place to act. Accordingly, the response should be “No – but acting/promoting on behalf of the owner(s)”. In addition, if this amended answer is ticked then there should be a further question to clarify of the relationship to the owner(s).</p> <p>It would be beneficial to have after Section 4 a separate section asking about whether a broad location or the site has planning consent (in whole or part).</p> <p>Section 5 needs further consideration because:</p> <ul style="list-style-type: none"> • The implication is that current/previous uses and adjacent land uses are constraints. Instead, these queries should be directed at asking if current/previous uses or adjacent land uses are a constraint to development and, if so, why and what forms of development are constrained? • The third question should be whether there are legal issues which limit the development potential of the land. • The fourth question should, rather than just being about ransom strips, ask whether any third party land is required outside the site (other than public highway land). 	<p>The proforma asks for information which enables each LPA to establish the facts about a site in a proportionate manner which is fair to those promoting sites of all sizes given that this is the first stage of a ‘sifting process’.</p> <p>Should site promoters wish to submit more information they are welcome to do so should they wish to resource this.</p> <p>Changes to the form have been made in terms of ownership, agreements, ransom strips, wildlife and ecology, flooding and topography. The reference to unexploded</p>	<p>Changes to the proforma made in line with officer comments</p>	

			<ul style="list-style-type: none"> • To a lay person, what is the difference between Wildlife Designations and Ecology Designations? These should be a single question regarding Biodiversity Designations. • For the lay person where would they find information about Unexploded Ordnance? This criterion ought to be deleted. • Other Physical Constraints should be broken down into specific subjects such a floodplain and topography rather than being grouped together. Suggest in Section 6 - to confirm which journey planner should be used to determine walking time (as consistency point). Further, the list of amenities ought to be broken down into, for example, primary school, convenience food shop, public house and community hall. 	<p>ordnance has been retained as this is relevant to some of the participant authorities (as an illustrative proforma which LPAs can adapt to suit their local context).</p> <p>There is already a section on legal matters.</p> <p>In terms of other matters this is an illustrative profoma but individual LPAs may wish to expand depending on their local context.</p>	
WDC & SDC 18	Resident	Introduction – Paragraph 1.3, Paragraphs 1.5	<p>Paragraph 1.5 contradicts the statement contained in 1.3 “the methodology is an agreed approach between local Authorities”.</p> <p>The use of descriptors such as “broad framework to ensure a consistent approach, which each Local Authority can then adapt to reflect their own local circumstance” is simply contradictory and ambiguous.</p>	<p>Noted. The text will be amended to make clear that the framework will not be changed once adopted, it is the detail following on from this which each Local Authority will develop and adapt.</p>	<p>Amended para. 1.5 for clarity</p>

WDC & SDC 19	Goldfinch on behalf of Lockley Homes	General	The representation concerns a site within Stratford District. The representation states that the site in question should be considered alongside two earlier Local Plan representations made to the South Warwickshire Local Plan Scoping and call for sites.	This would be a matter for detailed assessment by the individual LPA.	No change
WDC & SDC 20	Development Consultant – Dobson Grey	General	<p>There is a need to include references to different types of housing when considering land availability assessments and subsequent land allocations. The current assessment model does not adequately distinguish between standard market housing - which will maximise potential land values - and more specialist forms of accommodation with associated higher build costs and a reduced ability to pay a premium for land.</p> <p>It is necessary to consider the requirement for land for other types of development which are neither residential nor a standard form of employment use. There is an increasing demand nationally for pupil places within specialist educational facilities, including private Special Educational Needs schools. There is a lack of specific land allocations to meet this need.</p> <p>It is also necessary for there to be clarification as to what types of uses will be considered under the category of ‘other’ development as referred to in the draft Methodology document.</p>	These are all matters which will be considered through the detailed assessment and plan-making processes undertaken by each LPA. However the HELAA itself has clear parameters (Housing and Employment land) which are set out in the National Planning Practice Guidance and these have been followed for the purpose of this specific methodology. This is not to say that sites for other uses could not be put forward though as this is helpful to inform the local plan process.	No change

WDC & DC 21	Turley on behalf of Taylor Wimpey	Methodology, Figure 1	It is difficult to determine how the methodology will be applied consistently across all authorities - for example, will each authority be mandated to implement the site assessment matrix at Figure 1?	The matrix is illustrative, it is for each individual LPA to determine how it wishes to undertake its detailed site assessment.	No change
		Strategic / large scale housing sites	<p>The draft methodology will only assess sites that have the capacity of 5 dwellings or more.</p> <p>However, the PPG does offer the opportunity for plan-makers to consider alternative site size thresholds, which in this instance, Taylor Wimpey encourage the HELAA to do.</p> <p>The identification of large scale sites at a sub-regional scale will allow local authorities headroom to identify smaller sites so a variation of site sizes is met through the plan-making process.</p>	Each Local Authority can opt to assess smaller sites in addition if it so wishes to and considers it proportionate to the local context however this is a decision to be taken locally.	No change
		Assessment of Suitability – Paragraph 2.15 to 2.16	There is no confirmation on what ‘relevant information’ will be used to assess the suitability of each site or broad area. It is therefore unclear how the potential impacts for constraints such as Green Belt and landscape will be measured and reported.	Examples of ‘relevant information’ are included in para 2.15, detail will depend upon the local context and will be determined by each individual LPA.	No change
		Achievability	The assessment of whether or not a developer has the capacity to complete and sell a development over a certain period can be enhanced with the inclusion of criteria to distinguish whether or not a site has a development partner on board.	Noted. The form provides opportunity to add this in however it will be amended to include	Amended form to prompt this information if relevant to the promoter’s situation.

				a 'prompt' for further information.	
WDC & SDC 22	Turley on behalf of IM Land	General	<p>Whilst it is recognised that the proposed methodology for the (HELAA) is to be a broad framework which in turn will be built upon by authority-specific methodologies, it is difficult to determine how the principles will be applied consistently across all authorities. This concern is further echoed in the fact that it is not the objective for the methodology to standardise the methods made to assess land availability in each Local Authority. If the approach is not standardised as a broad approach, it is not clear how consistency can be achieved.</p> <p>At present there is no confirmation on what 'relevant information' will be used to assess the suitability of each site or broad area. It is therefore unclear how the potential impacts for constraints such as Green Belt and landscape will be measured and reported.</p>	Examples of 'relevant information' are included in para 2.15, detail will depend upon the local context and will be determined by each individual LPA.	No change
WDC & SDC 23	Knight Frank on behalf of A & M Turney and Mr and Mrs G N Wright	Methodology – Paragraph 1.5	<p>-There needs to be a consistent approach to the assessment of sites.</p> <p>-There is no commitment within the methodology that Local Authorities will commit to review their respective Strategic Housing and Economic Land Availability Assessment in the event that they cannot demonstrate a five-year housing land supply and we suggest that this should feature within the methodology as a requirement.</p> <p>-Engagement in accordance with the NPPG should feature as a requirement within the methodology to ensure that this is a standard method featuring within all independent methodologies.</p>	The methodology already reflects national planning policy and guidance and is aimed at achieving consistency at a sub regional scale. The approach to undertaking a detailed HELAA and the assessment process is down to each LPA to undertake individually.	No change

		<p>Suitability</p>	<p>Climate change and sustainable transport should be included within the methodology to ensure that the assessments identifying suitable locations for new residential development.</p> <p>A site submission form should enable landowners and promoters to supplement their submissions with technical reports and vision documents to enable a fair assessment of sites, especially if Call for Sites become interactive submissions. The ability to supplement submissions will also enable Local Authorities to accurately appraise site suitability and their potential, allowing for mitigation.</p>	<p>It is considered that these issues are already covered in terms of the evidence which is requested, including matters pertinent to climate change and sustainable transport.</p> <p>The LPA needs to establish the facts about a site in a proportionate manner which is fair to those promoting sites of all sizes given that this is the first stage of a 'sifting process'. Should site promoters wish to submit more information they are welcome to do so should they wish to resource this.</p> <p>There are sections of the form which enable the suggested</p>	<p>No change</p>
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				information to be submitted should the promoter wish to elaborate.	
		Availability	The Council should ensure that it has a robust evidence base on site availability for every site it includes within its trajectory. If the availability cannot be determined by fact, then the site is not available for the purposes of housing delivery. If availability is unknown, then further work is required and should be undertaken to ascertain availability to inform subsequent annual reviews and sites omitted until availability becomes known and is substantiated with evidence.	Noted, however the HELAA assesses a range of short, medium and long term options which will be explored and scrutinised through the local plan process	No change
		Achievability	Market viability needs to be properly factored in to the SHELAA site assessment work.	Noted. This forms part of the proforma.	No change
		Stage 3 – Windfall Assessment	The general approach proposed is accepted on the proviso that each respective Local Authority adopts a consistent approach to assessing windfall allowances. It is suggested that windfall assessments are carried out within each Local Authority across all housing completions within the last 10 years to determine how many could be classed as windfalls within each year.	Noted however the method for assessing this is to be determined by each LPA in a manner which reflects the local context.	No change
WDC & SDC 24	Knight Frank on behalf of A.M Jervis and Son	Same as above	Same as above (identical representations but on behalf of a different client)	See above	No change
WDC & SDC 25	Turley on behalf of IM Properties Plc	General	The methodology is not sufficiently balanced to consider whether a site is deliverable / developable for economic use as the assessment criteria currently lacks robust accessibility assessment section. The methodology should consider and reflect upon the key locational drivers for storage and distribution operators, including access to the	The methodology provides a broad framework at a sub regional level. It is for each LPA to develop its own detailed methods of	No change

			strategic transport network, access to labour, sustainable movement and proximity to market.	assessment in line with this, but which reflects the local context.	
WDC & SDC 26	RPS on behalf of a Consortium of developers	General, Paragraph 1.5 and 1.11	<p>Whilst it is understood that each authority area will have its own issues and challenges, it is not clear where the 'broad' HELAA approach stops and where the individual assessments begin.</p> <p>Concerns there could be a risk of significant difference and inconsistency across the C&W area.</p>	The methodology provides a broad framework at a sub regional level. It is for each LPA to develop its own detailed methods of assessment in line with this, but which reflects the local context.	No change
WDC & SDC 27	Resident	General	<p>Methodology seems sound within its limited context. However, it appears to lack any recognition that future development must help to mitigate climate change and provide net wildlife and ecological gains for the benefit of our health and well-being.</p> <p>Call for Sites should require some details of how developers propose to meet these obligations.</p>	Noted – the call for sites will be run by each Local Authority to reflect the local context. The information requested is relevant to inform assessment work on matters such as climate change and biodiversity.	No change
WDC & SDC 28	Framptons on behalf of Bryer Estates	General	The Methodology should properly make reference to the requirements of the PPG (Ref: Paragraph 31 Reference ID: 2a-031-20190722). How can Authorities assess need and allocate space for logistics?	The evidence base is being updated and logistics will be considered as part of this including the matter of locational	Changes made to para 1.5 to reflect the PPG including its reference to economic development uses

			<p>The PPG makes clear that the logistics sector has distinct locational requirements that need to be considered in formulating planning policies (separately from those relating to general industrial land).</p> <p>Presently as drafted, the Methodology would appear intent on making an assessment, of land generally for 'economic' development. The distinct locational requirements for logistics would not be accounted for.</p>	<p>requirements. There is nothing in the methodology to stop site promoters from submitting the detail to support their case in this regard as this will be considered through the local plan process and through the Duty-to Cooperate in terms of cross boundary matters.</p>	
WDC & SDC 29	Other – Wellesbourne Allotment & Garden Holders Association (WAA) - (in Stratford District)	General	<p>Land east of Kineton Road, Wellesbourne is in the SDC Site Allocations Plan 2020 as a Reserve Site from 2030/31.</p> <p>WAA recommend that instead of being a reserve site, it should be removed from this listing and be retained in perpetuity as a vital green space for the long-term enjoyment of the community.</p>	<p>The methodology makes no recommendations in terms of specific sites, this is a matter for the relevant local Authority to appraise through its own detailed site assessment mechanisms.</p>	No change
WDC & SDC 30	Other – Lapworth Parish Council (in Warwick District)	Section 6 of Appendix 1 - Proforma	<p>Concerned that although proximity to nearest bus stop and station are requested, it does not appear that further information is asked e.g. what bus routes (if any) serve the nearest bus stop, how frequently does a bus stop there? What train line is the station on? Do trains actually stop at that station?</p>	<p>In terms of transport an amendment will be made to the illustrative proforma to provide this information.</p>	Changes made to proforma in line with officer comments

			<p>Similar questions should be asked about the closest amenities – what are they? If a surgery or dentist, does it have the capacity to take on any additional residents?</p> <p>It was felt that the questions are not searching enough and it would be easy for a potential site to get a tick because it's near a station, but in reality trains don't stop there so it's not of any benefit to the locality.</p>	<p>In terms of amenities a prompt will be added in to request information on any known capacity issues</p> <p>Each local Authority will be able to adapt the illustrative proforma to better reflect the local context.</p>	
WDC & SDC 31	Other - District Councillor for the northern ward of Campden and Vale at Cotswold District Council	General	Concerned about the amount of new housing being built on the Warwickshire/Gloucestershire border which will increase significantly the amount of traffic passing through both villages on the B4632.	Noted. This is a matter for the detailed Local Plan process to consider, and will need to be addressed by the Local Authorities concerned.	No change

Responses received solely by North Warwickshire Borough Council					
Comment reference	Respondent	Page / para reference	Consultation response (summary)	Officer response	Proposed change to methodology
NWBC1	Water Orton Parish Council		<p>WOPC concerns;</p> <ol style="list-style-type: none"> 1. Essentially ANY site could be developed, comment in section 1.7 is too wide. Any assessment whether sites could be developed <u>have</u> to include such aspects as: <ol style="list-style-type: none"> a. Can the local infrastructure support the development? (traffic impact, sufficient health facilities? school places etc?) b. A flood assessment should be carried out at the initial stage. c. Any reduction in open space should be sympathetic with national recommendations e.g. If assessments provide negative feedback, any site that "could" be developed must be accompanied by a plan to mitigate the identified problems. 	<p>Comments noted. Para 1.7 reflects the process. Parish Councils will be consulted. Points a, b and c will be integral parts of any site assessment process prior to any potential allocation.</p> <p>Officers will use mapping to identify initial site constraints. and engage with statutory and Non-statutory consultees during detailed site discussions.</p>	No change
NWBC2	Water Orton Parish Council		<ol style="list-style-type: none"> 2. Local Parish and Town councils should be consulted at the initial stage to provide local knowledge and expertise. <p>As a general point, this proposed policy is for Warwickshire and should not allow 'trading' housing stock numbers with other areas . Water Orton is particularly vulnerable on this point as it is neighbouring not only Birmingham council but also Solihull council</p>	<p>Comments re- "trading" noted but will only arise where Duty to Co-operate issues of adjoining authorities lack of capacity and shortfalls</p>	No change

				arise. Aware of concerns but this is a more strategic issue above the individual authorities HELAA.	
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Cabinet

15th March 2022

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor D Welsh

Director Approving Submission of the report:

Director of Streetscene and Regulatory Services

Ward(s) affected:

All

Title:

Affordable Housing Supplementary Planning Document - Adoption

Is this a key decision?

Yes – The proposals in the report will significantly affect residents and businesses in all wards of the city

Executive Summary:

This report seeks to adopt the Affordable Housing Supplementary Planning Document (SPD) following public consultation which was undertaken between 30th November 2021 and 18th January 2022.

SPDs add further detail to the policies in the development plan but cannot introduce new policy. SPDs provide additional guidance for development and are capable of being a material consideration when making decisions on planning applications.

Delivering sufficient affordable homes over the Plan period to 2031 is a key objective of the adopted Coventry Local Plan. The aim of this SPD is to facilitate the delivery of affordable homes as set out in the plan and in compliance with the most up to date national policy as set out in the National Planning Policy Framework.

The additional guidance provided within the SPD sets out the different types of affordable housing as defined by Government and provides the detail on how these should be delivered. This includes setting out the process in agreeing affordable housing delivery, affordability types and tenures, dwelling design, management structures and Section 106 Agreements for securing delivery.

Responses to the consultation have been analysed and taken account of when amending the SPD. The proposed final version is attached at Appendix 1 to the report and a summary of representations along with responses and proposed amendments can be seen at Appendix 2 to the report.

Once adopted, this SPD will replace the outdated Affordable Housing Guidance which was adopted in February 2006.

Recommendations:

Cabinet is recommended to:

- 1) Adopt the Affordable Housing Supplementary Planning Document (SPD).
- 2) Delegate to the Strategic Lead (Planning), following consultation with the Cabinet Member for Housing and Communities, any necessary further non-substantive (minor) changes to the document.

List of Appendices included:

Appendix 1 - Affordable housing Supplementary Planning Document.
Appendix 2 - Consultation: summary of representations and responses
Appendix 3 - Strategic Environmental Assessment Screening Report
Appendix 4 - Equalities Impact Assessment

Background papers:

None

Other useful documents:

Local Plan: adopted December 2017
National Planning Policy Framework July 2021

Has it been or will it be considered by Scrutiny?

No, however, the draft SPDs were considered by the Communities and Neighbourhoods Scrutiny Board (4) on 15th December 2021 as part of the consultation process.

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Affordable Housing Supplementary Planning Document

1. Context (or background)

- 1.1 The National Planning Policy Framework (NPPF) defines Supplementary Planning Documents (SPDs) as *'documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues.... Supplementary Planning Documents are capable of being a material consideration in planning decisions but are not part of the development plan'*.
- 1.2 Delivering sufficient affordable homes over the Plan period to 2031 is a key objective of the adopted Coventry Local Plan ('the development plan'). The aim of this SPD is to facilitate the delivery of affordable homes as set out in the plan and in compliance with the most up to date national policy as set out in the National Planning Policy Framework.
- 1.3 The additional guidance provided within the SPD sets out the different types of affordable housing as defined by Government and provides the detail on how these should be delivered. This includes setting out the process in agreeing affordable housing delivery, affordability types and tenures, dwelling design, management structures and Section 106 Agreements for securing delivery.
- 1.4 Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing SPDs. This includes a minimum statutory public consultation period of four weeks: the Council's recently adopted Statement of Community Involvement however sets out a local standard that SPDs should be consulted on for six weeks. Because of the Christmas period consultation was undertaken over seven weeks between 30th November 2021 and 18th December 2022. Further detail is set out in section 3 of the report.
- 1.5 It is also a legal requirement, as set out in the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations), to consider whether or not Strategic Environmental Assessment (SEA) of the SPD should be undertaken. The process for determining whether or not an SEA is required is called screening. This is to determine whether a plan will have significant environmental effects. The screening opinion undertaken is attached at Appendix 3 to the report. This concludes that no SEA is needed as the SPD elaborates on existing policy. This screening report must be consulted on so that three statutory bodies (Historic England, Natural England and the Environment Agency) can respond. The screening report was made publicly available for comment at the same time as the SPD was being consulted on.
- 1.6 Finally, an Equalities Impact Assessment (EIA) been undertaken, this is attached at Appendix 4 to the report and was publicly consulted on.
- 1.7 Responses have been analysed and the SPD amended accordingly. In line with the legislation, this Cabinet report will include a statement setting out the details of the consultation, a summary of the main issues raised and how they have been addressed. This is contained at section 3 and Appendix 2 to the report

2. Options considered and recommended proposal

- 2.1 Cabinet may wish for the Council to rely upon the current Local Plan policies along with the National Planning Policy Framework and the 2006 Supplementary Planning Guidance to deliver affordable housing. However, this would not honour the commitment of the adopted Local Plan to replace the outdated guidance and would mean the council

is primarily reliant upon Local Plan and national policy without any further clarification which also reflects the local context. Therefore, this option is not recommended

- 2.2 The recommendation is to adopt a new Affordable Housing SPD, as per Appendix 1 to the report, this approach is recommended in order to respond to the commitment in the adopted Local Plan to replace the outdated 2006 Supplementary Planning Guidance with an up- to-date Supplementary Planning Document on Affordable Housing. This will accurately reflect the adopted Local Plan and subsequent changes to national policy and ensure delivery in accordance with local need.

3 Results of consultation undertaken

- 3.1 Public consultation was undertaken between 30th November 2021 and 18th January 2022. The minimum statutory period for SPD consultations is four weeks, the council's Statement of Community Involvement recommends six weeks however in this instance a seven-week consultation period was undertaken to allow for the Christmas holidays.
- 3.2 The council made all consultation documentation available on its website and in hard copy at the Council House and all libraries. A notification email was sent to all consultees on the planning policy consultation database, statutory consultees and Duty to Co-operate bodies (as set out in the regulations) which provided background to the SPD consultation and explained where people could view the documents and the various ways in which they could provide comments. The council also used its social media platforms and local press to publicise the consultation.
- 3.3 Regulation 12 of the Local Planning Town and Country Planning (Local Planning) (England) Regulations 2012 states that, before a local planning authority can adopt an SPD it must first prepare a statement setting out the persons consulted during the preparation of the document, with a summary of the main issues raised and how they have been addressed in the SPD. This report addresses these requirements, and details of the comments submitted, the officer response and changes made to the SPD as a result can be viewed at Appendix 2 to the report.
- 3.4 The Communities and Neighbourhoods Scrutiny Board (4) considered the draft SPD and supporting documents at their meeting on 15 December 2021 (their minute 20/21 refers), as part of the consultation process. There was a discussion around the definition and provision of affordable housing, the importance of developer contributions and monitoring, ensuring a good mix of housing types and the need for flexibility in negotiating the delivery of appropriate housing. The Scrutiny Board agreed with the content of the draft SPDs in principle.
- 3.5 Alongside the SPD, the SEA screening opinion and Equality Impact Assessment were made available for public comment as set out in section 1 of this report. In terms of the SEA screening, the statutory consultation bodies Natural England and Historic England concurred with the council's view that Strategic Environmental Assessment is not required. The Environment Agency did not respond. The screening assessment at Appendix 3 to the report has been updated to reflect this conclusion. The Equality Impact Assessment at Appendix 4 to the report has been updated as a result of internal guidance although no external responses were received on the matter.

4 Timetable for implementing this decision

- 4.1 The SPD can be adopted immediately.

5 Comments from the Chief Operating Officer (Section 151 Officer) and the Director of Law and Governance

5.1 Financial implications

There are no financial implications associated with this report.

5.2 Legal implications

5.1 There are no direct implications as a result of this report. Regulations 11 to 16 of The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing SPDs. The Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) also require the Council to consider whether or not a Strategic Environmental Assessment (SEA) of the SPD should be undertaken.

6 Other implications

6.1 How will this contribute to achievement of the Council's Plan?

Planning policy documents and planning applications help deliver the aims and objectives of the One Coventry Corporate Plan by determining the type and quantum of development needed, where this should be located, areas which should be protected, enhanced or improved and the infrastructure which should be provided. In line with the Corporate Plan, this document focuses upon supporting local communities by increasing the supply, choice and quality of housing, delivering a range of affordable housing types to meet the community's varied needs.

6.2 How is risk being managed?

There are no risks associated with this report.

6.3 What is the impact on the organisation?

No direct impact.

6.4 Equalities Impact Assessment / EIA

A full Equality and Impact Assessment (EIA) was undertaken as part of developing the Local Plan. As part of that analysis, the Council had due regard to its public sector equality duty under section 149 of the Equality Act (2010). The Supplementary Planning Document elaborates on Local Plan policy and so a further EIA has been undertaken (Appendix 4 to the report)

6.5 Implications for (or impact on) climate change and the environment

There are no implications identified as this is an elaboration of Local Plan policy relating to the delivery of housing and does not introduce new policy.

6.6 Implications for partner organisations?

The Supplementary Planning Document will provide further detail to the adopted Local Plan policy which will assist those organisations involved in the delivery of affordable housing.

Report author:**Name and job title:**

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Service

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Jim Crawshaw	Head of Housing and Homelessness	Adult Services and Housing	16/02/22	16/02/22
Names of approvers for submission: (officers and members)				
Cath Crosby	Lead Accountant, Business Partnering,	Finance	16/02/22	16/02/22
Clara Thomson	Planning and Highways Lawyer, Legal Services	Law and Governance	16/02/22	16/02/22
Andrew Walster	Director of Street Scene and Regulatory Services	-	16/02/22	16/02/22
Councillor D Welsh	Cabinet Member for Housing and Communities	-	16/02/22	21/02/22

This report is published on the council's website: www.coventry.gov.uk/councilmeetings



Coventry City Council

Affordable Housing

Supplementary Planning Document (SPD)

March 2022

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1. Introduction
2. Policy Context
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APPENDICES

Appendix 1. Nationally Described Space Standards

Appendix 2. Affordable Housing Section 106 Wording Template

Executive Summary

This document is Coventry City Council's Affordable Housing Supplementary Planning Document, or the "Affordable Housing SPD" for short.

The purpose of this SPD is to give more detailed guidance on the Affordable Housing Policy H6 contained within the Coventry Local Plan 2017. The Policy requires that for sites which will develop 25 dwellings or more (or larger than 1 hectare), at least 25% of the total dwellings should be made available as affordable. This includes dwellings that are available for Social / Affordable Rent and also on an Intermediate tenure, with the mix made in accordance with national guidance.

By providing more detail around these policy requirements, it will help develop more affordable homes in the city by giving clear and understandable advice to people who want to build houses in Coventry. It explains what developers need to demonstrate to the Council to ensure it complies with Policy H6 of the Local Plan 2017.

This detail includes a more specific breakdown of affordable housing types on a locational basis, but also takes into account central Government requirements such as the building of affordable homes on an "Intermediate" basis, such as First Homes.

The document cannot establish new planning policy relating to building affordable homes in the city, but the Council wants this document to be used by builders of affordable homes to make it easier for them to be built. This will help increase the number of affordable homes built in the city, so that everyone in Coventry can access homes that are more affordable.

It also explains alternative scenarios where the provision of affordable housing is reduced or cannot be delivered at all as well as building and design requirements. It also attempts to simplify the Section 106 Agreement legal process by providing a wording and a template for developers to use. Through this, it is hoped that this SPD will enable more productive negotiations between the Council and applicants wishing to deliver homes in Coventry. This should help make planning applications faster and easier to decide.

1. Introduction

- 1.1 The Coventry Local Plan 2017 establishes the strategic objective to deliver sufficient affordable housing development in the city. It recognises the need to provide housing which is truly affordable for Coventry's residents and delivers on the aspirations and objectives of the Coventry City Council Housing and Homelessness Strategy 2014.
- 1.2 This Supplementary Planning Document (known thereafter as the 'SPD'), provides additional and enhanced detail on the strategic policies of the Coventry Local Plan 2017 which seek to deliver sufficient affordable housing to meet the identified need of the City. Specifically, this SPD will provide further supplementary guidance to Policy H6 Affordable Housing of the adopted Local Plan 2017.
- 1.3 It should be noted that although this SPD does not form part of the Development Plan of the Council, it is a material consideration that will be utilised to determine planning applications where affordable housing is a relevant issue. The Glossary at Annex 2 of the National Planning Policy Framework (2021), defines Supplementary planning documents as follows;

*“**Supplementary planning documents:** Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.”*

- 1.4 Therefore, applicants wishing to deliver residential development of any scale, should refer to this SPD to ensure that they meet requirements set out in policy of the Coventry Local Plan 2017.
- 1.5 The Council is conducting a period of consultation to ensure that interest parties, local residents and others may provide representations to the SPD consultation to help inform its preparation.
- 1.6 This consultation has been held under the provisions of the City Council's Statement of Community Involvement.
- 1.7 Delivering sufficient affordable homes over the Plan period to 2031 is a key objective of the Coventry Local Plan 2017 spatial strategy. The aim of this SPD is to facilitate the delivery of affordable homes and meet the needs of the city as recognised in 2015 Joint SHMA and the Affordable Housing Economic Viability Assessment. The additional guidance provided within this document should clarify particular requirement areas and streamline the process in agreeing affordable housing delivery; affordability types and tenures, dwelling design, management structures and Section 106 Agreements.
- 1.8 This SPD is designed to simplify the complex process of delivering affordable homes through the planning system. Whilst multiple parties are required to work together in realising this delivery, it is considered that this SPD will provide a rationalisation of this process and establish clarification of the policy requirements of the City Council. The utilisation of this SPD alongside early negotiations with the Council will speed-up the planning process and result in quicker permissions. This is to the advantage of all parties involved and demonstrates a positive approach to planning.

2. Policy Context

- 2.1 The Coventry Local Plan 2017 was prepared under previous iterations of the National Planning Policy Framework, but the provisions relating to affordable housing remain relevant in the context of the adopted Local Plan 2017.
- 2.2 The local planning policy position is established in Section 4 of the Coventry Local Plan 2017. Specifically, Policy H6 asserts the affordable housing delivery considerations and requirements for residential developments in the city.

National Planning Policy Framework

- 2.3 The National Planning Policy Framework 2021 (known hereafter as the ‘NPPF’) provides the overarching national planning policy basis for England and includes provisions for how Local Planning Authorities should achieve affordable residential development. Paragraphs 61-64 establish this;
- Ensure local policy reflects the housing needs of different groups within the community, including affordable housing requirements;
 - Identify the affordable housing type needed and delivered on-site, with off-site provision, or financial contribution, if appropriate justification can be demonstrated;
 - Emphasise the need to deliver affordable housing, in most circumstances, on major development sites;
 - Promote the redevelopment and re-use of brownfield land through reducing affordable housing contribution by a commensurate amount where vacant buildings are re-used.
- 2.4 Furthermore, the NPPF provides a definition of affordable housing at Annex 2. For the purposes of this SPD and to ensure consistency between it and national policy, the definition of affordable housing will be as follows as it is established at Annex 2;

“Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential workers); and which complies with one or more of the following definitions:

- a. **Affordable housing for rent:** *meets all of the following conditions: (a) the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for an alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).*
- b. **Starter homes:** *is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections.*

The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of the plan-preparation of decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

- c. **Discounted market sales housing:** *is that sold at a discount rate of at least 20% below local market value. Eligibility is determined in regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.*

- d. **Other affordable routes to home ownership:** *is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for an alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.”*

Non-statutory Regional Policy

- 2.5 The West Midlands Combined Authority (the 'WMCA') provides additional definitions in regard to affordable housing. Although the Combined Authority does not have statutory planning powers, it plays a significant role in realising funding streams for affordable housing delivery as well as releasing previously undeliverable sites for development.

- 2.6 The Combined Authority's definition of affordable housing goes beyond the statutory definition as referenced in the NPPF by stating that to be truly affordable, residents should not pay more than 35% of their income towards their monthly rent or mortgage. This establishes a greater discount of 15% when made against the definition referenced in the NPPF 2021, which asserts that a 20% discount from the prevailing rate as an affordable rate.

- 2.7 Whilst this definition (based on different intent and context) cannot be granted any planning weight and is not a material planning consideration, as a full member of the Combined Authority, Coventry City Council encourage applicants to consider provision against this definition. Particularly where the WMCA has facilitated delivery of affordable housing through funding and land-release strategies.

Local Planning Policy

- 2.8 The Coventry Local Plan 2017 provides the strategic housing requirement for the city over the Plan period from 2011 to 2031. This includes the need to deliver affordable housing alongside market development, to foster sustainable communities and that those residents which are eligible, can access good and truly affordable housing. This is in line with the Council's Housing and Homeless Strategy 2014.

Policy H6: Affordable Housing

1. New residential schemes of 25 dwellings or more (excluding student accommodation), or more than 1ha, will be expected to provide 25% of all dwellings as affordable homes.
2. Proposals within areas of existing high concentration (shown on Figure 4.1) should make provisions as follows:
 - a. 10% Social/Affordable Rental provision
 - b. 15% Intermediate Provision
3. Proposals within areas of existing medium concentration (shown on Figure 4.1) should make provisions as follows:
 - a. 12.5% Social/Affordable Rental provision
 - b. 12.5% Intermediate Provision
4. Proposals within areas of low concentration (shown on Figure 4.1) should make provisions as follows:
 - a. 15% Social/Affordable Rental provision
 - b. 10% Intermediate Provision
5. Where the specified level of affordable housing cannot be provided, including for reasons of viability, robust evidence must be presented to justify a reduced or alternative form of contribution.
6. Through appropriate design standards, new affordable housing units must be appropriately integrated within the development and with other affordable homes adjoining the site.
7. Through engagement with the Council, Registered Providers, and having regard to the recommendations of the SHMA, developers should ensure that affordable housing contributions comprise dwellings of the right size, type, affordability and tenure to meet local needs.

2.9 Set within the context of the objective housing need of the city in the region of 42,000 homes between 2011 and 2031, the Plan recognises a need to deliver some 12,000 affordable homes over this period. That equates to the delivery of around 600 affordable homes per annum. It should be noted that a proportion of this need will be delivered across the Warwickshire Housing Market Area through cross-boundary delivery and as such, the pro-rata affordable yearly quantum, which takes into account the established city capacity and cross-boundary apportionment, equates to 348 dwellings per year.

2.10 At the time of the Plan's adoption in 2017, it was established that during the first 4 years of the Plan period (2011 to April 1st 2015), approximately 1,150 affordable homes benefited from planning permission, were being constructed or had been delivered.

2.11 These identified numbers, taken alongside the strategic allocations, which will deliver a further 3,300 affordable homes, a shortfall of 1,150 affordable homes was identified.

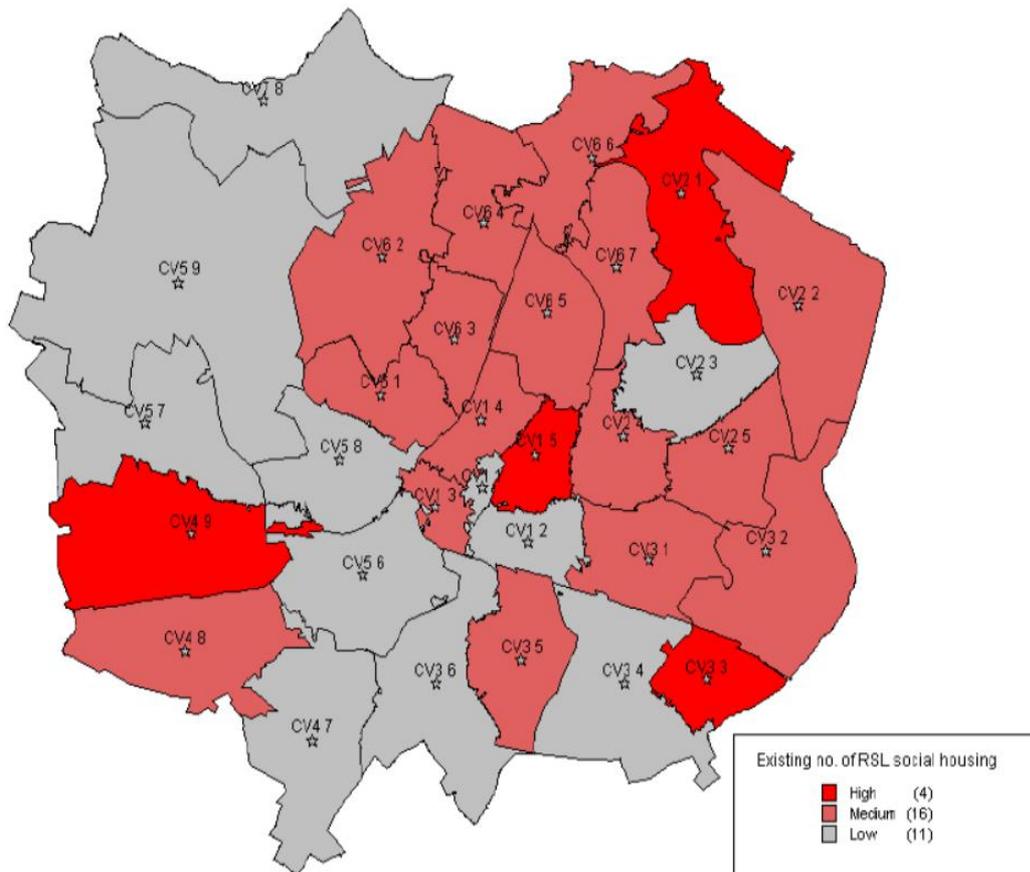
2.12 The accompanying text to the affordable housing policy of the Plan identifies that this shortfall will be resolved through achieving affordable housing delivery from a variety of

sources. This includes the Private Rented Sector, windfall sites, redevelopment of existing housing stock, Registered Provider (“RP”) site delivery and re-use of empty homes.

- 2.13 It should be noted that a core element of this strategic policy is its spatial element. This is to ensure that different areas of the city can experience the maximum benefit of the policy and to ensure those residents in need of affordable accommodation, wherever their location in Coventry, can be housed in affordable homes. It is considered that this spatial approach will also ensure the development of cohesive and socially representative communities in all parts of the city.
- 2.14 Delivery of affordable housing will be actively monitored by the Council and represented through the publication of yearly Authority Monitoring Reports. This ongoing monitoring will identify levels of affordable housing delivery against the requirement established in the adopted Coventry Local Plan 2017, which is in the region of 348 dwellings per annum.
- 2.15 This SPD will help to facilitate enhanced delivery of affordable housing in the City, thereby contributing towards meeting the identified needs of the Local Plan 2017.

3. Affordable Housing – Site Provision

- 3.1 In order for the city to meet its identified affordable housing needs, it is the Council's objective to deliver affordable housing on residential schemes consisting of 25 dwellings or more, or where sites are larger than 1ha. On these sites, it is expected that at least 25% of the gross number of dwellings to be offered on site will be on an affordable basis.
- 3.2 It is the Council's view that the delivery of affordable dwellings on development sites is the most realistic way of achieving development of affordable homes within cohesive and integrated communities.
- 3.3 To ensure the delivery of homes that are affordable for members of every community within Coventry, the city's affordable housing policy also responds to spatial considerations that reflect the existing housing stock in areas of the city. This is to avoid over-concentration of particular tenures of affordable housing to secure diverse communities and also to provide homes in areas of the city where the market cannot.
- 3.4 The diagram below is part of policy H6 in the adopted Local Plan 2017, and demonstrates the concentration of social housing¹ across Coventry.



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- 3.5 The figure demonstrates the concentration of social housing that is managed by a Registered Provider within the CV-postcodes of the city. As the figure shows, stronger

¹ In this context, social housing is defined as affordable housing made available through discounted rate via a Registered Provider as Social or Affordable rent.

shades of red demonstrate higher concentrations of social housing within corresponding CV postcodes.

- 3.6 It is the objective of Policy H6 to promote varying tenure mixes in the city to ensure that residential proposals more appropriately reflect their locations in Coventry. For example, Policy H6 requires an affordable tenure split of 10% Social/Affordable Rent and 15% Intermediate Provision in areas with existing high concentrations of social housing. This is to both ensure that there is no over-concentration of social rent, but also to promote affordable home ownership in areas where there is a shortfall of opportunity to get on the housing ladder.
- 3.7 In areas of medium social housing concentration, the tenure is split evenly to maintain a more equal mix of housing types.
- 3.8 It is considered that those postcode areas of the city with low social housing concentration, housing affordability is of a greater issue given the higher cost of housing. As such, the Policy attempts to resolve this by promoting a greater proportion of Social/Affordable Rent tenure mix of 15% and a 10% Intermediate Provision.
- 3.9 This spatial element of Policy H6 Affordable Housing provides a framework for residential development proposals in the city. Whilst it provides a basis in how developers and applicants should approach on-site affordable housing provision; it is expected that proposals should reflect the requirements and need of the city at the time of the application's submission. This should take into account the strategic obligations as explained in the policy, as well as other material considerations such as evidence base documentation, the National Planning Policy Framework and Planning Policy Guidance.

4. Affordable Housing – Tenure Mix

- 4.1 Policy H6 establishes the strategic requirements of the Council for developments to deliver at least 25% affordable housing on sites of 25 dwellings or greater. This includes a tenure split that corresponds with spatial considerations that respond to local circumstances and existing housing mix.
- 4.2 In accordance with the National Planning Policy Framework, Coventry City Council’s policy requires a tenure split between Social/Affordable Rent dwellings and Intermediate Tenure provisions. These are provided on the basis of rental occupation from a Registered Provider, or an Intermediate product which provides an affordable route to home ownership.
- 4.3 A summary of tenure types and how they are to be split depending on locational factors, is provided below.

Social/Affordable Rent Provision		Tenure Mix Requirement
Social Rent/Affordable Rent	<p>Social Rent is affordable housing let out at cost calculated against the relative value of the property against median local income and the size of the property. These are usually provided by Registered Providers or local government and are usually between 50% to 60% below market rents on the basis of the formula calculation against their relative market value.</p> <p>Affordable Rent is no more than 80% of market rent and includes the service charge, if applicable.</p> <p>In both cases, it is expected that the tenures will be offered in perpetuity to eligible households or the subsidy recycled through an alternative product².</p>	<p>10% - High Concentration Areas</p> <p>12.5% - Medium Concentration Areas</p> <p>15% - Low Concentration Areas</p>
Affordable Private Rent (Built to Rent/PRS)	Affordable rental homes made available at least 20% discount on market rate. Products made available directly by developer, with ongoing management and operations maintained by the developer. Perpetuity secured by legal agreement.	
Intermediate Provision		
General routes to affordable ownership	A variety of products, including Shared Ownership and equity loans. These are offered via Registered Provider regime.	<p>15% - High Concentration Areas</p> <p>12.5% - Medium Concentration Areas</p>
Discounted marketed sales	Product provided by developer directly with discount applied at point of sale. Similar arrangement as to Affordable Private Rent	10% - Low Concentration Areas

²²² MHCLG Policy statement on rents for social housing;
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/781746/Policy_Statement.pdf

First Homes 30% discount in perpetuity	Discount applied to sales available on the market to eligible first-time purchasers – to a maximum property value of £250,000 and maximum household income of £80,000pa	
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- 4.4 A minimum provision of affordable routes to home ownership are established in the National Planning Policy Framework of at least 10%³. This accords with the minimum requirement in Policy H6 of the Local Plan 2017, ie a minimum requirement of 10% intermediate provision on sites in areas with a high concentration of existing socially rented properties.
- 4.5 First Homes is an intermediate affordable product introduced in May 2021 as an additional option for buyers to enter the home ownership market on a more affordable basis. These homes are made available on a 30% discount from the local market rate in perpetuity via a land charge on the title deed secured through a Section 106 Agreement. This also ensures that the discount remains in perpetuity. Guidance stipulates that 25% of all affordable home provision on any given site must be First Homes and that this must either contribute to, or make up, the 10% of all homes on a site that are available on an affordable ownership basis.
- 4.6 Coventry City Council will seek to maintain the affordable rent (social rent) provision as stipulated in Policy H6 and will accept an intermediate mix that establishes 25% of overall affordable provision as First Homes. This should also ensure that other intermediate products remain available so that opportunity of choice is maintained.
- 4.7 Below is a worked example demonstrating the practical numerical split by unit proportion. It utilises a 100-unit example between the areas of high concentrations of existing social housing and low concentration as per Policy H6:

	Low Social Housing Concentration		High Social Housing Concentration	
	Social/Affordable Rent	Intermediate	Social/Affordable Rent	Intermediate
	15%	10%	10%	15%
Units	15	10	10	15

- 4.8 The total of 25 affordable units are achieved in both worked examples. With 25% First Homes requirement applied to the gross figure, 6.25 units can be delivered, allowing some flexibility in the delivery of other intermediate products in either worked example. As per the NPPF and PPG, the First Homes provision can contribute towards the

³ Paragraph 65 in the National Planning Policy Framework outlines exemptions to this 10% requirement. This is where the site or proposed development:

- a) provides solely for Build to Rent homes;
- b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
- c) is proposed to be developed by people who wish to build or commission their own homes; or
- d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.

overall 10% requirement for homes available as affordable ownership, or make up this

5. Dwelling Design, Typology and Locational Requirements

5.1 Policy H3 (Part 3) of the Coventry Local Plan 2017 asserts the need to achieve sustainable development through appropriate design of housing. This is applicable to both market and affordable housing, which ensures appropriate residential amenity and quality of living, no matter the type or tenure of home.

5.2 This SPD is limited as to the requirements it can place on the development of new affordable housing; however, it is reiterated that the design of affordable housing units must be demonstrably sustainable and exhibit the highest levels of residential amenity. This should include consideration of the following:

- Internal layout and dimensions;
- Access to green and outside space;
- Responsiveness to immediate surroundings;
- Connectivity; and
- Resilience to environmental influences (such as air quality, land contamination and climate change).

5.3 By duly considering these principles, development should achieve affordable housing that provides a high standard of living and residential amenity. This level of consideration should be applied to both market and affordable housing that is delivered in the city ensuring that there is no material difference between dwelling tenure types. This to ensure socially cohesive and sustainably mixed communities.

5.4 Historically, a larger proportion of one- and two-bedroom dwellings has been developed for affordable housing. This reflected the changing demographic of the city, with increasing generation of single-person or smaller-family households.

5.5 The Strategic Housing Market Assessment 2015 is a significant input of Local Plan 2017 Policy H6 Affordable Housing, which indicated the demands for a range of housing sizes, types and tenures in Coventry and its wider housing market area. In the first instance, the assessment established that there was a demand for 2 and 3 bedroomed affordable homes, and this has been the basis for Coventry City Council's objective in seeking the delivery of affordable housing in the city. The breakdown of the housing demand and requirements established in the SHMA is provided below:

SHMA 2015 Housing Mix Need

Market	1-bed	2-bed	3-bed	4-bed
	5-10%	25-30%	40-45%	20-25%

Affordable	1-bed	2-bed	3-bed	4-bed
	20-25%	30-35%	25-30%	15-20%

5.6 However, as Policies H4 and H6 state, to ensure that the evolving needs of the city can be met, this requirement has some degree of flexibility. The breakdown of needs provided by the SHMA should be the starting point for any discussion with the Council as to the delivery of an appropriate mix of affordable housing.

- 5.7 Information provided by Registered Providers as well as data from Coventry City Council Housing indicates a rising need for family sized housing, which includes 2, 3 and 4-bedroomed homes. This reflects the changing social needs of the city and affordability pressures experienced within Coventry.
- 5.8 It is the objective of the City Council to relieve the affordable housing pressures that the city is experiencing. The significant number of family households on the Housing Register indicates a deficit in the availability of affordable family homes in the city.
- 5.9 It is expected that the delivery of on-site affordable housing will reflect the housing types that are required to meet the affordable housing needs of the city and as such, the Council expects an affordable housing mix in accordance with the figures set out below. These utilise the need identified in the 2015 SHMA, but maximise this mix to meet the demand arising from the increasing numbers of family-sized households on the city's Housing Register.

Affordable	1-bed	2-bed	3-bed	4-bed
	20%	30%	30%	20%

- 5.10 Part 7 of Policy H6 establishes how affordable housing size and typology may be identified through dialogue with various interested parties to achieve the most appropriate and affordable housing type. This may vary spatially, as well as over time and between particular registered providers.
- 5.11 The City Council will actively seek the delivery of affordable housing that meets high of living standards. As such, the Council promotes the use, and reference of, the Nationally Described Space Standards as an initial framework in achieving affordable homes with satisfactory internal living space. Through active dialogue with the Council and registered providers, it is considered that this can be realistically achieved.
- 5.12 The delivery of affordable housing, where units are offered up to a Registered Provider, should take into consideration these standards but also the management regimen that will minimise costs and so, service charges payable.
- 5.13 The provision of high-quality design and space standards should also form part of a wider, holistic approach to affordable residential development. This will include consideration of access to outside, private amenity space as well as carefully considered development layouts.
- 5.14 Part 6 of Policy H6 outlines the general requirements of the Council for the integration of affordable homes within a residential development. It is envisaged that affordable homes, of any tenure, should be provided within residential development in appropriate locations that promote this integration. This will be informed through the evolution of design proposals, with commensurate inputs from the Council and affordable housing providers. Realistic management practices will form part of this process to minimise costs and retain affordability in perpetuity.
- 5.15 Within flatted developments, communal facilities provided as part of any proposal should be accessible by all residents. This ensures that affordable housing residents are not indirectly discriminated against through the final built design of any development

and maintains social integration and cohesiveness.



Example of Affordable Housing at Stretton Avenue, Coventry – Image courtesy of Citizen

Co-living proposals and build to rent

- 5.16 Coventry City Council recognise the ongoing evolution and diversification of the national housing market which has resulted in the emergence of new housing typologies to cater for demands of innovative forms of housing.
- 5.17 Build to rent properties are developed for the sole purpose of being rented rather than for sale. Typically, build to rent properties are contained within purpose built new-build blocks of apartments, with additional facilities and services often provided within the development. Build to rent is observed to provide more certainty to tenants by providing long-term leases.
- 5.18 Co-living is recognised as a form of housing to bridge the gap between highly managed student accommodation and unregulated house-sharing for younger people and those seeking alternative, niche accommodation types. It is a housing product that is regarded as more affordable, but also offers a lifestyle that is a communal and collaborative that also maintains a strong sense of independence for individual residents.

*

- 5.19 The City Council is keen to ensure that new housing types such as co-living and build to rent can be realised and delivered in the city which can contribute towards meeting the housing needs of the city, but also the demands of the market arising from various demographic groups of the community
- 5.20 National Planning Policy confirms that affordable housing within build to rent development should be provided in the form of affordable private rent. The affordable private rent and market rent units should be managed in conjunction by a single build to rent landlord. In line with National planning practice guidance, affordable rent provided in build to rent schemes to be made available at least 20% discount on market rent. Planning Practice Guidance states that other routes can be used to meet this affordable housing requirement such as a commuted payment and/or other forms of affordable housing as defined in the National Planning Policy Framework glossary. Such payments can be accepted if an agreement is reached between the developer and Local Authority and would need to include discussions and agreement of the clawback arrangements in the instance of the BtR development being sold on.
- 5.21 It is considered that co-living developments will not be suitable to provide on-site affordable housing units given the high level of management required, the size standards of individual units and the extent of shared and communal facilities. Management of such sites therefore is prohibitive in providing on-site affordable housing.
- 5.22 However, the Council will seek an off-site financial contribution in-lieu of on-site physical provision of affordable housing. This financial payment, in the form of a commuted sum, will be calculated utilising the formula referenced in Part 7 of this Supplementary Planning Document.

Advanced Methods of Construction

- 5.23 The City Council recognises that advanced methods of construction ('AMC') can provide a cheaper and more efficient means of achieving affordable housing products. This can reduce issues around viability and assist in delivering affordable housing in contexts which may prohibit more traditional methods of construction.
- 5.24 Furthermore, it is considered that advanced methods are also more likely to achieve higher level of energy efficient and so reduce energy costs for residents, whilst also contributing towards a net zero carbon future.
- 5.25 Although examples of AMC affordable housing are limited in Coventry, there are instances where advanced methods of construction have delivered housing of high and sustainable quality. Citizen Housing have delivered modular homes, a form of AMC, in Coventry, an image of which can be seen below.



Modular housing delivered at Littlethorpe, Coventry by Citizen Housing (image courtesy of Citizen)

5.26 Affordable housing products are also being delivered via AMC within the wider West Midlands metropolitan area. Birmingham Municipal Housing Trust have initiated a programme in delivering affordable homes utilising modular methods that achieve a high level of sustainability and cost effectiveness that delivers homes of good quality, quickly.



Modular affordable home delivered in Birmingham – image courtesy of Birmingham Municipal Housing Trust

5.27 Coventry City Council will encourage proposals to deliver affordable homes via Advanced Methods of Construction, particularly in cases where it can overcome viability issues and contribute towards achieving high performing, energy-efficient homes.

6. Viability

6.1 The Council recognises that there may be circumstances that the provision of on-site affordable housing line with the requirements of Policy H6 will influence the viability of a development. This may be due to a variety of reasons and the Council stresses the need for applicants/developers to engage with the Council at the earliest opportunity if viability is recognised as a possible issue.

6.2 Policy H6 of the Local Plan 2017 establishes the provisions in regard to approaching viability at Part 5:

“5. Where the specified level of affordable housing cannot be provided, including for reasons of viability, robust evidence must be presented to justify a reduced or alternative form of contribution.”

6.3 Any application proposal which fails to meet the requirements of on-site affordable housing as maintained in Policy H6 will need to submit a viability assessment. This assessment should consider the following variables:

- Market evidence
- Comparable pricing
- Housing provider arrangements
- Developmental costing

6.4 The assessment should also consider the adjustment of value assumptions and/or profit margins to demonstrate how a scheme could be made viable, whilst maintaining compliance with the provisions of Policy H6.

6.5 If the submitted viability assessment demonstrates that issues exist, the Council may consider various options in the amending of affordable housing provision, this may include inter alia

- Reconfiguration of tenure mix;
- reduction in intermediate tenure levels (whilst balancing statutory requirements, i.e. First Homes provision);
- Commuted sums.

6.6 However, these will be considered on a case by case basis, dependent on the conclusions of the applicant's viability assessment and the needs of the City at that time.

6.7 The Council will not accept reduced provision of affordable housing on grounds of viability without appropriate demonstration of circumstances and will seek to maximise delivery of affordable housing in all cases. Receipt of alternative contribution may be accepted where other avenues have been exhausted.

6.8 The District Valuer, or an independent assessor engaged at the cost of the applicant, may also be employed to assist in engaging with the viability assessment to maximise the realistic delivery of affordable housing.

6.9 The price paid for land cannot be utilised as a consideration within any viability assessment. The same assessment cannot be used to nullify the requirements of Policy H6 nor determine the delivery of affordable housing on-site, or off-site.

6.10 Matters of viability will be entertained by the Council on the merits of individual applications, on a site by site basis. However, where proposals include the redevelopment of vacant buildings for residential use, the Council will consider reduction in affordable housing provision on the basis outlined in Paragraph 64 of the National Planning Policy Framework (2021);

“[...] where vacant buildings are being reused or redeveloped, an affordable housing contribution due should be reduced by a proportionate amount²⁸.”

6.11 This reduction of provision on the basis of redevelopment of brownfield land is also known as Vacant Building Credit as initially implemented by Ministerial Statement November 2014⁴. It is intended that by reducing affordable housing provision on vacant brownfield sites, it will encourage re-use of previously developed land over that on greenfield sites, in line with the objectives of both national and local policy.

6.12 Coventry City Council will consider reduced affordable housing provision on redeveloped brownfield sites where developers are able to demonstrate vacancy of more than 12 months. This is not applicable to buildings that have been abandoned. Such matters will be considered on a case by case basis in line with the requirements of the adopted Local Plan and with national planning practice guidance on the application of Vacant Building Credit.

6.13 The calculation in the reduction of affordable housing provision is linked to the existing gross internal floor space of the vacant building to be brought into lawful residential use or demolished to facilitate redevelopment. A value-credit, equivalent to this floorspace quantum, will be applied to the prevailing affordable housing provision required in Policy H6 to calculate the reduction in affordable housing provision provided on the redeveloped site.

6.14 In practice, the formula to calculate this credit would be as follows:

$$(A - B / A) * C = D$$

A = Proposed residential floor space to be delivered

B = Existing floor space of the existing building(s)

C = Affordable Housing Requirement of Policy H6 (25%)

D = The Reduced Delivered Affordable Housing Requirement

⁴ <https://publications.parliament.uk/pa/cm201415/cmhansrd/cm141128/wmstext/141128m0001.htm>

7. Alternative Contributions

Alternative Contribution through an Alternative Location

- 7.1 In the first instance where a reduced on-site provision is not possible to overcome demonstrable viability issues, the Council may consider alternative options as a contribution towards the provision of affordable accommodation in the City.
- 7.2 The Council expects there to be an identification of suitable sites within a reasonable distance of the development site to accommodate affordable housing and is also referred to as “off-site” provision. This off-site delivery via an alternative site however must in a location with the same, or greater need, for affordable housing as the original development site. This is to ensure that delivery of affordable housing can adequately meet the needs of the City’s communities.
- 7.3 Delivery of affordable housing on an alternative site should be of the same number and cost of delivery of affordable housing on the development site. Furthermore, the mix must be in accordance with the requirements of Policy H6, if market housing is to be delivered alongside on the alternative site, to ensure the realisation of healthy and mixed communities.
- 7.4 The alternative site must benefit from the same advantages and access to amenities and services for potential occupants as the original development site. Applicants may be required to demonstrate consideration of other potential alternative sites and that they have broadly similar characteristics and sustainability credentials.
- 7.5 The Council may accept purchase of housing units in the City by the applicant to be made available on an Affordable/Social Rent basis. This should replace any on-site affordable housing provision, where an alternative site is not achievable. The purchase of units as an alternative option should be equal to, in number and cost, as the delivery of on-site affordable housing. This is to ensure that there is no material difference, or loss between on-site delivery and the alternative options considered.
- 7.6 Consideration of alternative locations to provide affordable housing in replacement of on-site delivery, will on a site by site and proposal by proposal basis. It is recognised that a “one size fits all” approach is not appropriate and would not reflect the needs of the City at that particular time. The consideration will be negotiated between representatives of the Council and the applicants.
- 7.7 Furthermore, it is recognised that the delivery of off-site affordable housing provision may result in a material benefit to the developer. This is because the original development site, will deliver a mix of 100% market dwellings. As such, the Council will seek an increased proportion of affordable units on an alternative site as off-site provision, to off-set the resultant increase in market dwellings on the original development site. This will be equal to an additional 25%. A worked example is shown below for clarity:

Worked proposal example of 100 dwellings for on-site and off-site affordable housing provision			
1. On-site provision			
2. Off-site provision			
	Market Dwelling	Affordable Housing Requirement	Total Dwellings
1. On-site provision	75 (on-site)	25 (on-site)	100
2. Off-site provision	100 (on-site)	31 (off-site)	131

- 7.8 The examples in the table above demonstrate how the Council will seek an enhanced provision of affordable housing where it has been agreed with the Council that on-site delivery is not viable.
- 7.9 Example 1 in the table establishes a development of 100 dwellings that is compliant with the provisions of Policy H6, a split between 75 market dwellings and 25 affordable units. This reflects the 25% affordable housing requirement of Policy H6.
- 7.10 Example 2 demonstrates the arrangement where no affordable housing is delivered on-site, but rather delivered through an alternative mechanism off-site.
- 7.11 As can be seen, the Council will seek an increased off-site provision to counterbalance the resulting increase of the market housing numbers that would be achieved on-site. This will be through 25% uplift on the original 25% proportion of affordable housing that is required at Policy H6:
- Total market dwellings delivered on-site: 100
 - 25% proportion of total on-site market units as affordable housing requirement: 25
 - Implementing the additional 25% uplift to the affordable housing figure: 6.25
 - Total off-site affordable provision: 31 (rounded to nearest unit)

Alternative Contribution as a Commuted Sum

- 7.12 In the case where a suitable, alternative location to deliver affordable housing cannot be identified, the Council will consider alternative contribution by way of a commuted sum paid to the Council. This will be on the basis where alternative delivery opportunities have been clearly and demonstrably exhausted.
- 7.13 Where the Council accepts a submitted viability assessment which demonstrates that reduced on-site provision of affordable housing as an option to achieve a deliverable scheme, and a suitable alternative location cannot be achieved, a commuted sum may be considered.
- 7.14 This alternative contribution in most cases will take the form of a financial payment to Coventry City Council secured via a Section 106 Agreement. This payment will be

equal in amount to the costs of on-site affordable housing provision and will be utilised by the Council to achieve affordable housing through different means in the City.

- 7.15 Similarly, to off-site physical delivery, the receipt of commuted sums should reflect the material benefit to the developer of not providing any on-site affordable. The commuted sum paid to the Council should reflect this difference and, therefore, it should not be just the net worth of the delivery of on-site affordable units, but should reflect the increased proportion of market dwellings delivered as result of the agreed alternative contribution. This will take into account the viability assessment and will be agreed through detailed arrangements within a Section 106 Agreement.
- 7.16 The Council will retain the commuted sums on deposit for a period of up to 5 years and if the sum is not used, the amounts will be repaid to the applicant, inclusive of interest. This is implemented in the same process as all other financial Section 106 planning obligations.
- 7.17 The reason for seeking an alternative contribution is to ensure that any development that would otherwise be required to provide affordable housing under Policy H6 fairly contributes towards the provision of affordable housing in the City, irrespective of viability status. This ensures that the needs of the city can be met and that all citizens of Coventry are able to access truly affordable homes.
- 7.18 It is the objective of the Council that through commuted sums, development coming forward in Coventry, in cases of poor viability, will maintain delivery of affordable housing to meet the needs of the City.
- 7.19 In circumstances where management arrangements cannot be agreed with a Registered Provider for on-site affordable housing, particularly on affordable products managed by providers, a commuted sum may be accepted as an alternative. However, this will only be considered once the Council has also had the opportunity to consider concluding an agreement with the developer for the units themselves. In all instances, the Council will insist on strong and demonstrable evidence that an agreement has not been reached between the applicant and a registered provider. This can be in any form of evidence but should be independently verifiable.
- 7.20 In some cases, alternative disposal of affordable housing may be considered on a case by case basis.
- 7.21 The formula for calculating the commuted sum is;

$$A - B = C$$

Where:

A is the Open Market Value of the affordable unit not being delivered on-site. This value must be demonstrated by the developer via relevant, recent local examples supported by an independent valuation from a RICS accredited professional

B is the value that a Registered Provider would purchase the unit for, on the basis of it being an affordable unit. The developer should demonstrate this value with written evidence from at least two recognised RPs. If this is not available, the Council will take an average of recent RP transactions of similar units.

C is the commuted sum as it is the difference between A and B, and is considered the cost of developing that affordable unit elsewhere.

It is noted that an alternative calculation is provided within the Local Plan for use in the above scenario, and it remains open for applicants to use either approach. The use of Residual Land Value to determine the commuted sum will require the applicant to robustly demonstrate the accuracy of the RLV calculations, and may be subject to independent analysis, following the same process as a Viability Report, including the reasonable cost of such independent analysis being passed to the applicant.

8. Management, Affordability and Perpetuity

Registered Providers

- 8.1 Affordable homes available for Social or Affordable Rent and Shared Ownership (as part of an intermediate product) must be offered up to a Registered Provider (previously known as a Registered Social Landlord) to manage and make properties available at a discounted rate. Coventry City Council does not manage or own any affordable homes and, as such, these products must be offered up to a Registered Provider through the legal framework of a Section 106 Agreement.
- 8.2 Coventry City Council have a preferred list of Registered Providers. These Providers are organisations that we are well established in the City and have a strong relationship with the Council in providing affordable homes in the city.
- 8.3 These preferred Registered Providers are as follows:
- **Citizen Housing**
 - **Midland Heart**
 - **Orbit**
 - **Stonewater**
 - **Optivo**
 - **Clarion**
 - **Platform**
- 8.4 If for any reason an applicant/developer wishes to offer their affordable housing provision to a Provider not referenced on the list above, evidence and details of this provider will need to be made available. It will need to be shown whether the provision of affordable housing is deliverable with an alternative Registered Provider. It is at the Council's discretion to accept an alternative provider and the preference is to work with a listed Provider.

Community-Led Affordable Housing Delivery

- 8.5 It is recognised that where management constraints exist that prevent Registered Providers from entering into management regime of Affordable/Social Rent on a residential development site, options need to be considered to ensure that on-site provision can be delivered and maintained.
- 8.6 Community-led affordable housing may provide an alternative option in ensuring the delivery of physical affordable homes on a residential site.

8.7 Coventry City Council will work with community groups to deliver 100% affordable housing schemes and as alternative organisations to act as managing bodies for on-site Affordable/Private Rented or shared-ownership properties. Furthermore, the same community-led organisations will be encouraged to offer housing units on an intermediate basis, across a variety of tenure types, including discounted properties at point of sale.

Other Affordable Products

- 8.8 Availability and management arrangements for other affordable housing types vary according to their tenure.
- 8.9 It is considered that the provision of affordable, private rented accommodation will be retained and managed by the developer (also known as Built to Rent or Private Rented Sector). Agreements are made between tenants and the managing-developer directly on a discounted basis to ensure affordability in perpetuity.
- 8.10 The availability of intermediate products, including shared ownership, equity loans and discounted market sale will be directly via the developer and/or housebuilder. However, it is expected that the basis of this intermediate provision will reflect particular arrangements of the product and the developers.
- 8.11 It is considered that the new developments, which will include affordable housing provision on-site, will also offer an appropriate number of First Homes for those eligible to benefit from discounts provides through the First Homes scheme.
- 8.12 The Council also considers the delivery of self-build homes can assist in addressing the affordable housing needs of the city. There may be instances where such products provide bespoke homes that are available on an affordable basis in perpetuity.

Affordability, Occupancy and Perpetuity

- 8.13 A legal agreement will maintain rental levels, service costs and shared ownership fees that are truly affordable. The Council requires that prior to the marketing of affordable homes, the housing team should be contacted to agree the market values and so the discount in accordance with national requirements.
- 8.14 Where a Registered Provider is not involved in the perpetual management of an Affordable rented product, a legal agreement will be required to secure that affordable rental levels are maintained for future residents. However, any Social Rented units must be managed in perpetuity by a Registered Provider.
- 8.15 If affordable housing provision is removed, or withdrawn due to redevelopment or other such action, the Council requires replacement provision within the City. If physical replacement provision has been demonstrated as undeliverable, a clawback payment will be required. This will be calculated in line with the provisions of Planning Practice Guidance Paragraph: 008 Reference ID: 60-008-20180913.⁵
- 8.16 Eligibility of occupancy will be based on the Council's own framework of housing need, which informs the housing register for those residents registering need for social housing.

⁵ Planning Practice Guidance <https://www.gov.uk/guidance/build-to-rent>

9. Implementation and Section 106

- 9.1 Coventry City Council recognises the complexity and difficulty that the Section 106 negotiation and agreement process entails. The Section 106 Agreement is the preferred legal mechanism that ensures the lawful transfer of affordable rental properties to a Registered Provider on a perpetually affordable basis.
- 9.2 In cases where exceptional circumstances have been demonstrated, the Council may consider securing affordable housing through planning condition or the submission of a Unilateral Undertaking by an applicant in respect of planning obligations. A Section 106 Agreement remains the preferred delivery mechanism for affordable housing in the City.
- 9.3 This agreement will also establish that rental levels, services charges and other costs associated with shared ownership are, and remain, affordable. These costs should reflect a material discount from the general market rate, of at least 20% as a minimum discounted rate.
- 9.4 To provide some easement to the production of an acceptable Section 106 Agreement, the Council has provided the precedent template at Appendix 2
- 9.5 2. It is considered that this will provide the basis in developing a mutually satisfactory Section 106 Agreement which is able to deliver achievable affordable housing, across a variety of tenures and facilitatory mechanisms. This will also include timings for payments to be made to the Council, where applicable and occupational requirements for affordable units delivered.

Appendix 1 – Nationally Described Space Standards

Minimum gross internal floor areas and storage (m²)

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37)*			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Notes

1. Built-in storage areas are included within the overall GIAs and include an allowance of 0.5m² for fixed service or equipment such as hot water cylinder, boiler or heat exchanger.
2. GIAs for one storey dwellings include enough space for one bathroom and one additional WC (or shower room) in dwellings with 5 or more bed spaces. GIAs for two and three storey dwellings include enough space for one bathroom and one additional WC (or shower room). Additional sanitary facilities may be included without increasing the GIA provided that all aspects of the space standard have been met.
3. Where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m², as show bracketed.
4. Furnished layouts are not required to demonstrate compliance

APPENDIX 2

Schedule

Affordable Housing

Part 1.

1. Definitions

The following definitions and rules of interpretation apply in this Schedule:

“Additional First Homes Contribution”

means in circumstances where a sale of a First Home other than as a First Home has taken place in accordance with paragraphs 6.18, 6.19 or 6.26 of this Schedule, the lower of the following two amounts:

- a) 30% of the proceeds of sale; and
- b) the proceeds of sale less the amount due and outstanding to any Mortgagee of the relevant First Home under relevant security documentation which for this purpose shall include all accrued principal monies, interest and reasonable costs and expenses that are payable by the First Homes Owner to the Mortgagee under the terms of any mortgage but for the avoidance of doubt shall not include other costs or expenses incurred by the First Homes Owner in connection with the sale of the First Home

and which for the avoidance of doubt shall in each case be paid following the deduction of any SDLT payable by the First Homes Owner as a result of the disposal of the First Home other than as a First Home.

“Affordable Housing”

means subsidised Social Rented Housing, Affordable Rented Housing, Affordable Private Rented Housing and Intermediate Housing provided to eligible households whose needs are not met by the market where eligibility is determined with regard to local incomes and local house prices. Such housing should include provisions to remain at an affordable price for future eligible households or for the

subsidy to be recycled for alternative Affordable Housing provision in accordance with Homes England requirements;

“Affordable Housing Commuted Sum”

means $A - B = C$

A is the open market value of the Affordable Housing Unit not being delivered on the Site (i.e. as if it were a Market Housing Unit free from the restrictions to provide it as an Affordable Housing Unit). The value must be demonstrated by the Owner by relevant recent local examples supported by an independent valuation from a RICS accredited professional;

B is the value at which a Registered Provider would be prepared to purchase the Affordable Housing Unit(s) on the basis that it is an Affordable Housing Unit subject to the relevant restrictions set out Schedule 2 of this Deed. The Owner should demonstrate this value with written evidence from at least two recognised Registered Providers PROVIDED THAT in the event that it is not reasonably practicable or possible to obtain such written evidence then the value shall be assumed to be 50% of the value of A; and

C is the Affordable Housing Commuted Sum, being the difference between A and B, and considered to be the cost of developing the Affordable Housing Unit elsewhere;

“Affordable Housing Provider”

means a provider of Affordable Housing including Registered Providers and any other body which may deliver Affordable Housing within the city;

“Affordable Housing Scheme”

means a scheme for the provision of Affordable Housing and First Homes including the location mix size tenure and type of each Affordable Housing Unit;

“Affordable Housing Scheme Document”

means a document which sets out details of the Affordable Housing Scheme and which covers matters to be approved by the Council under this Schedule subject to any later variation of such documents as may be agreed in writing between the Council and the Owner from time to time;

“Affordable Housing SPD”

means the Supplementary Planning Document – Affordable Housing adopted by the Council’s Planning Committee in [INSERT DATE];

“Affordable Housing Unit”

means each and every affordable housing unit to be constructed pursuant to the Development as part of the Affordable Housing Scheme;

“Affordable Private Rented Housing”	means housing let by a landlord who is not a Registered Provider which is subject to a rent of no more than 80% of the local Market Rent (including Service Charges, if any) and is to remain as such in perpetuity;
“Affordable Rented Housing”	means housing let by Registered Providers to households who are otherwise eligible for Social Rented Housing but where the affordable rent is subject to controls that require a rent of no more than 80% of the local Market Rent (including Service Charges, if any). For the purposes of this Deed, Affordable Rented Housing shall not be substituted for Social Rented Housing. Affordable Rented Housing is to remain as such in perpetuity;
“Armed Services Member”	means a member of the Royal Navy, the Royal Marines, the British Army or the Royal Air Force or a former member who was a member within the five (5) years prior to the purchase of the First Home, a divorced or separated spouse or civil partner of a member or a spouse or civil partner of a deceased member or former member whose death was caused wholly or partly by their service;
“Base Rent”	means the annual rent of each individual Affordable Housing Unit divided by the number of weeks over which such rent is collected in each year excluding the Service Charge;
“Choice Based Lettings Schemes”	means a scheme between the Council and Registered Providers who provide Social Rented Housing within the Council’s area comprising arrangements for the priority allocation of such housing;
“Cluster”	shall mean a group of Affordable Housing Units which does not have contiguous boundaries with another group of Affordable Housing Units;
“Compliance Certificate”	means the certificate issued by the Council confirming that a Dwelling is being disposed of as a First Home to a purchaser meeting the Eligibility Criteria (National) and unless paragraph 6.12 applies the Eligibility Criteria (Local) [in the form at Annex [1]]
“Development Standard”	means a standard to fully comply with the following:- <ul style="list-style-type: none"> a) "Technical housing standards – nationally described space standards" published by the Department for Communities and Local Government in March 2015 b) all national construction standards and planning policy relating to design which may be published by the Secretary of State or by the Council from time to time

c) Part 2 of Secured by Design standards published by Police Crime Prevention Initiatives Limited

d) Optional requirement M4(2) of Building Regulations 2010 (Part M) (Accessible and Adaptable Dwellings) [*and*

e) local requirements as set out in adopted local plan]

and the same may be amended by written agreement of the Parties in accordance with paragraph 6.10(a)

“Discount Market Price”

means a sum which is the Market Value discounted by at least 30%;

“Disposal”

means a transfer of the freehold or (in the case of a flat only) the grant or assignment of a leasehold interest in a First Home other than:

a) a letting or sub-letting in accordance with paragraphs 6.23 – 6.25

b) a transfer of the freehold interest in a First Home or land on which a First Home is to be provided before that First Home is made available for occupation except where the transfer is to a First Homes Owner

(c) an Exempt Disposal

and “Disposed” and “Disposing” shall be construed accordingly

“Discounted Market Sale Housing”

means each and every Affordable Housing Unit comprising Intermediate Housing as may be included within the Affordable Housing Scheme approved by the Council and designated for sale by the Owner to Local People at a discount from Market Value. Such discount shall be sufficient to enable each of the relevant Affordable Housing Units to meet the criteria of Affordable Housing and in any event shall not be less than 25% of the Market Value as shall be determined at the point of sale of each such Discounted Market Sale Housing unit in perpetuity;

“Dwelling”

means any single dwelling unit constructed on the Land as part of the Development intended for occupation by one or more private individuals;

“Eligibility Criteria (National)”

means criteria which are met in respect of a purchase of a First Home if:

a) the purchaser is a First Time Buyer (or in the case of a joint purchase each joint purchaser is a First Time Buyer); and

b) the purchaser’s annual gross income (or in the case of a joint purchase, the joint purchasers’ joint

annual gross income) does not exceed the Income Cap (National).

“Eligibility Criteria (Local)”

means criteria (if any) published by the Council at the date of the relevant disposal of a First Home which are met in respect of a disposal of a First Home if:

- a) the purchaser’s annual gross income (or in the case of a joint purchase, the joint purchasers’ joint annual gross income) does not exceed the Income Cap (Local) (if any); and
- b) any or all of criteria (i) (ii) and (iii) below are met:
 - (i) the purchaser meets the Local Connection Criteria (or in the case of a joint purchase at least one of the joint purchasers meets the Local Connection Criteria); and/or
 - (ii) the purchaser is (or in the case of a joint purchase at least one of the joint purchasers is) an Armed Services Member and/or
 - (iii) the purchaser is (or in the case of a joint purchase at least one of the joint purchasers is) a Key Worker

[it being acknowledged that at the date of this agreement the Council has not prescribed any Eligibility Criteria (Local) in respect of the disposal of a First Home.]

“Exempt Disposal”

means the Disposal of a First Home in one of the following circumstances:

- a) a Disposal to a spouse or civil partner upon the death of the First Homes Owner
- b) a Disposal to a named beneficiary under the terms of a will or under the rules of intestacy following the death of the First Homes Owner
- c) Disposal to a former spouse or former civil partner of a First Homes Owner in accordance with the terms of a court order, divorce settlement or other legal agreement or order upon divorce, annulment or dissolution of the marriage or civil partnership or the making of a nullity, separation or presumption of death order
- d) Disposal to a trustee in bankruptcy prior to sale of the relevant Dwelling (and for the avoidance of doubt paragraph 6.26 shall apply to such sale)

Provided that in each case other than (d) the person to whom the disposal is made complies with the terms of paragraphs 6.23 – 6.25;

“First Home”

means a Dwelling which may be disposed of as a freehold or (in the case of flats only) as a leasehold property to a First Time Buyer at the Discount Market Price and which on its first Disposal does not exceed the Price Cap;

“First Homes Owner”

means the person or persons having the freehold or leasehold interest (as applicable) in a First Home other than:

- a) the Developer; or
- b) another developer or other entity to which the freehold interest or leasehold interest in a First Home or in the land on which a First Home is to be provided has been transferred before that First Home is made available and is disposed of for occupation as a First Home; or
- c) the freehold a tenant or sub-tenant of a permitted letting under paragraphs 6.23 – 6.25

“First Time Buyer”

means a first time buyer as defined by paragraph 6 of Schedule 6ZA of the Finance Act 2003;;

“Homes England”

means Homes England as established under the Housing and Regeneration Act 2008;

“Income Cap (Local)”

means [X]

or such other local income cap as may be published from time to time by the Council and is in force at the time of the relevant disposal of the First Home [it being acknowledged that at the date of this agreement the Council has not set an Income Cap (Local)]

“Income Cap (National)”

means:

- a) in the case of a First Home situated within the administrative area of any London Borough Council (including the City of London), ninety thousand pounds (£90,000); and
- b) in the case of any other First Home, eighty thousand pounds (£80,000)

or such other sum as may be published for this purpose from time to time by the Secretary of State and is in force at the time of the relevant disposal of the First Home;

“Initial Let”	means the first tenancy of each newly constructed and previously unoccupied Affordable Housing Unit to be offered for rent within the Development;
“Independent Valuer”	means a member of the Royal Institution of Chartered Surveyors appointed by the Owner at its own cost but first approved in writing by the Council, and the phrase “Independent Valuers” shall be construed accordingly;
“Intermediate Housing”	means housing for sale or rent (on a Shared Ownership basis) provided at a cost above Social Rented Housing but below Market Value or Market Rent meeting the criteria of Affordable Housing. Such housing may include Shared Equity products (but not shared equity loans under the Homes England Help to Buy Scheme), Shared Ownership, Intermediate Rent, Discounted Market Sale Housing, First Homes or other approved affordable home ownership products (where a discount or subsidy from Market Value applies to provide for affordability) as may be agreed in writing between the Owner, the Registered Provider and the Council to be provided as agreed with the Council prior to the Commencement of Development;
“Intermediate Rent”	means Affordable Housing available for private letting either through the Owner or a Registered Provider at a Base Rent above that for Social Rented Housing but below Market Rent subject to the Base Rent and Service Charge (if any) for an Affordable Housing Unit comprising Intermediate Rent not exceeding 80% of the Market Rent and 80% of the Service Charge (if any);
“Local Help to Buy Agent”	means the organisation approved by Homes England from time to time to administer its affordable home ownership programme;
“Key Worker”	[such categories of employment as may be designated and published by the Council from time to time as the “First Homes Key Worker criteria” and is in operation at the time of the relevant disposal of the First Home and for the avoidance of doubt any such replacement criteria in operation at the time of the relevant disposal of the First Home shall be the “Key Worker” criteria which shall apply to that disposal it being acknowledged that at the date of this agreement the Council has not designated any categories of employment as Key Worker]
“Local Connection Criteria”	[such local connection criteria as may be designated and published by the Council from time to time as its “First Homes Local Connection Criteria” and which is in operation at the time of the relevant disposal of the First Home and for the avoidance of doubt any such criteria or

replacement criteria in operation at the time of the relevant disposal of the First Home shall be the “Local Connection Criteria”. which shall apply to that disposal it being acknowledged that at the date of this agreement the Council has not designated any criteria as Local Connection Criteria.]

“Local People”

means persons who:

- a) in the case of Affordable Housing comprising Social Rented Housing or Affordable Rented Housing in Coventry are eligible to obtain such Affordable Housing under the Choice Based Lettings Scheme;
- b) in the case of Intermediate Housing have a total household income at or below the average household income level for Coventry as published by the Council at the point of sale or letting of the Affordable Housing Unit comprising Intermediate Housing and who:
 - i) live within Coventry; or
 - ii) are moving to Coventry to take up employment or to be near to relatives resident within Coventry;

“Market Housing Unit”

means each and every Dwelling (other than an Affordable Housing Unit or First Home) to be constructed pursuant to the Development;

“Market Rent”

means the market rent of a Dwelling at the point of letting on the assumption that the Dwelling is a Market Housing Unit and not an Affordable Housing Unit;

“Market Value”

means the market value of the relevant Affordable Housing Unit or First Home at the point of sale as validated by an accredited independent valuer being a member of a relevant recognised professional body engaged in surveying and/or valuation (“Independent Valuer”) on the assumption that the Dwelling was otherwise a Market Housing Unit and not an Affordable Housing Unit or First Home;

“Mortgagee”

means any financial institution or other entity regulated by the Authority and the Financial Conduct Authority to Prudential Regulation provide facilities to a person to enable that person to acquire a First Home including all such regulated entities which provide Shari’ah compliant finance for the purpose of acquiring a First Home

“Practical Completion”

means completion of the construction of any Market Housing Unit, First Home or Affordable Housing Unit together with all associated infrastructure works and service connections to such a standard that any such Market Housing Unit, First Home or Affordable Housing

Unit is fit for human habitation, free of patent defects and complies with the Planning Permission to enable beneficial Occupation;

“Price Cap”

means the amount for which the First Home is sold after the application of the Discount Market Price which on its first Disposal shall not exceed [Two Hundred and Fifty Thousand Pounds (£250,000) or Four Hundred and Twenty Thousand Pounds (£420,000)] if the First Home is situated within the administrative area of any London Borough Council including the City of London or such other amount as may be published from time to time by the Secretary of State

“Registered Provider”

means a provider of Social Housing who is registered with Homes England under Part 2 of the Housing and Regeneration Act 2008 who is either on the Council’s list of preferred Registered Providers as set out at Appendix 2 of this deed or any other provider of Social Housing who is agreed in writing with the Council;

“Retail Price Index”

means the Retail Price Index published by the Office for National Statistics (or such other index as may be agreed between the parties);

“SDLT”

means Stamp Duty Land Tax as defined by the Finance Act 2003 or any tax replacing it of like effect;

“Secretary of State”

means the Secretary of State for Levelling Up, Housing and Communities from time to time appointed and includes any successor in function;

“Service Charge”

means the amount chargeable by the Owner, landlord, Affordable Housing provider or Registered Provider as the case may be to the tenant of each Affordable Housing Unit to cover services to be provided by the Owner or Registered Provider having regard to the Landlord and Tenant Acts 1985 and 1987 as amended;

“Shared Equity”

means Intermediate Housing where the purchaser acquires an Affordable Housing Unit in part with a conventional mortgage (usually up to 75% of the Dwelling’s Market Value including deposit) from a lender offering mortgages for residential property purchase together with an equity loan provided by the Registered Provider or Owner as applicable for the balance of the Market Value in accordance with a detailed scheme to be agreed with the Council prior to commencement of construction of any Affordable Housing Unit intended for sale on such terms;

“Shared Ownership”

means housing provided by a Register Provider or the Owner as applicable which is made available on the basis

of rent and part sale in proportions agreed between the relevant seller and the buyer/tenant;

“Social Housing”

means housing for either low cost rental or low cost home ownership as defined in Part 2 of the Housing and Regeneration Act 2008 and which meets the criteria of Affordable Housing set out in the deed;

“Social Rented Housing”

means housing owned by local authorities and private Registered Providers which is subject to Homes England guidance target rents regime and which is made available to people who are registered under the Choice Based Lettings Scheme to be provided as agreed with the Council prior to the Commencement of Development.

"Valuer"

means a Member or Fellow of the Royal Institution of Chartered Surveyors being a Registered Valuer appointed by the First Homes Owner and acting in an independent capacity.

Part 2.

2. Affordable Housing

2.1. The Owner covenants with the Council as follows:

- 2.1.1. Not less than 4 weeks prior to the Commencement Date, the Owner, after having consulted with the Council in accordance with clause 2.1.2 to this Schedule shall submit to the Council for its formal written approval the Affordable Housing Scheme (to be set out in an Affordable Housing Scheme Document) which provides that 25% of the total number of Dwellings comprised in the Development will be provided as Affordable Housing with [Insert quantum of affordable housing tenures here] (“the Affordable Housing Scheme”) in accordance with Annex 2 to the NPPF, the Affordable Housing SPD and taking into account the requirements set out in the remainder of this Schedule and Appendix 2.
- 2.1.2. Prior to submitting the Affordable Housing Scheme Document to the Council for approval as referred to at clause 2.1.1 of this Schedule the Owner shall consult the Council on the scope of the Affordable Housing Scheme including but not limited to the location, phasing, delivery, programme, arrangements for transfer of the Social Rented Housing to a Registered Provider, arrangement for transfer of the Affordable Private Rented Housing to a Affordable Housing Provider and operation/management of Intermediate Housing, type, mix, tenures and sizes, of the Affordable Housing Units to be provided being representative of the range of Dwelling types to be included in the Development as a whole as provided for by the Planning Permission.
- 2.1.3. Not to Commence Development or allow or permit the Commencement of Development until the Affordable Housing Scheme has been submitted to and approved in writing by the Council under clauses 2.1.1 and 2.1.2 of this Schedule.
- 2.1.4. To provide the Affordable Housing Units in accordance with the Affordable Housing Scheme set out in the Affordable Housing Scheme Document approved in writing by the Council.

- 2.1.5 No more than 60% of the Market Housing Units shall be occupied until the Affordable Housing Units being provided in accordance with the Affordable Housing Scheme Document approved by the Council have been constructed and transferred to a Registered Provider, an Affordable Housing Provider or the Council, as the case may be (save in respect of any Affordable Housing Units being disposed of direct to eligible Local People or in accordance with the First Homes criteria set out in Part 6) and written notification of such transfer has been given to the Council.
- 2.1.4. In the event the Owners elect to provide 100% Affordable Housing on the Development the following provisions shall apply:
- 2.1.4.1. they shall notify the Council in writing of the intention to provide 100% Affordable Housing prior to the first occupation of the first Dwelling;
- 2.1.4.2. they shall submit an Affordable Housing Scheme (“the Second Affordable Housing Scheme”) to the Council for approval for that Affordable Housing not covered by the First Affordable Housing Scheme within three (3) months of giving the written notice pursuant to clause 2.1.4.1;
- 2.1.4.3. in the event the election pursuant to clause 2.1.4.1 is to provide 100% Affordable Housing as part of the Development the balance will be provided as [] Social Rented Housing and [] Intermediate Housing (save as otherwise provided for in this Agreement);
- 2.1.4.4. they shall provide the Affordable Housing covered by the Second Affordable Housing Scheme in accordance with the Second Affordable Housing Scheme approved by the Council pursuant to clause 2.1.4.2; and
- 2.2. IT IS HEREBY AGREED THAT THE FOLLOWING PROVISIONS SHALL APPLY TO Affordable Housing Units provided pursuant to the Affordable Housing Scheme:
- 2.2.1. In respect of the Affordable Housing Units comprising Social Rented Housing and/or Affordable Rented Housing the Owner shall approach at least two Registered Providers or Affordable Housing Providers selected by the Owner to conclude an agreement for the transfer of those Affordable Housing Units to the Registered Provider or Affordable Housing Provider;
- 2.2.2 If the Owner cannot agree the transfer of those Affordable Housing Units comprising Social Rented Housing and/or Affordable Rented Housing with a Registered Provider or Affordable Housing Provider the Owner will approach the Council to offer the Council the opportunity to conclude an agreement for the transfer of those Affordable Housing Units comprising Social Rented Housing and/or Affordable Rented Housing to the Council;
- 2.2.3 If the Owner, after having approached at least four Registered Providers or Affordable Housing Providers and the Council is unable to dispose of the Affordable Housing Units the Owner may elect to take the steps set out in clause 2.5, below.
- 2.2.4 In respect of the Affordable Housing Units comprising Affordable Private Rented Housing the owner shall use all reasonable endeavours to conclude an agreement with an Affordable Housing Provider selected by the Owners for the transfer of those Affordable Housing Units to the Affordable Housing Provider;
- 2.2.5. In respect of the Affordable Housing Units comprising Intermediate Housing, the Owner may either:
- 2.2.5.1. transfer those Affordable Housing Units to a Registered Provider for letting or disposal as appropriate to Local People on a Shared Ownership basis; or

- 2.2.5.2. directly dispose of those Affordable Housing Units to eligible Local People on a Shared Equity basis in accordance with the requirements set out in Part 3 to this Schedule; or
 - 2.2.5.3. directly dispose of those Affordable Housing Units to eligible Local People on a Discounted Sale Affordable Housing basis in accordance with the requirements set out in Part 4 to this Schedule; or
 - 2.2.5.4. let those Affordable Housing Units to eligible Local People on an Intermediate Rent basis in accordance with the requirements set out in Part 5 of this Schedule; or
 - 2.2.5.5 directly dispose of those Affordable Housing Units on a First Homes basis in accordance with the requirements set out in Part 6 of this Schedule.
- 2.3. Pursuant to the preceding paragraphs of this Part of this Schedule, should it become necessary for the Owner to seek any alternative Registered Provider or Registered Providers to those specified in the Council's list of preferred Registered Providers set out in Appendix 2 to this deed the Owner shall give written notice to the Council specifying the reasons therefore and supplying appropriate evidence. The Owner shall consult with the Council on the selection of any such alternative Registered Provider and the Council's decision on selection shall be given in writing with both parties acting reasonably in the matter.
- 2.4. Following approval by the Council of an Affordable Housing Scheme under clause 2.1.1 of this Schedule, the Owner and the Registered Provider or the Affordable Housing Provider or the Council, as the case may be, in the case of Affordable Housing Units comprising Social Rented and/or Intermediate Housing (where the Registered Provider, Affordable Housing Provider or the Council is to acquire such Affordable Housing Units) may be permitted to agree alternative dwelling types and plot numbers in respect of such Affordable Housing Units provided they have the prior approval of the Council, in writing.
- 2.5 With the exception of First Homes. if despite using reasonable endeavours pursuant to paragraph 2.2.1 – 2.2.3 the Owner has been unable to dispose of the Social Rented Housing and/or Affordable Rented Housing to a Registered Provider, Affordable Housing Provider or the Council within [X] months of Commencement of Development (or such lesser period as the Council may agree in writing) then the Owner may thereafter elect to either:
- a) continue to try and dispose of the Social Rented Housing and/or Affordable Rented Housing in accordance with this Schedule; or
 - b) pay the Affordable Housing Commuted Sum.
- 2.6. From the date of Practical Completion of an Affordable Housing Unit, with the exception of First Homes, and its availability for Occupation it shall not be used other than for Affordable Housing save that all obligations in this Deed shall not be binding on:
- 2.6.1. a mortgagee or chargee or any receiver or manager (including an administrative receiver) appointed pursuant to the Law of Property Act 1925 of an Affordable Housing Unit or any part thereof exercising a power of sale in respect of a default by the then owner of the relevant Affordable Housing Unit; or
 - 2.6.2. a person acquiring one of the Affordable Housing Units pursuant to any form of statutory right to acquire binding upon the then owner of the relevant Affordable Housing Unit or the mortgagee chargee or receiver of the relevant Affordable Housing Unit following such acquisition; or
 - 2.6.3. a lessee of one of the Affordable Housing Units under a Shared Ownership scheme (if any) who has taken a transfer of the freehold reversion of that lease or who has staircased to 100% of the equity therein or the purchaser from or the mortgagee chargee or receiver of the lessee of that unit; or

2.6.4. or the successors in title to the parties listed in clauses 2.6.1, 2.6.2 and 2.6.3.

Part 3.

3. Shared Equity

- 3.1. Pursuant to Part 2 clause 2.2.5.2 of this Schedule, in respect of any Affordable Housing Units to be disposed of on a Shared Equity basis, the basis of the Shared Equity scheme is to be agreed with the Council as part of the Affordable Housing Scheme proposals to be submitted by the Owners under clause 2.1.2 of this Schedule.
- 3.2. The Shared Equity scheme under clause 2.2.5.2 of this Schedule shall take into account the following requirements:
- 3.2.1. The equity loan that the Owner would be required to provide (for the balance of purchase price remaining after a conventional mortgage including deposit have been taken into account) shall be to Local People who are eligible for the purchase of an Intermediate Housing unit on Shared Equity terms;
 - 3.2.2. The equity loan repayment period will be 10 years extendable at the discretion of the Owner with buyers able to make full or partial repayments (minimum of 5% of the Market Value) at any time;
 - 3.2.3. The initial interest or charge free period must not be less than 5 years from the date of purchase;
 - 3.2.4. The interest payable after the initial charge free period shall not exceed 1.75% of the value of the equity loan unless otherwise agreed with the Council at the time the Affordable Housing scheme is agreed under clause 1 of this Schedule and will not increase thereafter by more than 1% above the Retail Price Index annually for the preceding 12 month period;
 - 3.2.5. The minimum proportion of the Market sale that must be made available as a Shared Equity loan shall be 20%;
 - 3.2.6. The Owner to consult with the Local Help to Buy Agent on the identification of suitable eligible Local People to be considered for acquisition on a Shared Equity basis in accordance with the detailed scheme for Shared Equity as agreed by the Council in writing;
 - 3.2.7. Any other relevant provisions required to ensure compliance with Affordable Housing criteria including requirements for Local People to purchase such Affordable Housing.

Part 4

4. Discounted Sale Affordable Housing

- 4.1 Pursuant to Part 2 paragraph 2.2.5.3 of this Schedule, in respect of any Affordable Housing Units to be disposed of on a Discounted Sale Affordable Housing basis, the following provisions shall apply:
- a) disposal shall be to eligible Local People at a sum not exceeding 75% of the Market Value (as shall be determined at the point of the relevant transfer of the Affordable Housing Unit designated for Discounted Sale Affordable Housing); and
 - b) the Owner shall submit an application to the Chief Land Registrar of the Land Registry to place the following restriction in the proprietorship register of the title to the relevant Affordable Housing Unit designated for Discounted Sale Affordable Housing (or in such other form as the Chief Land Registrar shall deem appropriate) and on completion of the registration of such restriction will deliver to the Council an official copy of the relevant registered title

"No disposition of the registered estate (other than a charge) by the proprietor of the registered estate, or by the registered proprietor of any registered charge is to be registered without a certificate signed by a conveyancer that the provisions of paragraph 2.2.5.3, 2.5 and Part 4 of Schedule 2 to the Section 106 Agreement dated [xxxxxxx] between (1) The Council of the City of Coventry and (2) [xxxxxxx] Limited have been complied with or that they do not apply"

Part 5.

5. Intermediate Rent

- 5.1. Pursuant to Part 2, paragraph 2.2.5.4 of this Schedule, in respect of any Affordable Housing Units to be proposed to be let as Affordable Housing for Intermediate Rent (either by the Owner or an Affordable Housing Provider) details of the Immediate Rent proposals to be submitted by the Owner as part of the Affordable Housing Scheme and shall include (but not be limited to) the following:
- 5.1.1. procedures for management, maintenance and future major repair of the Affordable Housing Units over the life of the Development to ensure its effective operation in complying with the Affordable Housing obligations contained in this Schedule over the long term;
 - 5.1.2. details of the proposed allocation of the Affordable Housing Units and lettings policies having regard to Local People whose incomes are at or below the average for Coventry at the time of each letting and equal opportunities policies, complaints procedures;
 - 5.1.3. the proposed Base Rent and Service Charge for each relevant Affordable Housing Unit for Intermediate Rent at the time of Initial Let following completion of each Affordable Housing Unit having regard to the requirement for Intermediate Rent Affordable Housing Units to be let at Base Rents and Service Charges not exceeding 80% of the Market Rent and Service Charges Respectively;
 - 5.1.4. the basis for applying future Base Rent and Service Charge increases;
 - 5.1.5. prior to the Initial Let of each such Affordable Housing Unit for Intermediate Rent, submission of a Market Rent valuation for each such Affordable; Housing Unit for the purposes of agreeing the Base Rent and Service Charge at a level not exceeding 80% of those valuations respectively with such valuations being determined by an Independent Valuer;
 - 5.1.6. any other particulars that the Council may reasonably request to enable it to consider approval of any Affordable Housing proposed for Intermediate Rent.

Part 6.

6. First Homes

Obligations

- 6.1 Unless otherwise agreed in writing by the Council, the Owner for and on behalf of itself and its successors in title to the Land with the intention that the following provisions shall bind the Land and every part of it into whosoever's hands it may come covenants with the Council as below save that:
- a) paragraphs 6.2 - 6.10 shall not apply to a First Homes Owner;

- b) paragraphs 6.11 – 6.25 apply as set out therein but and for the avoidance of doubt where a First Home is owned by a First Homes Owner they shall apply to that First Homes Owner only in respect of the First Home owned by that First Homes Owner; and
- c) Paragraph 6.26 applies as set out therein.

Quantum of First Homes

- 6.2 [X%] of the total number] OR [X] of the Dwellings on the Site [(rounded up or down to the nearest whole Dwelling – *where percentage only*)] shall be identified reserved and set aside as First Homes in accordance with the [approved] Affordable Housing Scheme and shall be provided and retained as First Homes in perpetuity subject to the terms of this Schedule.
- 6.3 [*Where phased development*] Unless otherwise agreed through the [Site Wide Affordable Housing Scheme] [X%] of the total number of the Dwellings in each residential phase (rounded up or down to the nearest whole Dwelling) OR [X] Dwellings in each residential phase shall be identified reserved and set aside as First Homes and shall be provided and retained as First Homes in perpetuity subject to the terms of this Schedule in accordance with the [approved] Affordable Housing Scheme relevant to that residential phase.

Clustering

- 6.4 The First Homes shall not be visually distinguishable from the Market Housing Units based upon their external appearance;
- 6.5 The internal specification of the First Homes shall not by reason of their being First Homes be inferior to the internal specification of the equivalent Market Housing Units but, subject to that requirement, variations to the internal specifications of the First Homes shall be permitted
- 6.6 Clusters of houses shall not exceed [X] Affordable Housing Units;
- 6.7 Clusters of flats in blocks with [X] or less storeys shall:
 - 6.7.1 not exceed [X] Affordable Housing units;
 - 6.7.2 not have more than 6 flats with shared access; and
 - 6.7.3 be of a single tenure where sharing a communal entrance;
- 6.8 The size of Clusters and shared access arrangements for Affordable Housing Units which are flats in blocks with [X] or more storeys shall be agreed in writing with the Council as part of the Affordable Housing Scheme

Type and Distribution

- 6.9 The mix of First Homes provided within the Site shall be in accordance with the Affordable Housing Scheme

Development Standard

- 6.10 All First Homes shall be constructed to:-
 - a) the Development Standard current at [*the time of the relevant reserved matters approval/the date of this Agreement*]; and
 - b) no less than the standard applied to the Market Housing Units.

Delivery Mechanism

6.11 The First Homes shall be marketed for sale and shall only be sold (whether on a first or any subsequent sale) as First Homes to a person or person(s) meeting:

- a) the Eligibility Criteria (National); and
- b) the Eligibility Criteria (Local) (if any).

6.12 If after a First Home has been actively marketed for 3 months (such period to expire no earlier than three (3) months prior to Practical Completion) it has not been possible to find a willing purchaser who meets the Eligibility Criteria (Local) (if any), paragraph 6.11(b) shall cease to apply.

6.13 Subject to paragraphs 6.16 to 6.20, no First Home shall be Disposed of (whether on a first or any subsequent sale) unless not less than 50% of the purchase price is funded by a first mortgage or other home purchase plan with a Mortgagee .

6.14 No First Home shall be Disposed of (whether on a first or any subsequent sale) unless and until:

6.14.1 The Council has been provided with evidence that:

6.14.1.1 the intended purchaser meets the Eligibility Criteria (National) and unless paragraph 6.12 applies meets the Eligibility Criteria (Local) (if any)

6.14.1.2 the Dwelling is being Disposed of as a First Home at the Discount Market Price and

6.14.1.3 the transfer of the First Home includes:

a) a definition of the "Council" which shall be "means Coventry City Council"

b) a definition of "First Homes Provisions" in the following terms:

"means the provisions set out in clause[s] 6.11 – 6.19 of the [Supplemental] S106 Agreement a copy of which is attached hereto as the Annexure."

c) A definition of "[Supplemental] S106 Agreement" means the [supplemental] agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated [] made between (1) the Council [and] (2) [and] (3) []

d) a provision that the Property is sold subject to and with the benefit of the First Homes Provisions and the Transferee acknowledges that it may not transfer or otherwise Dispose of the Property or any part of it other than in accordance with the First Homes Provisions

e) a copy of the First Homes Provisions in an Annexure

6.14.2 The Council has issued the Compliance Certificate and the Council hereby covenants that it shall issue the Compliance Certificate within twenty eight (28) days of being provided with evidence sufficient to satisfy it that the requirements of paragraphs 6.13 and 6.14.1 have been met

6.15 On the first Disposal of each and every First Home to apply to the Chief Land Registrar pursuant to Rule 91 of and Schedule 4 to the Land Registration Rules 2003 for the entry on the register of the title of that First Home of the following restriction:

"No disposition of the registered estate (other than a charge) by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a certificate signed by [Local Authority] of [address] or their conveyancer that the provisions of clause XX (the First Homes provision) of the Transfer dated [Date] referred to in the Charges Register have been complied with or that they do not apply to the disposition"

6.16 The owner of a First Home (which for the purposes of this clause shall include the Developer and any First Homes Owner) may apply to the Council to Dispose of it other than as a First Home on the grounds that either:

6.16.1 the Dwelling has been actively marketed as a First Home for six (6) months in accordance with Clauses 6.11 and 6.12 (and in the case of a first Disposal the six (6) months shall be calculated from a date no earlier than six (6) months prior to Practical Completion) and all reasonable endeavours have been made to Dispose of the Dwelling as a First Home but it has not been possible to Dispose of that Dwelling as a First Home in accordance with paragraphs 6.13 and 6.14.1; or

6.16.2 requiring the First Homes Owner to undertake active marketing for the period specified in paragraph 6.16.1 before being able to Dispose of the Dwelling other than as a First Home would be likely to cause the First Homes Owner undue hardship

6.17 Upon receipt of an application served in accordance with paragraph 6.16 the Council shall have the right (but shall not be required) to direct that the relevant Dwelling is disposed of to it at the Discount Market Price

6.18 If the Council is satisfied that either of the grounds in paragraph 6.16 above have been made out it shall confirm in writing within twenty eight (28) days of receipt of the written request made in accordance with paragraph 6.16 that the relevant Dwelling may be Disposed of:

6.18.1 to the Council at the Discount Market Price; or

6.18.2 (if the Council confirms that it does not wish to acquire the relevant Dwelling) other than as a First Home

and on the issue of that written confirmation the obligations in this Deed which apply to First Homes shall cease to bind and shall no longer affect that Dwelling apart from paragraph 6.20 which shall cease to apply on receipt of payment by the Council where the relevant Dwelling is disposed of other than as a First Home

6.19 If the Council does not wish to acquire the relevant Dwelling itself and is not satisfied that either of the grounds in paragraph 6.16 above have been made out then it shall within twenty eight (28) days of receipt of the written request made in accordance with paragraph 6.16 serve notice on the owner setting out the further steps it requires the owner to take to secure the Disposal of a Dwelling as a First Home and the timescale (which shall be no longer than six (6) months). If at the end of that period the owner has been unable to Dispose of the Dwelling as a First Home he may serve notice on the Council in accordance with paragraph 6.16 following which the Council must within 28 days issue confirmation in writing that the Dwelling may be Disposed of other than as a First Home

6.20 Where a Dwelling is Disposed of other than as a First Home or to the Council at the Discount Market Price in accordance with paragraphs 6.18 or 6.19 above the Owner of the First Home shall pay to the Council forthwith upon receipt of the proceeds of sale the Additional First Homes Contribution

6.21 Upon receipt of the Additional First Homes Contribution the Council shall:

6.21.1 within [] working days of such receipt, provide a completed application to enable the removal of the restriction on the title set out in paragraph 6.15 where such restriction has previously been registered against the relevant title

6.21.2 apply all monies received towards the provision of Affordable Housing

6.22 Any person who purchases a First Home free of the restrictions in schedule [] of this Deed pursuant to the provisions in paragraphs 6.19 and 6.20 shall not be liable to pay the Additional First Homes Contribution to the Council.

Use

6.23 Each First Home shall be used only as the main residence of the First Homes Owner and shall not be let, sub-let or otherwise Disposed of other than in accordance with the terms of this Deed PROVIDED THAT letting or sub-letting shall be permitted in accordance with paragraphs 6.23.1 – 6.23.4 below.

6.23.1 A First Homes Owner may let or sub-let their First Home for a fixed term of no more than two (2) years, provided that the First Homes Owner notifies the Council in writing before the First Home is Occupied by the prospective tenant or sub-tenant. A First Homes Owner may let or sub-let their First Home pursuant to this paragraph more than once during that First Homes Owner's period of ownership, but the aggregate of such lettings or sub-lettings during a First Homes Owner's period of ownership may not exceed two (2) years.

6.23.2 A First Homes Owner may let or sub-let their First Home for any period provided that the First Homes Owner notifies the Council and the Council consents in writing to the proposed letting or sub-letting. The Council covenants not to unreasonably withhold or delay giving such consent and not to withhold such consent in any of circumstances (a) – (f) below:

- a) the First Homes Owner is required to live in accommodation other than their First Home for the duration of the letting or sub-letting for the purposes of employment;
- b) the First Homes Owner is an active Armed Services Member and is to be deployed elsewhere for the for the duration of the letting or sub-letting;
- c) the First Homes Owner reasonably requires to live elsewhere for the duration of the letting or sub-letting in order to escape a risk of harm;
- d) the First Homes Owner reasonably requires to live elsewhere for the duration of the letting or sub-letting as a result of relationship breakdown;
- e) the First Homes Owner reasonably requires to live elsewhere for the duration of the letting or sub-letting as a result of redundancy; and
- f) the First Homes Owner reasonably requires to live elsewhere for the duration of the letting or sub-letting in order to provide care or assistance to any person.

6.24 A letting or sub-letting permitted pursuant to paragraph 6.23.1 or 6.23.2 must be by way of a written lease or sub-lease (as the case may be) of the whole of the First Home on terms which expressly prohibit any further sub-letting.

6.25 Nothing in these paragraphs 6.23 – 6.25 prevent a First Homes Owner from renting a room within their First Home or from renting their First Home as temporary sleeping accommodation provided that the First Home remains at all times the First Home Owner's main residence.

Mortgagee Exclusion

6.26 The obligations in paragraphs 6.1 – 6.25 of this Deed in relation to First Homes shall not apply to any Mortgagee or any receiver (including an administrative receiver appointed by such Mortgagee or any other person appointed under any security documentation to enable such Mortgagee to realise its security or any administrator (howsoever appointed (each a Receiver)) of any individual First Home or any persons or bodies deriving title through such Mortgagee or Receiver PROVIDED THAT:

6.26.1 such Mortgagee or Receiver shall first give written notice to the Council of its intention to Dispose of the relevant First Home; and

- 6.26.2 once notice of intention to Dispose of the relevant First Home has been given by the Mortgagee or Receiver to the Council the Mortgagee or Receiver shall be free to sell that First Home at its full Market Value and subject only to paragraph 6.26.3
- 6.26.3 following the Disposal of the relevant First Home the Mortgagee or Receiver shall following the deduction of the amount due and outstanding under the relevant security documentation including all accrued principal monies, interest and reasonable costs and expenses pay to the Council the Additional First Homes Contribution.
- 6.26.4 following receipt of notification of the Disposal of the relevant First Home the Council shall:
- 6.26.4.1 forthwith issue a completed application to the purchaser of that Dwelling to enable the removal of the restriction on the title set out in paragraph 6.15; and
- 6.26.4.2 apply all such monies received towards the provision of Affordable Housing

Schedule

Build to Rent

1. Definitions

The following definitions and rules of interpretation apply in this Schedule:

- | | |
|---|--|
| “Build to Rent Housing” | Means Market Housing Units made available for rent in accordance with the requirements of Part 4 of the Affordable Housing SPD relating to affordable private rent (build to rent/PRS) and as replaced or amended; |
| “Build to Rent Housing Strategy” | means a strategy that relates to Units available as affordable private rent that are proposed to be Occupied as Build to Rent Housing and which must include: <ul style="list-style-type: none"> (a) Local marketing to be adopted within the city of Coventry for the first 3 months; (b) Measures to demonstrate that a consistent and quality level of housing management will be offered that meets appropriate standards; and (c) The identity of the single provider who shall have the overall day to day management of the Build to Rent Housing, unless otherwise agreed with the Council. |

2. MARKETING STRATEGY

Where an individual or organisation (with the exception of a Registered Provider) has bought more than two Market Housing Units and intends to let those units to persons other than immediate family members that individual or organisation shall provide the Council with the name, address and contact details of the managing agent and ensure that the said managing agent is registered with the Association of Rental Letting Agents ('ARLA') or the National Association of Estate Agents ('NAEA').

3. BUILD TO RENT HOUSING

Where the Owner proposes to provide any of the Market Housing Units as Build to Rent Housing the Owner shall before those Dwellings are Occupied submit to the Council for approval a Build to Rent Housing Strategy.

Any Market Housing Units that are proposed to be Occupied as Build to Rent Housing shall only be Occupied in accordance with the relevant approved Build to Rent Housing Strategy in perpetuity.

Appendix 2 – List of Preferred Registered Providers

1. The following Registered Providers are those who have Affordable Housing in Coventry and are the Council's preferred Registered Providers for the development and operation of new and additional Affordable Housing in Coventry:

Citizen

Clarion

Midland Heart Limited

Orbit Housing Association

Optivo

Platform

Stonewater

2. Furthermore, Coventry City Council may consider the purchase of affordable housing stock in certain, limited circumstances.

3. In the event that any of the Registered Providers set out in paragraph 1 to this Appendix have ceased to be a preferred Registered Provider at the time the Owner seeks to conclude an agreement for the transfer of Affordable Housing under Schedule 2, the Owner shall have regard to the Council's list of preferred Registered Providers in being at that time.

Affordable Housing SPD:

Comment Reference	Respondent	Page/Para Reference	Consultation Response	Officer Summary	Proposed Change to SPD
AH1	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	General	Supplementary Planning Documents (SPDs) provide an ideal opportunity for the LPA to explain the role of Housing Associations in the delivery of affordable housing. As a whole, the SPD should include a wider discussion of roles that other bodies such as Housing Associations and Registered Providers have in delivering the housing needs of the area.	The role of preferred registered providers is outlined in Section 8 of this SPD.	No Change.
AH2	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	General	In recent times of reduced financial support HAPC members have become closely involved in the direct delivery of new affordable housing. HAPC members are also seeking to explore the many models of affordable housing delivery that are set out in Annex 2 of the NPPF. Moreover, we would like to encourage opportunities for the joint commissioning of affordable housing delivery between the Council and HAPC members.	Noted. The Council's approach to developing affordable housing is beyond the scope of this SPD. Coventry City Council's Housing Department will be notified of this point.	No Change.
AH3	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	General	Whilst reference to the updated NPPF 2021 is welcomed, it is suggested the Council refrain from reproducing national policy text. This will help to ensure the longevity and consistency with a changing national policy context in years to come. As an example, Paragraph 2.4 reproduces national policy with regard to affordable housing, instead it would be more appropriate to direct readers to Annex 2 of the NPPF 2021.	Noted, this reflects the text at the time the SPD was produced, which therefore sets the context for the SPD and it is felt that reproducing the text is helpful in this regard. If the NPPF and guidance changes the case officer will be aware of this and take it into account.	No Change.
AH4	Tetlow King Planning (On behalf of the West Midlands Combined Authority)	Paragraph 2.6	It is also noted Paragraph 2.6 in reference to the West Midlands Combined Authority definition of affordable housing refers to the NPPF 2019. As the Council is aware,	Noted, the SPD will be updated accordingly.	Paragraph 2.6 updated to

	Midlands Housing Association Planning Consortium)		the latest revision of the NPPF dates 20 July 2021. We therefore recommend that reference to the NPPF 2019 be updated to the most recent version.		reference NPPF 2021.
AH5	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 2.6	<p>Further, the wording of Paragraph 2.6 conflates two separate issues:</p> <p><i>“The Combined Authority’s definition of affordable housing goes beyond the statutory definition as referenced in the NPPF by stating that to be truly affordable, residents should not pay more than 35% of their income towards their monthly rent or mortgage. This establishes a greater discount of 15% when made against the definition referenced in the NPPF 2019, which asserts that a 20% discount from the prevailing rate as an affordable rate”.</i></p> <p>The Combined Authority definition of affordable housing relates to the proportion of income that is spent towards their monthly income or mortgage. This is a different context to the NPPFs definition of affordable housing that quotes affordable housing must be 20% below market value or rents. These are two issues of separate intent and context, clear differentiation is needed.</p>	Paragraph 2.6 outlines the difference between the Combined Authority’s definition of affordable housing and that outlined by National Policy. Para 2.7 amended to make clear the issue about intent and context.	Amended para 2.7 to clarify the difference with intent and context.
AH6	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 2.11	Paragraph 2.11 notes at time of adoption of the local plan (2017) a shortfall of 1,150 of affordable homes was identified. The HAPC members are well placed and keen to boost the supply of affordable homes in the City. The Council’s commitment to produce Authority Monitoring reports is welcome to ensure that the annual target of 348 dwellings is achieved.	Noted.	No Change.

AH7	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	General – with regard to tenure types	<p>Whilst a prescribed tenure mix can be helpful to ensure the delivery of a range of tenure types, it is hoped that the Coventry City Council will take a pragmatic approach to the application of the policy requirements having regard to site characteristics and housing market conditions.</p> <p>We hope that the City Council will continue to support shared ownership as an affordable home ownership tenure as it provides an invaluable role in assisting home ownership and enabling households to join the housing market with small deposits. Shared Ownership is flexible and well established affordable homeownership product that enables staircasing up to full ownership.</p>	Noted. The Council's support for shared ownership is made clear in the table underneath Paragraph 4.3, Intermediate Provision.	No Change.
AH8	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 5.2	Section 5 refers to the expected design standards of both market and affordable housing. In particular, Paragraph 5.2 sets out relevant design considerations for creating the 'highest level of residential amenity'. Our HAPC members seek to deliver high-quality, well-designed schemes that contribute to placemaking of local communities.	Noted.	No Change.
AH9	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 5.10	Paragraph 5.10 elaborates on Part 7 of Policy H6: Affordable Housing, suggesting the identification of housing size and typology through dialogue "with various interested parties to achieve the most appropriate and affordable housing type". The HAPC is grateful for the recognition of dialogue in aiding the delivery of affordable housing. Such dialogue allows for flexibility in house size and typologies to meet the latest housing needs in specific localities across the area whilst also improving the viability of projects coming forward.	This SPD cannot set spatial standards as this is beyond the scope of the SPD. Moreover, the Registered Providers Forum (Run by the City Council's housing department) provides a mechanism for such discussions to be had	No Change.

			<p>However, with this recognition we would like to remind the Council that communication and dialogue with Housing Associations as an ‘interested party’ will aid in securing the delivery of affordable housing. There have been circumstances where no Housing Associations have taken up the affordable units as they are too small, making them inappropriate. Further dialogue and consultation with housing associations during the planning application process would help avoid these issues.</p>		
AH10	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 5.14	<p>We are pleased to see that paragraph refers to ‘realistic management practices’ and recognises the need to minimise costs and retain affordability in perpetuity. It is helpful that Council is open about tenure integration and has not set a prescriptive limit on affordable housing clusters. However, if the Council were minded to include a limit we would suggest clusters up to 15 units should be permitted. We also note the Council support for Advanced Methods of Construction (AMC). Our members are keen to promote energy efficient construction where possible as part of the zero carbon agenda.</p>	Comments noted. However any creation of new policy is beyond the scope of this SPD.	No Change.
AH11	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 8.11	<p>We are also pleased that the SPD recognises the critical role of Housing Association in the delivery of new affordable homes and the HAPC members are included as Preferred Registered Providers listed in paragraph 8.3. The HAPC is pleased to see that the SPD recognises the potential of delivering affordable housing through community groups as noted in Paragraphs 8.5 to 8.7. Many HAPC housing associations have successfully</p>	Noted, the SPD will be updated accordingly.	Paragraph 8.11 to be updated to reference First Homes.

			delivered AH with Community Land Trusts in recent years. Paragraph 8.11, references “starter homes”. Although this is still referenced in the NPPF Annex 2 definition of Affordable Housing, it has been superseded by the introduction of “First Homes” in June 2021 and should be removed. Reference should only be made to “First Homes” as is the case elsewhere in the SPD.		
AH12	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 8.14	Further, Paragraph 8.14 gives the impression that all affordable housing units provided in Coventry are to be retained in ‘perpetuity’ (i.e. retained as affordable housing tenure forever). The NPPF only requires affordable housing to be secured in ‘perpetuity’ on Rural Exception Sites. Securing affordable housing in this manner can be problematic for affordable housing providers and purchasers when attempting to secure mortgages for properties that are restricted in such a manner. To ensure consistency with national policy and allow for fair implementation of the SPD the Council should remove reference to securing affordable housing in ‘perpetuity’ unless it is made clear that it relates directly to Rural Exception Sites only.	The retention of Affordable Housing in perpetuity ensures access to affordable housing remains viable for the City’s residents in the future, and that private sales do not benefit from Section 106 provisions. The NPPF does not preclude the retention of Affordable Housing in perpetuity and the principle is well established. Indeed, if the definition of affordable housing is reviewed in Annex 2 the Glossary to the NPPF July 2021, paragraph A refers to affordable housing for rent, paragraph C discounted market housing and D other affordable routes to home ownership; each of these paragraphs refers to future eligible households. We therefore do not propose any change to the paragraph.	No Change.
AH13	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Paragraph 8.15	We understand the intent of paragraph 8.15 in seeking to ensure that affordable housing stock losses are kept to a minimum, but the reality is there will be inevitable stock losses through the Right to Acquire and in some estate regeneration schemes. The Council need to mindful that affordable housing can only be secured in perpetuity on Rural Exception Sites and otherwise	We disagree that estate regeneration automatically necessitates the loss of affordable housing – and such losses will need to be justified by the applicant and be reviewed on a case-by-case basis.	No Change.

			registered providers are permitted to sell their stock without restraint.		
AH14	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Appendix 2 – 2.2.3	We are pleased to see that the SPD provides an AH Section 106 Agreement wording template. This will assist and simplify the preparation of planning obligations. We are also pleased to note that our HAPC members are included as Preferred Registered Providers. However, it is important to highlight the fact that only two of the six Registered Providers are suggested. It is recommended that all listed Registered Providers be included. All Registered Providers should be approached before the developer concludes they aren't able to sell to a Registered Provider.	We do not believe it is practicable to require developers to receive the refusals outlined in the referenced para from all the listed Registered Providers. However, in order to ensure that a wide range of providers are engaged that number will be increased from two to four.	Change reference from two Registered Providers to four.
AH15	Tetlow King Planning (On behalf of the West Midlands Housing Association Planning Consortium)	Appendix 2	Furthermore, we request that all Registered Providers put forward on Pages 38-39 be included on the same page. This will remove any visual bias and opportunity for exclusion.	Noted, but the providers are introduced in Chapter 8, all on the same page.	No Change.
AH16	Natural England		No comments to make on the AH SPD	Noted.	No Change.
AH17	Coventry Society	General	The Coventry Society welcomes the document's: <ul style="list-style-type: none"> • emphasis on ensuring that there is a mix, and choice, of tenures across the city rather than particular types of tenancy being concentrated in certain areas, and that the different types of tenancy should be integrated into new developments. • links with the aspirations and objectives of the Council's Housing and Homeless Strategy 2014 	Noted, however, this SPD is intended to provide clarity and certainty for the delivery of affordable homes within the context set by national planning policy.	No Change.

			<p>and the Strategic Housing Market Assessment 2015 (but note comment on the latter below).</p> <ul style="list-style-type: none"> • concern with meeting residents’ need and with build quality, including energy efficiency, environmental friendliness and internal living space requirements. • recognition of advanced methods of construction. • acknowledgement of non-traditional forms of provision such as co-living, self-build and community-led housing (but note comment below). <p>We do, however, have a number of reservations and criticisms of the document and its shortcomings, particularly in the light of the alarming statistic that in four years only half the target number of affordable homes in the plan have ‘benefited from planning permission, were being constructed or had been delivered’. This is a shocking situation, which we are not at all convinced will be remedied by the measures outlined in the document, given its generally complacent, unimaginative, ‘business as usual’, ‘more of the same’ approach.</p>		
AH18	Coventry Society	General	<p>We are concerned that the viability argument – often highly questionable or entirely spurious - will continue to lead to the City Council being outmanoeuvred in its negotiations with developers. The example of City Centre South, with, thus far, its total absence of affordable housing, vividly illustrates the point. We would like to see this ‘get-out’ tightened up considerably and subject to much greater transparency.</p>	<p>Noted, however, this SPD is intended to provide clarity and certainty for the delivery of affordable homes within the context set by national planning policy. Viability testing can be considered as part of this process.</p> <p>NPPF para 58 states: “It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability</p>	No Change.

				<p>assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.”</p>	
<p>AH19</p>	<p>Coventry Society</p>	<p>Validity of SHMA</p>	<p>We are aware that there has been considerable recent public debate about the validity of the SHMA. The Society shares some of the doubts that have been raised about it, including the significance of social, economic and demographic changes such as:</p> <ul style="list-style-type: none"> • the failure of the exceptionally large population growth, which was assumed when the plan was drawn up, to materialise; • a growth in the student population and the concomitant expansion of bespoke student accommodation with its associated effects on land cost and availability, pressure on local services and amenities, etc; • a growth in Coventry’s migrant populations, with their specific needs; • a growing realisation of the ramifications of an ageing population, whose needs should be reflected in the delivery of new housing, a point emphasised in the recent white paper 	<p>The SPD elaborates on adopted policy, however the SHMA is being updated in terms of a new sub-regional Housing and Economic Development Needs Assessment (HEDNA) and this will be used to inform any future Local Plan work.</p>	<p>No Change.</p>

			<p>People at the Heart of Care: adult social care reform, itself arguably underplaying the consequences of an ageing population on housing delivery (see for example https://housingevidence.ac.uk/housing-and-the-social-care-white-paper-a-credibility-gap/).</p> <ul style="list-style-type: none"> The effects of the Covid-19 pandemic, including the growth of 'working at home'. 		
AH20	Coventry Society	General	We are surprised that, despite recognising that non-traditional forms of provision such as co-living, self-build and community-led housing have a part to play, co-living has been so thoroughly dismissed in the document, for reasons that we find flimsy and unconvincing.	As detailed in para 5.20, off-site affordable housing contributions will be required in the form of a commuted sum.	No change.
AH21	Coventry Society	General	Given the continued sluggish delivery of affordable housing we are also surprised that the City Council proposes to continue with the same restricted list of rather samey Registered Providers. Our overall verdict on the guidance is that it presents laudable aims and objectives but leaves us with serious doubts that its implementation will give the desired results. If that proves to be the case it will have failed the people of Coventry.	Paragraph 8.4 outlines a mechanism for engagement with alternative providers. The document is intended to provide clarity and will assist delivery within the scope of what an SPD can achieve as supplementary policy.	No Change.
AH22	Coventry Society	General	[Suggest that] The emerging and changing needs (and numbers) of Coventry's population are monitored closely and reflected in flexible and regularly reviewed planning guidance.	Noted. The evidence base for this is being updated.	No Change.
AH23	Coventry Society	General	[Suggest that] The provision of affordable housing is opened up to a much wider set of providers, to	Noted. Paragraph 8.4 of this SPD outlines how Alternative Providers may be involved	No Change.

			encourage innovation, competition and an increase in the number of delivery channels. New providers should be encouraged, not just because of the additional homes they will provide but because their schemes will be exemplars and challengers to the existing players. This should include community organisations and charities, in partnership with registered providers where appropriate. Starley Housing Co-operative, which partners with Greensquare Accord, is a good example of what can be achieved. So is Earlsdon Park Village, which is also an exemplar of how housing and social care can be brought together.	in the delivery of affordable housing in Coventry. This is Council policy, comments will be conveyed to those departments involved.	
AH24	Coventry Society	General	[Suggest that] These new challenger providers should include the City Council itself. Throughout the UK, local authorities in a similar position to Coventry's – a shortfall in the delivery of housing, in particular affordable housing, by traditional developers – have found ways to enter the field themselves. See for example https://www.theguardian.com/cities/2019/oct/28/meet-the-councils-quietly-building-a-housing-revolution and https://www.rtpi.org.uk/research/2017/june/local-authority-direct-provision-of-housing-i/	The Council's Policy on the development of new affordable homes is beyond the scope of this SPD. Comments will be conveyed to those involved.	No Change.
AH25	Coventry Society	General	[Suggest that] The viability regime for developers is toughened up. It is clear that developers are too quick to reach for this escape route in the cause of profit maximisation and scheme simplification. It is too easy for developers to negotiate their way out of their social obligations with the help of high-powered consultants. The replacement options – section 106 agreements, the	Noted, however, this SPD is intended to provide clarity and certainty for the delivery of affordable homes within the context set by national planning policy. Viability testing can be considered as part of this process. NPPF 58 "It is up to the applicant to demonstrate whether particular	No Change.

			provision of affordable housing on another site, the payment of a commuted sum – are often inadequate.	<i>circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.”</i>	
AH26	Coventry Society	General	[Suggest that] Non-traditional forms of provision are actively encouraged, including by the creation of a support and advice function within the City Council.	Noted, this suggestion has been passed onto Colleagues in the housing department who are responsible for such matters.	No Change.
AH27	Savills (on behalf of their unnamed clients)	4.3	<p>The table at 4.3 incorrectly applies the NPPF policy for affordable private rent. The table in the draft SPD states that affordable rental homes are made available at least 80% discount on market price. The requirement is the inverse, being at least 20% discount on market rent. The table at 4.3 needs to be corrected accordingly.</p> <p>The table at 4.3 also needs to state that affordable private rent can be 100% of the tenure mix requirement of the affordable component (up to 25% of overall provision) regardless of the Concentration Area category. The table at 4.3 needs to be corrected accordingly.</p>	<p>The discount rate for affordable private rent is to be corrected to the figure of 20%.</p> <p>BtR Planning Guidance https://www.gov.uk/guidance/build-to-rent sets out that BtR developments are to deliver their affordable housing as affordable private rent which does not have to be managed by a registered provider.</p>	Table 4.3 updated to show the correct figure.

<p>AH28</p>	<p>Savills (on behalf of their unnamed clients)</p>	<p>5.18 – 5.19</p>	<p>The support for co-living housing at 5.18 is welcomed as it acknowledges the important role co-living accommodation can play in meeting the housing needs of the city. We disagree however, that co-living developments are not suitable to provide on-site affordable units as stated at 5.19. The national policy set out above makes clear that on-site provision of discounted rental accommodation by the private owner of the build to rent accommodation is the expected norm. This applies to co-living accommodation equally as to other forms of build to rent. 5.19 should be corrected to bring it into line with NPPF and PPG policy.</p>	<p>Under para 19 a new para 20 to be introduced to provide further clarification to reflect national policy and guidance on BtR With regards to co-living, this is a different product meeting different needs and it is not seen how on site provision would be workable. Therefore commuted sums are deemed appropriate.</p>	<p>New para 20 to better reflect national policy and guidance on build to rent.</p>
<p>AH29</p>	<p>Savills (on behalf of their unnamed clients)</p>	<p>5.20</p>	<p>National policy also provides that the rent subsidy can be recycled for alternative affordable housing provision. The ability to provide a financial contribution for off-site provision in lieu of on-site provision with build to rent (including co-living) should continue to be included as an option as set out at 5.20.</p>	<p>Update the section to better reflect national policy and guidance.</p>	<p>New para 20 to better reflect national policy and guidance on build to rent.</p>
<p>AH30</p>	<p>Savills (on behalf of their unnamed clients)</p>	<p>Part 7</p>	<p>The calculation of the commuted sum, should not however be as set out in the formula at part 7, but should instead be equivalent to the rental discount that would otherwise be borne by the build to rent operator if the affordable provision was made on-site. This would reflect the 20% discount to market rent across the number of units that would be required to be provided.</p> <p>This suggested approach is fair and transparent, being equal in subsidy amount. Such an approach is also consistent with the definition set out at NPPF Annex 2. 5.20 and Part 7 should be amended to comply with the</p>	<p>Amend para 7.2 to make clear that this is an expectation of the council rather than a requirement.</p> <p>In line with PPG on BtR, any ‘clawback’ arrangement will be calculated in line with National Policy.</p> <p>Para 7.6 clearly states that applications will be considered on a case by case basis.</p>	<p>Amended para 7.2 to show this is an expectation of the council.</p>

			NPPF provision that alternative provision can be made with the rental subsidy.		
AH31	Savills (on behalf of their unnamed clients)	7.7	The approach proposed by the SPD at 7.7 where the Council will seek additional provision with off-site provision, is not in accordance with the NPPF. 7.7 should therefore be deleted.	The Council believes this approach is compliant with the NPPF.	No Change.
AH32	Savills (on behalf of Barratt)	2.5 – 2.7	Paragraphs 2.5 -2.7 of the SPD make reference to an affordable housing definition by the West Midlands Combined Authority ('WMCA') which states that to be truly affordable, residents should not have to pay more than 35% of their income in rent or a mortgage. Paragraph 2.7 acknowledges that the WMCA definition will not be given any planning weight nor is it a material consideration in the decision-making process. However, Coventry City Council ('CCC') will 'encourage' applicants to consider provision against this definition. Barratt supports no weight being given to WMCA's definition and CCC's approach to only 'encourage' compliance with this definition.	Noted.	No Change.
AH33	Savills (on behalf of Barratt)	Section 4	In order to reflect existing housing stock and avoid over-concentration of particular affordable housing tenures, Coventry has been split into areas of low, medium and high concentrations of social housing. New Century Park is located within an area defined by the SPD as 'medium concentration'. Policy H6 requires areas of medium concentration to make provision for 12.5% social / affordable rent and 12.5% intermediate provision. We consider that tenure split should be agreed on a site-by-site basis rather than a blanket requirement and based on any prevailing housing evidence available at the time of the application.	H6 is adopted policy. The table below 4.3 is intended to provide clarity to developers in addressing local need and reflecting local circumstance.	No Change.

AH34	Savills (on behalf of Barratt)	Section 4	<p>Policy H6 does not state how much of the 12.5% needs to be social or affordable rent so it is unclear whether these tenures need to be split equally or whether the split is agreed on a site-by-site basis. Further clarity is requested from CCC on this matter.</p>	<p>The proportion of Social and Affordable rent that is to be provided will be decided on a case-by-case basis, early consultation with Housing Colleagues is advised in relation to this.</p>	No Change.										
AH35	Savills (on behalf of Barratt)	5.9	<p>The table under Paragraph 5.9 (extract below) sets out a preferred affordable housing mix based on the SHMA 2015 and information provided by registered providers which has identified a rising need for family sized affordable housing. The paragraph states that the Council expects the affordable housing mix to accord with the below mix.</p> <table border="1" data-bbox="736 743 1415 818"> <thead> <tr> <th>Affordable</th> <th>1-Bed</th> <th>2-Bed</th> <th>3-Bed</th> <th>4-Bed</th> </tr> </thead> <tbody> <tr> <td></td> <td>20%</td> <td>30%</td> <td>30%</td> <td>20%</td> </tr> </tbody> </table> <p>Barratt do not support the above fixed mix. The PPG states that SPDs should build upon policies in a local plan but “they should not add unnecessarily to financial burdens on development” (Reference ID: 61-008-20190315). The SHMA 2015 provides a percentage range (shown on the table under Paragraph 5.5. of the SPD and below) which we consider provides more flexibility for developers. Paragraph 5.6 is considered to be more flexibly worded than paragraph 5.9 as it states, “the breakdown of needs provided by the SHMA should be the starting point for any discussion with the Council as to the delivery of an appropriate mix of affordable housing”. We consider that the table above should be removed from the SPD and only the SHMA table below should be included. Paragraph 5.9 should then be</p>	Affordable	1-Bed	2-Bed	3-Bed	4-Bed		20%	30%	30%	20%	<p>This section already provides flexibility (see 5.6) in negotiating the mix in a case-by-case basis. It has been written to ensure that current need is better reflected in this SPD.</p>	No Change.
Affordable	1-Bed	2-Bed	3-Bed	4-Bed											
	20%	30%	30%	20%											

			<p>reworded similarly to Paragraph 5.6 to state that the SHMA mix in the below table will be a starting point for discussions, but the final mix will be determined on a site-by-site basis based on market considerations and viability.</p> <table border="1"> <tr> <td>Affordable</td> <td>1-Bed</td> <td>2-Bed</td> <td>3-Bed</td> <td>4-Bed</td> </tr> <tr> <td></td> <td>20-25%</td> <td>30-35%</td> <td>25-30%</td> <td>15-20%</td> </tr> </table>	Affordable	1-Bed	2-Bed	3-Bed	4-Bed		20-25%	30-35%	25-30%	15-20%		
Affordable	1-Bed	2-Bed	3-Bed	4-Bed											
	20-25%	30-35%	25-30%	15-20%											
AH36	Savills (on behalf of Barratt)	5.11	<p>Paragraph 5.11 of the SPD states that the Council promotes the use of Nationally Described Space Standards for affordable housing. The SPD goes on to state “through active dialogue with the Council and registered providers, it is considered that this can be realistically achieved”. When determining the need for internal space standards, the PPG states that evidence of need, impact on viability and transition period should be considered (Reference ID: 56-020-20150327). The Council has not provided any supporting evidence with the draft SPD to support this requirement. Until this evidence is provided to justify the internal space standards, we consider that it should be removed from the SPD.</p>	<p>This is not a requirement; it is a recommendation which aims to encourage the Nationally Described Space Standards (NDSS).</p>	No Change.										
AH37	Savills (on behalf of Barratt)	5.21-5.25	<p>Paragraphs 5.21 to 5.25 of the SPD refer to advanced methods of construction. Paragraph 5.25 states that the Council “will encourage proposals to deliver affordable homes via Advanced Methods of Construction, particularly in cases where it can overcome viability issues and contribute towards achieving high performing, energy-efficient homes”. In terms of delivery, Barratt does not support differing construction requirements for affordable housing. If the Council do pursue this requirement, then it should be applied</p>	<p>This is not a requirement; the recommendation demonstrates the council’s commitment to good practice including Advanced Methods of Construction.</p>	No Change.										

			equally to both affordable and market housing on a site and the Council should provide evidence to ensure that this requirement will not “add unnecessarily to financial burdens on development” (PPG Reference ID: 61-008-20190315).		
AH38	Birmingham Airport		*No comments to make in relation to the SPD*	Noted.	No Change.
AH39	Historic England		*No comment to make in relation to the SPD*	Noted.	No Change.
AH40	Resident – K Whitehead	General	<p>This document appears to have been written for developers so they can maximise their profits and not for Coventry residents.</p> <p>Coventry has a huge need for social housing which means people on benefits can get all of the rent paid for them. Affordable housing may include social housing but doesn't have to. The draft SPD appears to give developers a further option of "Alternative Contribution through an Alternative Location ".</p> <p>From the summary. "It also explains alternative scenarios where the provision of affordable housing is reduced or cannot be delivered at all as well as building and design requirements. It also attempts to simplify the Section 106 Agreement legal process by providing a wording and a template for developers to use. Through this, it is hoped that this SPD will enable more productive negotiations between the Council and applicants wishing to deliver homes in Coventry. This should help make planning applications faster and easier to decide. "</p>	This document has been produced in order to give clarity and certainty in order to maximise the delivery of affordable homes through a variety of channels in compliance with National Policy and Guidance.	No Change.

			Throughout the document there are further way for developers to avoid Council policies on affordable homes.		
AH41	Resident – K Whitehead	7.16	<p>“7.16 The Council will retain the commuted sums on deposit for a period of up to 5 years and if the sum is not used, the amounts will be repaid to the applicant, inclusive of interest.”</p> <p>A developer can build no affordable homes even though that is against Council policy. They do this by putting the right arguments to planning officers, pay the Council the "commuted sum" which if not used in 5 years is returned plus interest. Why should developers build any affordable homes in Coventry?</p> <p>This a document written for developers that when approved, completely ignores the desperate need for social in Coventry.</p> <p>New developments should have a minimum social housing (plus other affordable housing) without any get-out.</p>	This is not the intention; this document has been produced in order to give clarity and certainty in order to maximise the delivery of affordable homes through a variety of channels in compliance with National Policy and Guidance.	No Change.
AH42	Marrons Planning (on behalf on Rainer Developments)	4.4 - 4.5	Paragraph 4.4 of the Draft states that a minimum provision of affordable routes to home ownership are established in the NPPF of at least 10%. Paragraph 4.5 also makes reference to First Homes as an intermediate affordable product, and states that guidance stipulates that 25% of all affordable home provision on any given site must be First Homes.	Noted, the SPD will be updated accordingly.	Footnote outlining the exemptions as detailed in the NPPF added.

			<p>However, paragraph 65 of the Framework states that there are exemptions as to when affordable home ownership should be required on new developments and these are set out underneath paragraph 65. These include developments solely for build to rent homes.</p> <p>In order to provide clarity and consistency with the NPPF, it would be helpful for the final version of the SPD to recognise that intermediate housing is not required on all new developments and that there are exceptions as listed under paragraph 65.</p>		
AH43	Marrons Planning (on behalf on Rainer Developments)	7.7	<p>Finally, paragraph 7.7 onwards of the Draft seeks to apply a greater affordable housing requirement than that required by Policy H6 in circumstances where off site provision is agreed. Policy H6 is clear as to the level of affordable housing required (25%) whether it is on site or off site, and the SPD cannot be used to amend this policy. The Council should remove this section of the SPD as it goes beyond what is allowed for in the Town and Country Planning (Local Planning) (England) Regulations 2012.</p>	The ratio (25%) of affordable housing that is required is maintained where off site provision is agreed, reflecting the uplift in the number of market dwellings that are developed in instances where off-site provision is agreed.	No Change.
AH44	National Highways		*Confirmed that had no comments to make*	Noted.	No Change.
AH45	Pegasus (on behalf of Persimmon Homes Central)	Executive Summary	The Executive Summary makes reference to Social Rent only however the SPD as a whole allows for both social and affordable rent, as does Policy H6 in the adopted Local Plan. The Executive Summary should be amended to refer to both social/affordable rent to avoid any confusion.	Noted, SPD to be updated accordingly to include reference to Affordable Rent.	Made suggested amendment to the wording of the executive summary.

AH46	Pegasus (on behalf of Persimmon Homes Central)	2.7 - onwards	The SPD continues that Coventry City Council (CCC will encourage applicants to consider provision against the WMCA definition, particularly were the WMCA has facilitated delivery of affordable housing through funding and land-release strategy. This is beyond the remit of the planning system and any agreements made between developers and the WMCA to deliver affordable housing is not for the planning system to consider or enforce.	Noted and agreed.	No Change.
AH47	Pegasus (on behalf of Persimmon Homes Central)	2.13	Paragraph 2.13 refers to the spatial element of the affordable housing policy set out in the Local Plan. The aim of this is to ensure that those residents in need of affordable accommodation, wherever their location in Coventry, can be housed in affordable housing. The overarching aspiration of this approach is supported as householders prefer to live close to existing support networks (family and friends) and employment. The SPD should acknowledge that if there are instances where there is no, or low, need for affordable housing in a specific locality a commuted sum will be accepted in order to provide alternative affordable housing in an alternative location with a higher need.	Affordable housing is a city-wide requirement, therefore affordable housing will be provided across the city in line with the Local Plan.	No Change.
AH48	Pegasus (on behalf of Persimmon Homes Central)	Chapter 4	Chapter 4 addresses tenure mix of affordable housing. The required tenure mix varies by area as established by Policy H6 in the adopted Local Plan. The SPD does not seek to alter the tenure mix as established in the Local Plan. This approach is supported and reflects the status of SPDs as material considerations rather than being part of the Development Plan, as the Local Plan is. This Chapter confirms that the 'intermediate' tenure relates to affordable home ownership and that the Government's First Homes initiative can make up the	The table under paragraph 4.3 provides clarification with regards to Intermediate Provision.	

			intermediate affordable provision. The SPD should confirm that intermediate provision includes shared equity. This is included on the draft S106 included at Appendix 2 but should also be referenced in the main text for the avoidance of doubt. This approach is supported and provides helpful clarification that First Homes can be included under the definition of 'intermediate' tenure.												
AH49	Pegasus (on behalf of Persimmon Homes Central)	4.7	The table included after paragraph 4.7 should also refer to affordable rent, as well as social rent. The table presented after paragraph 4.3 includes both social and affordable rent and this approach should be continued.	Noted, table headers at 4.7 to include reference to affordable rent.	Headers of the table below 4.7 updated.										
AH50	Pegasus (on behalf of Persimmon Homes Central)	Chapter 5	<p>At paragraph 5.9, the SPD sets out the preferred affordable mix, based on the SHMA but also makes reference to the city's Housing Register. This table is replicated below:</p> <table border="1" data-bbox="734 922 1417 997"> <thead> <tr> <th>Affordable</th> <th>1-Bed</th> <th>2-Bed</th> <th>3-Bed</th> <th>4-Bed</th> </tr> </thead> <tbody> <tr> <td></td> <td>20%</td> <td>30%</td> <td>30%</td> <td>20%</td> </tr> </tbody> </table> <p>The provision of a mix of affordable housing is supported but there are significant concerns regarding the above mix, particularly the large proportion of 4-bed dwellings. The SHMA was updated in 2015 but the original data was presented in the 2012 SHMA, which presents the proposed mix. This data, which will pre-date the publication of the SHMA, is clearly of some age and is now significantly out-of-date. This will need to be updated through the forthcoming Local Plan Review.</p>	Affordable	1-Bed	2-Bed	3-Bed	4-Bed		20%	30%	30%	20%	Noted, the evidence base (HEDNA) is currently being updated.	No Change.
Affordable	1-Bed	2-Bed	3-Bed	4-Bed											
	20%	30%	30%	20%											

	Pegasus (on behalf of Persimmon Homes Central)	Chapter 5	It should also be noted that the SHMA does not distinguish between different tenures within affordable housing, which often have different mix requirements. For example, for ‘intermediate’ tenure such as First Homes, two-and three-bedroom dwellings are more popular for first-time buyers as opposed to one-or four-bedroom dwellings. The above mix does not reflect this difference. It is suggested that the future SHMA should look at providing a different mix for the various affordable housing tenures to account for this and that this exercise should be done through the Local Plan Review, rather than an SPD.	Noted, the evidence base (HEDNA) is currently being updated.	No Change.
AH51	Pegasus (on behalf of Persimmon Homes Central)	Chapter 5	The bedroom tax means that claimants receive less in Housing Benefit or Housing Costs Element in Universal Credit if their property is deemed to have one or more spare bedrooms. This came into effect in April 2013. The benefit cap is a limit on the total amount of benefit that a claimant can receive. This came into effect in 2013 and was revised in 2016. These policies have led to an increase in demand for one-bedroom dwellings (bedroom tax) and decrease in demand for four-bedroom dwellings, due to affordability concerns related to the benefit cap. This has led to a significant decrease in demand from Registered Providers for 4-bedroom properties. The SHMA does not reflect the changes in demand resulting from these key national policy changes and therefore cannot be relied upon to guide mix requirements in 2022. This should be done through the Local Plan Review, including a new SHMA, and not pursued through this SPD.	Noted, the evidence base (HEDNA) is currently being updated.	No Change.

			<p>Notwithstanding the above, any mix requirements should be flexible to take account of differences between localities and site-specific factors. The mix should also take account of the various tenure mixes required in different Housing Need Concentration areas. The mix should be tailored to reflect the specific requirements of different Housing Need Concentration areas, for example those areas with a greater proportion of intermediate tenure will likely require more 2-and 3-bedroom properties than those with a greater amount of social/affordable rental provision which will likely have a greater demand for smaller units, including 1-bedroom properties. When the SHMA is updated, it should consider different mixes for different tenure requirements and different localities.</p>		
<p>AH52</p>	<p>Pegasus (on behalf of Persimmon Homes Central)</p>	<p>Paragraph 5.11</p>	<p>At paragraph 5.11 the SPD states that the Council “promotes the use, and reference of, the Nationally Described Space Standards as an initial framework in achieving affordable homes with satisfactory internal living space.” The delivery of well-designed affordable homes with good internal living space is supported and this can be achieved through the application of policies in the Local Plan through the development management process. However, reference to the Nationally Described Space Standards (NDSS) is not supported. National Planning Guidance Housing: optional technical standards (paragraph 020) clearly states that “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:</p>	<p>This is not a requirement; it is a recommendation which aims to encourage the Nationally Described Space Standards (NDSS).</p>	<p>No Change.</p>

			<ul style="list-style-type: none"> • 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. <p>It is clear from the above that the introduction of the NDSS requires a Local Plan policy which has been fully evidenced, justified and viability tested. It is not appropriate to introduce the NDSS through an SPD which is not subject to these same requirements and any reference to the NDSS should be removed from the SPD. This should instead be considered through a Local Plan Review and any introduction of the NDSS would need to be based of robust, justified evidence which has been viability tested.</p>		
AH53	Pegasus (on behalf of Persimmon Homes Central)	Paragraph 5.14	The SPD continues to consider the general requirements for the integration of affordable homes within a residential development. Paragraph 5.14 acknowledges	Noted, the detail would be agreed as part of the planning process.	No Change.

			the need for realistic management practices to form part of this process. This is supported and, in practice, means that a certain degree of clustering of affordable dwellings will be acceptable as a requirement of the Registered Providers’ ongoing management.		
AH54	Pegasus (on behalf of Persimmon Homes Central)	6.12	<p>Paragraph 6.12 states that CCC will consider reduced affordable housing provision on redeveloped brownfield sites where developers are able to demonstrate vacancy of more than 12-months, but this is not applicable to buildings that have been abandoned. It is not clear where the 12-month vacancy period has come from as the National Planning Guidance: Planning obligations is clear that vacant building credit applies where the building has not been abandoned (paragraph 28). The PPG does state that it may be appropriate for authorities to consider whether the building has been made vacant for the sole purposes of re-development, but it does not set out any defined time period of vacancy required for a site to benefit from VBC. The PPG states that the policy “is intended to incentivise brownfield development, including the reuse or redevelopment of empty or redundant buildings” (paragraph 28). It does not require buildings to have been vacant for 12 months, indeed this would not contribute towards the policy objective of incentivising brownfield development if sites were required to be left vacant for 12 months before they could qualify for VBC. This reference should be removed from the SPD.</p> <p>If a site meets the requirement to be eligible for Vacant Building Credit (VBC) then national policy states that “developers should be offered a financial credit</p>	Amend Paragraph 6.12 to bring it in line with National Planning Practice Guidance on Vacant Credit and Local Plan Policy. Each application will be considered on a case by case basis.	Amended para 6.12 to reflect national policy and guidance, and adopted Local Plan policy.

			<p>equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought” (National Planning Guidance: Planning obligations, paragraph 026). It is clear that where VBC applies, it is not for the Council to consider reduced affordable housing provision, it should be applied as per the floorspace calculations set out in national policy and the SPD should reflect that.</p>		
AH55	Pegasus (on behalf of Persimmon Homes Central)	Section 7	<p>Section 7 is concerned with alternative contributions. This is also referred to a point 5 of Policy H6 of the adopted Local Plan. The first part of this section sets out that in the first instance, the Council may consider alternative contribution through an alternative location. The SPD sets out that alternative sites should be within a reasonable distance of the development site, in an area with the same or greater need to affordable housing and provide the same advantages and access to amenities and services. This is highly unlikely to be feasible in practice as any alternative site would need to be under the control of the applicant to be available and suitable for development in order to deliver affordable housing. Paragraph 7.6 acknowledges that consideration of alternative locations to provide affordable housing will be on a site by site and proposal by proposal basis. In view of the concerns set out, it is extremely unlikely that any proposed development would be able to take this approach to affordable housing. This should not be the ‘first instance’ approach to off-site affordable housing delivery. This approach would complicate the delivery of affordable housing in the City rather than assisting it which is the overall aim of this SPD. This section should be removed from the SPD.</p>	Noted, SPD to be updated to reflect that this is the council expectation but not a requirement.	Paragraph 7.2 updated.

AH56	Pegasus (on behalf of Persimmon Homes Central)	7.12	<p>The section goes on to consider alternative contribution as a commuted sum. Paragraph 7.12 states that a commuted sum will be considered where alternative delivery opportunities have been clearly and demonstrably exhausted. The adopted Local Plan does not support this approach. The policy clearly prioritises on-site provision unless exceptional circumstances (which could include viability considerations) are demonstrated. The supporting text goes on to state that “Where all options for securing on-site provisions have been explored and exhausted, alternative sites may be proposed, or a financial contribution may be agreed.” (page 56). The Local Plan does not state a preference for either type of off-site affordable provision, nor does it require that alternative sites must be exhausted before a commuted sum is considered. It is inappropriate for an SPD to change this approach to favour alternative sites over commuted sums as this approach should be subject to examination to determine its feasibility and viability. The SPD should reflect the Local Plan and allow for both approaches without expressing a preference for one over the other.</p>	Noted, SPD to be updated to reflect that this is the council expectation but not a requirement.	Paragraph 7.2 updated.
AH57	Pegasus (on behalf of Persimmon Homes Central)	General	<p>There is research from Lichfields which identified a number of benefits in respect of off-site affordable housing. These include increased delivery of affordable housing, ability to bring forward sites that are difficult to deliver, delivery of affordable housing in areas where there is a locally identified need, the potential to secure a more balanced community, empowering LPAs to influence delivery of affordable housing and preservation of listed buildings/redevelopment in Conservation Areas. One of the recommendations of this paper was that LPAs</p>	Research is noted.	No Change.

			<p>should look more favourably on applications where on-site affordable housing is demonstrated as unviable, to accept off-site contributions and the value they can make in the local market in respect of meeting identified housing needs. This research demonstrates that there are benefits to commuted sums for affordable housing which supports the position that an alternative location approach should not be preferred above commuted sums.</p>		
AH58	Pegasus (on behalf of Persimmon Homes Central)	7.15 & 7.21	<p>Section 7 also states that off-site housing affordable housing provision may result in a material benefit to the developer and as such the Council will seek an increased proportion of affordable units on an alternative site or as part of a commuted sum. Paragraph 7.15 acknowledges that this will need to take into account the viability assessment which is supported. In terms of calculating the commuted sum, the Local Plan sets out that this should be calculated by subtracting the residual land value of the site with 25% affordable housing from the residual land value with 100% market housing. Paragraph 7.15 should clarify that the SPD is not seeking to change the approach to calculating the commuted sum as the Planning Obligations PPG is clear that policies for planning obligations should be set out in plans and examined in public, and that it is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in SPDs (Paragraph 004). Paragraph 7.21 sets out a formula for calculating the commuted sum which does not align with the Local Plan. This should be removed from the SPD.</p>	<p>We note the provision of a calculation utilising Residual Land Value in the Local Plan. We believe that the calculation provided in the SPD is both easier to use and provides a more equitable calculation.</p> <p>Notwithstanding we acknowledge that the wholesale removal of the RLV calculation may be considered inappropriate. Instead the SPD will be amended to note that the RLV calculation can still be used if the applicant wishes. Further, in that instance, we will stress that it is the responsibility of the applicant to provide a clear and transparent calculation of Residual Land Value (both with and without the Affordable Housing) which may be subject to external appraisal at the applicants cost, as per established practice with Viability Reports.</p>	Para 7.21 updated

AH59	Pegasus (on behalf of Persimmon Homes Central)	7.19	Paragraph 7.19 acknowledges that in cases where management arrangements cannot be agreed with a Registered Provider for on-site affordable housing, a commuted sum may be accepted as an alternative. This approach is generally supported and provides required flexibility. The Council requires strong and demonstrable evidence to support this but states it can be in any form that can be independently verified. This is most likely to take the form of confirmation from RPs that they cannot agree management arrangements for a site.	Noted, the council requires strong and demonstrable evidence in such cases as set out.	No Change.
	Pegasus (on behalf of Persimmon Homes Central)	8.3	Paragraph 8.3 sets out a list of preferred Registered Providers. This list is too short for this market and should be expanded. The purpose of this SPD is to assist with the delivery of affordable housing in the City. A restrictive list of Registered Providers will work against this aim and could stifle new investment in the City.	Paragraph 8.4 outlines a mechanism for engagement with alternative providers.	No Change.
AH60	Pegasus (on behalf of Persimmon Homes Central)	8.4	Paragraph 8.4 continues that where the developer wishes to offer their affordable housing provision to a Provider not referenced then evidence and details of this provider will need to be made available, including showing whether the provision is deliverable with an alternative RP. It states that it is at the Council's discretion to accept an alternative provider and the preference is to work with the listed RPs. It should be acknowledged that there are circumstances when the listed RPs do not wish to take affordable housing provision at certain sites or there are other issues which mean they cannot take on affordable housing plots. On such occasions, when an alternative provider can be identified to ensure the delivery of on-site affordable provision this should be treated favourably by the Council and the SPD should make this clear.	Noted, the SPD already covers this issue.	No Change.

AH61	Pegasus (on behalf of Persimmon Homes Central)	General	The SPD acknowledges there are a range of other affordable products which are not managed by RPs. These includes private rented accommodated (build to rent), intermediate products (affordable home ownership schemes) and self-build homes. It should be noted that self-build homes meet a different housing need to affordable and are unlikely to be support affordable provision.	Noted, however however some self build and custom build products may well be able to meet the affordable needs of the city (for example where an organisation may wish to deliver some custom build homes which can help address local needs). This would be addressed on a case-by-case basis. Para 8.12 amended to provide more clarity on this point.	Amended para 8.12
AH62	Pegasus (on behalf of Persimmon Homes Central)	Section 9 – s106 template	Persimmon Homes also have comments on the s106 precedent template. The ‘affordable housing commuted sum’ definition is inappropriate and should be amended to reflect the residual land value calculation as set out in the adopted Local Plan. Please refer to our previous comments on Section 7 in relation to this matter.	See response to AH58	
AH63	Pegasus (on behalf of Persimmon Homes Central)	Paragraph 2.1.2	The Affordable Housing Scheme Document set out in the s106 template (paragraph 2.1.2) should not unnecessarily duplicate matters already agreed through the planning consent, for example the location, type, mix, tenures and sizes are all defined and agreed with the Council through full or outline/reserved matters consents. The planning consent should be the approval and any variation to the location, tenure or mix of units should be varied through the planning system and should not require a deed of variation.	The template is indicative, and detail will be dealt with on a case-by-case basis.	No Change.
AH64	Pegasus (on behalf of Persimmon Homes Central)	Paragraph 2.1.5	Paragraph 2.1.5 should be amended so that occupation of market housing units is linked to construction of affordable housing rather than their transfer to a registered provider as this is not in the control of the developer.	The occupation of market dwellings and the transfer of affordable to a Registered Provider are considered comparable metrics and so this clause will remain.	No Change.

AH65	Pegasus (on behalf of Persimmon Homes Central)	2.2.3 & 2.3	Paragraph 2.2.3 refers to circumstances when the owner cannot dispose of the Affordable Housing Units. This should include a defined timeframe for these actions. At paragraph 2.3, which relates to alternative Registered Providers, a timeframe should be set out for a decision from the Council which, if not met, then deemed consent should apply.	The clauses as drafted already provide a clear mechanism for this process.	No Change
AH66	Pegasus (on behalf of Persimmon Homes Central)	Part 6	Part 6 addresses First Homes and should follow the drafting issued by Homes England ² . https://www.gov.uk/government/publications/first-homes-model-section-106-agreement-for-developer-contributions	Part 6 will be updated with the wording released subsequent to the launch of the public consultation.	Section 106 template updated
AH67	Pegasus (on behalf of Persimmon Homes Central)	Conclusions	Overall, it is considered that, in its current form, the SPD includes requirements which will cause issues with the delivery of affordable housing. In particular, sections relating to mix, space standards and off-site contributions should be reviewed. The SPD must comply with national guidance which requires obligations and space standards to be examined through the Local Plan-making process. The SPD should also reflect changes in national housing and welfare policy since the adoption of the Local Plan which have impacted demand for affordable housing, particularly for 1-bed and 4-bed plus properties.	The SPD does not set new space standards, but strongly encourage them. Comments regarding off-site contributions are addressed in previous comments. The SPD is responsive to national and local changes since the adoption of the Local Plan.	No Change.
AH68	Resident – Bridget Harper	Executive Summary	I understand the role of the Local Development Plan 2011-2031 and the National Planning Policy Framework 2021. Integral to this is the City Council made up of elected Councillors and Officers who take decisions on behalf of Coventry citizens from richly diverse communities. These decision makers cannot be expected to act wisely without agreed policy frameworks. They are 'a statement of intent'. If there is no 'planning policy' as	Noted.	No Change.

			stated how can decisions be made by CCC Planning Committee on any issue.		
AH69	Resident – Bridget Harper	General	<p>I am a member of the Council’s Adult Social Care Stakeholders Group and have assisted with the co-ordination of Coventry Older Voices, a Voluntary sector organisation for people over 50. The gradual rise in numbers of people over 60 is well documented highlighting particular housing needs for those, who as they age, are also needing increased support and care for their health and well-being.</p> <p>With respect to any new housing developments for both older people and adults with special needs it is essential for a multi-agency approach throughout the planning and development process. This should also include developers, builders, and service users. To achieve this climate of Co-production, believe there clearly needs to be a total paradigm shift in the culture of Planning departments.</p>	Noted, the stakeholders listed will be invited to participate in any local plan review process, as set out in the adopted statement of community involvement.	No Change.
AH70	Resident – Bridget Harper	Chapter 7	<p>I do have serious concerns regarding ‘Alternative Contributions through an Alternative Location’.</p> <p>Maximising the number of dwellings with an on-site/off-site split could become socially divisive. In every neighbourhood irrespective of the property people live in, services and amenities are for the benefit of the whole community and would not be solely restricted to those in Affordable Housing or those on the main Development site.</p>	Alternative contributions or alternative locations will only be considered once on-site affordable housing has been demonstrated clearly and rigorously to not be achievable.	No Change.
AH71	Resident – Bridget Harper	General	Of greater consideration is the sense of belonging, social cohesion and in the quality of human relationships. This evolves over time in many cases across generations and	Noted.	No Change.

			<p>even whole lifetimes. There are several examples in our City of post-war developments where emphasis on a greater number of dwellings took priority over enabling a better quality of life of new residents. This in turn generated problems for years to come.</p>		
AH72	Watkin Jones Group	General	<p>The NPPG within the 'Build to Rent 'chapter (Paragraph: 001 Reference ID: 60-001-20180913) states "as part of their plan making process, local planning authorities should use a local housing need assessment to take into account the need for a range of housing types and tenures in their area including provisions for those who wish to rent". The Government guidance continues by adding "If a need is identified, authorities should include a plan policy setting out their approach to promoting and accommodating BTR. This should recognise the circumstances and locations where BTR developments will be encouraged –for example as part of large sites and/or a town-centre regeneration area". The SPD makes no reference to appropriate evidence of a BtR needs assessment being undertaken. On this basis it is also unclear how the Council has assessed the affordable housing need of this sector.</p>	<p>The scope of this SPD is limited, as it can only elaborate on Local Plan Policy. However, the evidence base is being updated and will be used to inform the process of local plan review.</p>	No Change.
AH73	Watkin Jones Group	General	<p>It is important to note that the 2017 Local Plan policy for Affordable Housing (Policy H6) does not anticipate the BtR product (the 2012 NPPF was guidance at the time which also did not anticipate BtR) and therefore does not acknowledge the specific viability circumstances of this tenure. At paragraph 2.9, the Council notes that the above policy was set within the housing needs set out at the time (and in line with the 2014 Housing and Homelessness Strategy, and 2015 SHMA). On this basis,</p>	<p>The scope of this SPD is limited, as it can only elaborate on Local Plan Policy. However, the evidence base is being updated and will be used to inform the process of local plan review.</p>	No Change.

			very limited weight can be attached to this policy for assessing BtR developments		
AH74	Watkin Jones Group	Paragraph 1.3	<p>Turning to the affordable housing approach to BtR, by way of context, at paragraph 1.3 the SPD notes the Glossary at Annex 2 of the NPPF, which defines Supplementary Planning Documents. It would be appropriate for the Council to also note Government guidance in the National Planning Practice Guidance—for example (author’s emphasis):</p> <p><i>"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."</i> [our emphasis] (reference ID: 61-008-20190315).</p>	Noted.	No Change.
AH75	Watkin Jones Group	General	We consider that the Council’s stated approach towards affordable housing in BtR developments is either confused, or unreasonable/ unviable. Affordable housing in BtR is commonly known as affordable private rent.	Noted, explored in the comments below.	No Change.
AH76	Watkin Jones Group	2.4	<p>Firstly, at paragraph 2.4 of the SPD the Council acknowledges the definition of affordable housing in housing for sale or for rent in the NPPF. This includes:</p> <p><i>"Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents</i></p>	Noted.	No Change.

			<i>(including service charges where applicable)</i> ;[our emphasis]		
AH77	Watkin Jones Group	Page 12	<p>At page 12 (related to paragraph 4.3) the summary of tenures and locational factors states for Affordable Private Rent (Built to Rent/PRS), it states:</p> <p><i>“Affordable rental homes made available at least 80% discount on market rate. Products made available directly by developer, with ongoing management and operations maintained by the developer. Perpetuity secured by legal agreement.”</i></p> <p>The above policy is substantially different to National Policy without the provision of any shared evidence or financial assessment. It is also contrary to the statement that appears at paragraph 9.3 which refers to implementation and Section 106 Agreements. This paragraph states that such Agreements:</p> <p><i>“will also establish that rental levels, services charges and other costs associated with shared ownership are, and remain, affordable. These costs should reflect a material discount from the general market rate, of at least 20% as a minimum discounted rate”.</i></p> <p>The statement at page 12 is also contrary to the SPD’s Appendix 2, where the Council define “Affordable Private Rented Housing” (elsewhere the Council uses the phrase “affordable private rent”) as:</p> <p><i>“housing let by a landlord who is not a Registered Provider which is subject to a rent of no more than 80%</i></p>	The SPD has been updated to rectify this mistake.	The table underneath paragraph 4.3 corrected to reflect the fact that Affordable rental homes should be made at least 20% discount on market rate.

			<p><i>of the local Market Rent (including Service Charges, if any) and is to remain as such in perpetuity”</i></p> <p>Indeed, the Council’s policy for Social Rent/Affordable Rent is set out in the table as:</p> <p><i>“Affordable Rent is no more than 80% of market rent and includes the service charge, if applicable”</i></p> <p>This would suggest that the approach towards BtR affordable private rent is at a substantially greater discount than social rent –again without any justification.</p>		
AH78	Watkin Jones Group	General – Policy H6	<p>Policy H6 incorrectly anticipates both social/affordable rental and intermediate accommodation to be included within BtR development proposals, rather than discounted market rent alone. This could be usefully clarified by the SPD.</p> <p>We therefore strongly request that the Council sets out clearly that the affordable element of BtR should be as contained in the NPPF until such time that the Council undertakes further need and viability assessment as part of a statutory development plan document process. Until such time, the draft document does not provide the “clear and understandable advice” as anticipated in the SPD’s Executive Summary.</p>	The SPD has been updated in line with National Planning Policy and Planning Policy Guidance in order to provide clarity on the affordable housing requirement associated with Build to Rent developments.	Chapter 5 to updated to provide clarity on affordable housing requirements associated with Build to Rent developments.
AH79	Watkin Jones Group	Appendix 2 (Page 38)	At page 38 (Appendix 2) of the SPD the Council sets out the expected “Build to Rent Housing Strategy”. It stated means is a strategy that relates to Market Housing Units that are proposed to be Occupied as Build to Rent Housing and which must include:	This requirement will be amended so that is clear that the requirement is meant only for the affordable private rent units coming forward within the Build to Rent scheme. The local marketing is required to ensure	Build to Rent Housing Strategy Definition updated

			<p><i>“(a) Local marketing to be adopted within the city of Coventry for the first 3 months;”</i></p> <p>Firstly, it is not clear what this requires from promoters of BtR. However, it would be unreasonable to suggest that the only residents within the Council were able to access any new accommodation, or indeed that marketing would not be permitted outside of the City. This therefore requires further evidence to support any staged local marketing process, which would otherwise not accord with any national policy.</p>	that all affordable units are promoted to alleviating the affordable housing need within the city.	
AH80	Watkin Jones Group	5.9 – 5.10	At paragraph 5.9 the Council discusses the range of unit sizes that should be targeted in affordable housing provision. Whilst recognising flexibility in the application of this, it should be specifically recognised in the SPD at paragraph 5.10 that flexibility might also be reasonable for BtR developments which commonly offer a greater mix of smaller unit sizes	Such arguments need to be brought forward by applicants on a case-by-case basis.	No change
AH81	Watkin Jones Group	4.5 – 4.6	At paragraphs 4.5-4.6 the Council discusses First Homes policy. In accordance with the NPPF (paragraph 65), the guidance should make it clear that First Homes expectation should not apply to exclusively BTR developments, or other forms of specialist accommodation.	Noted and agreed, the SPD has been updated to reflect this.	Footnote outlining exemptions to the requirement of 10% Intermediate provision added to page 13.
AH82	Watkin Jones Group	General – Co-living	We welcome the support for this specific product in the City which can offer a more affordable proposition with	This is covered in Section 6 of the SPD.	No Change.

			the added benefit of local community. Off-site contributions in lieu of affordable housing on-site is a common approach and is welcomed. However, the policy should make it clear that development viability will be taken into account when assessing the appropriate levels of financial payment.		
AH83	Watkin Jones Group	Conclusion	We strongly believe that the Council needs a clear policy in respect of BtR in terms of establishing need; the approach to affordable housing (specifically, the discounted market rent tenure); and clarity around other aspects of national policy for the reasons set out in this representation. In the absence of supporting evidence of need and the lack of viability testing it would be unreasonable to do more than reflect the national policy approach within this Supplemental Planning Document. This is particularly important given the current lack of BtR experience of such matters in the local planning authority, and that the BtR market has yet to be proven for the City.	Noted, the evidence base is in the process of being updated to inform any future policy change (which would be beyond the scope of this SPD). The SPD will be updated to reflect National Policy regarding Build to Rent.	Amendments made to the table at 4.3, para 17, para 5.19 (add in new para 5.20) to provide clarity on BtR.

Strategic Environmental Assessment Screening:

Comment Reference	Respondent	Page/Para Reference	Consultation Response	Officer Summary	Proposed Change to SPD
AH – SEA1	Natural England	General	A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a	Noted.	None.

			<p>Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p> <p>It is our advice, on the basis of the material supplied with the consultations, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plans.</p> <p>Natural England therefore agrees with your conclusions that an SEA is not required for the separate SPD's.</p>		
<p>AH – SEA2</p>	<p>Historic England</p>		<p>With regard to the Affordable Housing SPD SEA Screening Opinion, in terms of Historic England's area of interest, given the nature of the SPD, we would concur with your assessment that the document is unlikely to result in any significant environmental effects and will simply provide additional guidance on existing Policies contained within the adopted Coventry City Council Local Plan which has already been subject to a Sustainability Appraisal/SEA. As a result, we would endorse the Authority's conclusions that it is not necessary to undertake a Strategic Environmental Assessment of this particular SPD. However, the views of the other three statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made.</p>	<p>Noted.</p>	<p>None.</p>

**Strategic Environmental Assessment of the Affordable
Housing Supplementary Planning Document**

Coventry City Council

Strategic Environmental Assessment Screening Assessment

February 2022

1. Introduction

- 1.1 This screening report has been produced to consider whether the Affordable Housing Supplementary Planning Document (SPD) prepared by Coventry City Council should be subject to a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, as amended by The Environmental Assessments and Miscellaneous Planning (Amendment)(EU Exit) Regulations.
- 1.2 Paragraph: 008 of the Planning Guidance¹ states that supplementary planning documents may in exceptional circumstances require SEA if they are likely to have significant environmental effects that have not already been assessed during the preparation of the relevant strategic policies. This screening statement considers whether there are any impacts which have not already been assessed within the Coventry Local Plan which was adopted on 6th December 2017², and determines whether or not SEA is needed for this SPD.

2. The Affordable Housing SPD: Context

- 2.1 The Draft Affordable Housing SPD sets out further detail on existing policies contained within the Coventry City Council Local Plan, in particular Policy H6: Affordable Housing. The Local Plan is the City Council's statutory planning framework which sets out how and where new homes, jobs, services and infrastructure will be delivered and the type of places and environments that will be created, enhanced and protected.
- 2.2 Delivering sufficient affordable homes over the Plan period to 2031 is a key objective of the adopted Coventry Local Plan. The aim of this SPD is to facilitate the delivery of affordable homes as set out in the plan and in compliance with the most up to date national policy as set out in the National Planning Policy Framework
- 2.3 The additional guidance provided within the SPD sets out the different types of affordable housing as defined by Government and provides the detail on how these should be delivered. This includes setting out the process in agreeing affordable housing delivery, affordability types and tenures, dwelling design, management structures and Section 106 Agreements for securing delivery.

3. The Screening Process

- 3.1 The screening assessment is undertaken in two parts: the first will assess whether the SPD requires screening for SEA and the second part of the assessment will consider whether the SPD is likely to have a significant effect on the environment, using criteria drawn from Schedule 1 of the SEA Regulations.

¹ Reference ID: 11-008-20140306

² <https://www.coventry.gov.uk/localplan>

Table 1: Is SEA screening required?

Environmental Regulations Paragraph detail	Comments
<p>2.(1) In these Regulations- [...] "plans and programmes" means plans and programmes, including those co-financed by the European Community, as well as any modifications to them, which— (a) are subject to preparation and adoption by an authority at national, regional or local level; (b) are prepared by an authority for adoption, through a legislative procedure by Parliament or Government; and, in either case, (c) are required by legislative, regulatory or administrative provisions</p>	<p>Yes, this applies.</p> <p>The SPD is subject to preparation and adoption at local level. Whilst the SPD is not a requirement and is optional under the provisions of the Town and Country Planning Act it will, if adopted, supplement the development plan and be a material consideration in the assessment of planning applications.</p>
<p><u>Environmental assessment for plans and programmes: first formal preparatory act on or after 21st July 2004</u> 5.(2) The description is a plan or programme which— (a) is prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, and (b) sets the framework for future development consent of projects listed in Annex I or II Directive 2011/92/EU(4) of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment.</p>	<p>Yes, this applies.</p> <p>The SPD is prepared for town and country planning purposes. It supplements the planning policy framework of the Coventry City Local Plan, by providing detailed guidance as to how these policies are interpreted for future consent of projects listed in Schedule II of Directive 2011/92/EU(4).</p>
<p>3) The description is a plan or programme which, in view of the likely effect on sites, has been determined to require an assessment pursuant to Article 6 or 7 of the Habitats</p>	<p>No this does not apply.</p> <p>The SPD is not likely to affect sites and has been determined not to require an assessment pursuant to any law that</p>

<p>Directive.</p>	<p>implemented Article 6 or 7 of the Habitats Directive.</p> <p>Habitat Regulations Assessment is not required. The Habitat Regulation Assessment undertaken in 2016 for the Coventry City Local Plan concluded that the plan would not cause a negative effect alone or in combination with other plans. The SPD does not provide any guidance which alters the impact of the policy on designated sites.</p>
<p>6) An environmental assessment need not be carried out— (a)for a plan or programme of the description set out in paragraph (2) or (3) which determines the use of a small area at local level, or (b)for a minor modification to a plan or programme of the description set out in either of those paragraphs,</p>	<p>Yes, this applies.</p> <p>The SPD provides further detail on the implementation of affordable housing policy within the adopted Local Plan. This applies to the whole administrative area of Coventry City Council.</p>
<p><u>Determinations of the responsible authority³</u> 9.—(1) The responsible authority shall determine whether or not a plan, programme or modification of a description referred to in— (a)paragraph (4)(a) and (b) of regulation 5; (b)paragraph (6)(a) of that regulation; or (c)paragraph (6)(b) of that regulation, is likely to have significant environmental effects. (2) Before making a determination under paragraph (1) the responsible authority shall— (a)take into account the criteria specified in Schedule 1 to these Regulations; and (b)consult the consultation bodies.</p>	<p>This screening opinion has been prepared using the criteria specified in Schedule 1 as presented in Table 2.</p> <p>The statutory bodies (Natural England, Historic England and the Environment Agency) are to be consulted as required.</p>

³ “Responsible authority”, in relation to a plan or programme, means the authority by which or on whose behalf it is prepared (Regulation 2(1)(a))

Table 2: will the SPD have a significant effect on the environment⁴

SEA requirement	Comments
1: The characteristics of plans and programmes, having regard, in particular, to	
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The SPD has a minor role in setting the framework for projects. While the SPD forms a material consideration in decisions on planning applications, it has no influence on the location or volume of projects nor does it allocate resources.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The SPD does not create new policies but will support the policies in the adopted Local Plan. Other plans and programmes may outlive the SPD and during their preparation will be steered by national legislation and policy.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The purpose of the SPD is to provide guidance to support the affordable housing policy of the adopted Local Plan. The Local Plan SA/SEA assessed this. The purpose of the SPD is to ensure these beneficial impacts of that policy are delivered and maintained which contributes to promoting sustainable development.
(d) environmental problems relevant to the plan or programme; and	There are no environmental problems relevant to this SPD: it elaborates adopted Local Plan policy.
(e) the relevance of the plan or programme for the implementation of retained EU law on the environment (for example, plans and programmes linked to waste management or water protection).	The SPD has no relevance to the implementation of retained EU law.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—	
(a) the probability, duration, frequency and reversibility of the effects;	The SPD is not allocating sites for development. The SPD is to provide guidance for the application and implementation of the policies in

⁴ As set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004

	the adopted Local Plan and is not expected to give rise to any significant environmental effects.
(b) the cumulative nature of the effects;	The SPD is not considered to have any significant cumulative effects. As the document provides further guidance to adopted local plan policies, but does not set policies itself, it cannot contribute to cumulative impacts in combination with the Local Plan.
(c) the transboundary nature of the effects;	There are no transboundary effects as this SPD relates to the Coventry City Council area only. Any potential significant transboundary environmental effects have already been assessed as part of the local plan's sustainability appraisal, the Habitat Regulations Assessment and the plan's examination process.
d) the risks to human health or the environment (for example, due to accidents);	The SPD poses no risk to human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The SPD relates to Coventry City Council's administrative area only.
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use;	The SPD relates to the Coventry City Council area only; as no development is proposed via the SPD, which elaborates on existing policy, none of these are likely to be affected by the SPD. Any site-specific matters would be addressed through a planning application specific to an individual proposal.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	The SPD relates to the Coventry City Council area only; as no development is proposed via the SPD, which elaborates on existing policy, none of these matters are likely to be affected by the SPD. Any site-specific matters would be addressed through a planning application specific to an individual proposal.

4. Conclusion and Screening Recommendation

4.1 This screening assessment identifies that the SPD will provide guidance to support the affordable housing policy of the Coventry City Council adopted Local Plan. It is concluded that the SPD is unlikely to have significant environmental effects and therefore that Strategic Environmental Assessment is not required. The three statutory bodies (Natural England, Historic England and the Environment Agency) were consulted between 30th November 2021 and 18th January 2022. Natural England and Historic England confirmed that SEA is not required. No response was received from the Environment Agency.

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Title of EIA		EIA Affordable Housing SPD
EIA Author	Name	Clare Eggington
	Position	Principal Town Planner (Planning Policy)
	Date of completion	04/02/2022
Head of Service	Name	David Butler
	Position	Head of Planning Policy and Environment
Cabinet Member	Name	Councillor David Welsh
	Portfolio	Housing and Communities

EIA	<ul style="list-style-type: none"> • Having identified an EIA is required, ensure that the EIA form is completed as early as possible. • Any advice or guidance can be obtained by contacting Jaspal Mann (Equalities) or Hannah Watts (Health Inequalities)
Sign Off	<ul style="list-style-type: none"> • Brief the relevant Head of Service/Director/Elected Member for sign off • Have the EIA Form ready for consultation if it is required • Amend according to consultation feedback and brief decision makers of any changes
Action	<ul style="list-style-type: none"> • Implement project / changes or finalise policy/strategy/contract • Monitor equalities impact and mitigations as evidence of duty of care

PLEASE REFER TO [EIA GUIDANCE](#) FOR ADVICE ON COMPLETING THIS FORM

SECTION 1 – Context & Background

1.1 Please tick one of the following options:

This EIA is being carried out on:

- New policy / strategy
- New service
- Review of policy / strategy
- Review of service
- Commissioning
- Other project (please give details) *Supplementary Planning Document for Affordable Housing*



1.2 In summary, what is the background to this EIA?

The Affordable Housing Supplementary Planning Document (SPD) adds further details to the Local Plan which was adopted on 6th December 2017 and for which EIA was undertaken. SPDs do not introduce new policy, but provide further detail and guidance to enable the delivery of adopted policies.

Delivering sufficient affordable homes over the Plan period to 2031 is a key objective of the adopted Coventry Local Plan. The aim of this SPD is to facilitate the delivery of affordable homes as set out in the plan and in compliance with the most up to date national policy as set out in the National Planning Policy Framework.

The additional guidance provided within the SPD sets out the different types of affordable housing as defined by Government and provides the detail on how these should be delivered. This includes setting out the process in agreeing affordable housing delivery, affordability types and tenures, dwelling design, management structures and Section 106 Agreements for securing delivery.

1.3 Who are the main stakeholders involved? Who will be affected?

Developers who are required to deliver affordable housing, providers of affordable housing, and those members of the community who need to access affordable homes. The National Planning Policy Framework (NPPF) defines affordable housing as 'housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/ or is for essential local workers)'. Further detail on the definition can be found here <https://www.gov.uk/government/publications/national-planning-policy-framework--2> : this includes detail on the different types of product including affordable housing for rent, starter homes, discounted market sales housing and other affordable routes to home ownership.

1.4 Who will be responsible for implementing the findings of this EIA?

Coventry City Council Planning Policy Service

SECTION 2 – Consideration of Impact

Refer to guidance note for more detailed advice on completing this section.

In order to ensure that we do not discriminate in the way our activities are designed, developed and delivered, we must look at our duty to:



- Eliminate discrimination, harassment, victimisation and any other conflict that is prohibited by the Equality Act 2010
- Advance equality of opportunity between two persons who share a relevant protected characteristic and those who do not
- Foster good relations between persons who share a relevant protected characteristic and those who do not

2.1 Baseline data and information

Please include a summary of data analysis below, using both your own service level management information and also drawing comparisons with local data where necessary (go to <https://www.coventry.gov.uk/factsaboutcoventry>)

The Local Plan was formulated using detailed evidence including a Strategic Housing Market Assessment. The Local Plan was independently examined by a Planning Inspector to ensure that its policies were robust and formulated using appropriate evidence before it could be sound and capable of adoption. Further detail on the Local Plan and the evidence base can be found here <https://www.coventry.gov.uk/localplan>

This SPD details how the policy will be delivered, setting out the process in agreeing affordable housing delivery, affordability types and tenures, dwelling design, management structures and Section 106 Agreements for securing delivery.

2.2 On the basis of evidence, complete the table below to show what the potential impact is for each of the protected groups.

- Positive impact (P),
- Negative impact (N)
- Both positive and negative impacts (PN)
- No impact (NI)
- Insufficient data (ID)

**Any impact on the Council workforce should be included under question 2.6 – not below*

Protected Characteristic	Impact type P, N, PN, NI or ID	Nature of impact and any mitigations required
Age 0-18	P	Affordable housing is aimed at those whose needs are not met by the market. Whilst those aged 0-18 would generally not be directly able to access affordable products, many will live in households where their parents and carers will not be able to afford open



		market homes and thus they will indirectly benefit from the policy. 22.5% of children live in low income families which is above the regional and national average (20.2% and 17% respectively) ¹
Age 19-64	P	Affordable housing is aimed at those whose needs are not met by the market. The average gross disposable household income for Coventry is below the regional and national average (£15,353 per head per annum compared to £18,222 and £21,609 respectively in 2018), and the average house price was £185,000 (October 2019 to September 2020 figures). Currently the claimant count stands at 15,320 (ONS July 2021) compared to 8,000 in March 2020. As well as the affordable housing for rent product, the government is promoting a variety of routes to home ownership including starter homes and discounted market sales housing which are most likely to apply to this age group.
Age 65+	P	See above in terms of disposable household income and average house prices. Some affordable housing products (as defined by the Government in the National Planning Policy Framework) will be applicable depending upon the individual / household circumstances
Disability	ID	No direct impact although some affordable products will be applicable depending upon the individual / household circumstances
Gender reassignment	ID	No direct impact although some affordable products will be applicable depending upon the individual / household circumstances
Marriage and Civil Partnership	ID	No direct impact although some affordable products will be applicable depending upon the individual / household circumstances
Pregnancy and maternity	ID	No direct impact although some affordable products will be applicable depending upon the individual / household circumstances
Race (Including: colour, nationality, citizenship ethnic or national origins)	ID	No direct impact although Coventry has a diverse population and affordable products will be applicable depending upon the individual / household circumstances
Religion and belief	ID	No direct impact although some affordable products will be applicable depending upon the individual / household circumstances
Sex	ID	No direct impact although some affordable products will be applicable depending upon the individual / household circumstances

¹ <https://www.gov.uk/government/statistics/children-in-low-income-families-local-area-statistics-201415-to-201819>



Sexual orientation	ID	No direct impact although some affordable products will be applicable depending upon the individual / household circumstances
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HEALTH INEQUALITIES

<p>2.3</p>	<p>Health inequalities (HI) are unjust differences in health and wellbeing between different groups of people which arise because of the conditions in which we are born, grow, live, work and age. These conditions influence our opportunities for good health, and result in stark differences in how long we live and how many years we live in good health.</p> <p>Many issues can have an impact: income, unemployment, work conditions, education and skills, our living situation, individual characteristics and experiences, such as age, gender, disability and ethnicity</p> <p>A wide range of services can make a difference to reducing health inequalities. Whether you work with children and young people, design roads or infrastructure, support people into employment or deal with welfare benefits – policy decisions and strategies can help to reduce health inequalities</p> <p>Please answer the questions below to help identify if the area of work will have any impact on health inequalities, positive or negative.</p> <p>If you need assistance in completing this section please contact: Hannah Watts (hannah.watts@coventry.gov.uk) in Public Health for more information. More details and worked examples can be found at https://coventrycc.sharepoint.com/Info/Pages/What-is-an-Equality-Impact-Assessment-(EIA).aspx</p>	
Question	Issues to consider	
<p>2.3a What HIs exist in relation to your work / plan / strategy</p>	<ul style="list-style-type: none"> • Explore existing data sources on the distribution of health across different population groups (<i>examples of where to find data to be included in support materials</i>) • Consider protected characteristics and different dimensions of HI such as socio-economic status or geographical deprivation 	
	<p>Response: The Affordable Housing SPD supplements the policies of the adopted Local Plan which was subject to Health Impact Assessment. The Health and Wellbeing chapter of the plan, which includes Policy HW1, requires Health Impact Assessments for particular types and scale of development where there could be significant impacts. See https://www.coventry.gov.uk/localplan This was supplemented by a Health Impact</p>	



Assessment SPD which provided further detail and guidance including that in relation to affordable housing. See https://www.coventry.gov.uk/downloads/file/28900/health_impact_assessment_spd

2.3b How might your work affect HI (positively or negatively).

How might your work address the needs of different groups that share protected characteristics

Consider and answer below:

- Think about whether outcomes vary across groups and who benefits the most and least, for example, the outcome for a woman on a low income may be different to the outcome for a woman a high income
- Consider what the unintended consequences of your work might be

Response:

- a. Potential outcomes including impact based on socio-economic status or geographical deprivation

The Health Impact Assessment SPD referred to above includes the following:

Category 1: Housing Quality and Design

Access to decent and adequate housing is critically important for health and wellbeing, especially for the very young and very old. Environmental factors, overcrowding and sanitation in buildings as well as unhealthy urban spaces have been widely recognised as causing illness since urban planning was formally introduced. Post-construction management also has an impact on community welfare, cohesion and mental wellbeing.

Considerations	Negative effects	Positive Effects	Relevant Local Plan Policies and Supplementary Planning Documents
<ul style="list-style-type: none"> • Accessible and adaptable dwellings • Internal space standards, orientation and layout • Affordable housing and dwelling mix • Energy efficiency • High Quality Design 	A lack of affordable housing within communities may compromise the health of low-income residents as they are likely to spend more on housing costs and less on other daily living needs.	Making provision for affordable housing has the potential to improve wellbeing, while housing quality can be improved by use of appropriate construction methods. This includes use of good materials for noise insulation and energy-efficiency, and detailed design considerations to make sure that homes are accessible, adaptable and well oriented.	<ul style="list-style-type: none"> • AC2: Road Network • DE1: Ensuring High Quality Design • DS3: Sustainable Development Policy • EM2: Building Standards • EM5: Sustainable Drainage Systems SuDS • H3: Provision of New Housing • H4: Securing a Mix of Housing • H5: Managing Existing Housing Stock • H6: Affordable Housing • H8: Care Homes, Supported Housing, Nursing Homes and Older Persons accommodation
	Poor choice of location, design and orientation of housing developments can be detrimental to physical and mental health.	Providing a sufficient range of housing tenures with good basic services is also essential. Adaptable buildings for community uses such as health, education and leisure can contribute towards a sustainable community.	
	The quality of design, including internal sound insulation, daylighting and provision of private space can influence the health and wellbeing of occupiers.	Providing adaptable homes allows residents to remain in their home despite changing accommodation requirements. In this context, adaptable housing allows care to be	

		provided in the community more easily.	<ul style="list-style-type: none"> • Sustainable Urban Extension Design Guide SPD
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- b. Potential outcomes impact on specific socially excluded or vulnerable groups eg. people experiencing homelessness, prison leavers, young people leaving care, members of the armed forces community.

Ensuring access to a range of affordable housing products to meet a range of needs and circumstances is a key aim of the Local Plan housing policies and the SPD provides the further detail to ensure that policy can be delivered.

Whilst the SPD cannot directly influence the detail of the end-user of the product (as this is for the registered providers / developers who deliver the products to determine in terms of prioritisation and access to the product), Policy H6 of the Local Plan (upon which this SPD elaborates) sets the context for deciding what type of affordable housing product would be more appropriate in a particular area of the city. For example, Policy H6 requires an affordable tenure split of 10% Social/Affordable Rent and 15% Intermediate Provision in areas with existing high concentrations of social housing. This is to both ensure that there is no over-concentration of social rent, but also to promote affordable home ownership in areas where there is a shortfall of opportunity to get on the housing ladder. This will therefore positively benefit first time buyers on low incomes.

Policy H6 of the Local Plan sets out the context, and the SPD provides the detail for ensuring that the developer delivers an appropriate type of affordable product and that this is then secured via legal agreement.

2.4 Next steps - What specific actions will you take to address the potential equality impacts and health inequalities identified above?

This was considered through the Local Plan (the 'parent document'), this document provides the detail to ensure the Local Plan policies can be delivered effectively. The Local Plan (Policy H6) requires that developers should provide 25% of all dwellings as affordable homes (on developments of 25 homes or more or on sites larger than 1ha) unless robust evidence is given to demonstrate a lower figure or an alternative means of delivery.

The government's definition of 'affordable housing' in a planning context (as set out in the National Planning Policy Framework glossary) is very broad and includes affordable housing for rent, starter homes, discounted market sales housing and 'other affordable routes to home ownership'

To ensure the delivery of homes that are affordable for members of every community within Coventry, the city's affordable housing policy H6 also responds to spatial considerations that reflect the existing housing stock in areas of the city. This is to avoid over-concentration of particular tenures of affordable housing to secure diverse communities and also to provide homes in areas of the city where the market cannot.

It is the objective of Policy H6 to promote varying tenure mixes in the city to ensure that residential proposals more appropriately reflect their locations in Coventry. For example, Policy H6 requires an



affordable tenure split of 10% Social/Affordable Rent and 15% Intermediate Provision in areas with existing high concentrations of social housing. This is to both ensure that there is no over-concentration of social rent, but also to promote affordable home ownership in areas where there is a shortfall of opportunity to get on the housing ladder. This will therefore positively benefit first time buyers on low incomes.

In addition to the housing types and tenures the SPD also makes recommendations in terms of securing appropriate design and space standards to ensure that the occupants are fully integrated into the wider community

The SPD elaborates on adopted Policy H6 and provides detailed guidance for developers to ensure that affordable housing of an appropriate type and tenure is delivered in relation to the part of the city to which the application relates in order to meet the needs of those communities. Once that detail has been agreed with the Council’s housing, planning and legal teams (which would be on a case by case basis at that stage) the commitment to deliver would be secured via a Section 106 legal agreement.

2.5 How will you monitor and evaluate the effect of this work?

The Local Plan already includes monitoring indicators which keep track of how much affordable housing is delivered annually. However, the SPD provides clarity to the process which will assist with more efficient delivery. The S106 legal agreements are monitored so it can be seen where contributions are being secured. However there is scope to improve the monitoring process and this is an action which will be undertaken by the planning policy team to consider moving forwards. In terms of the outcomes of further monitoring, if there are issues which are emerging, this can then be fed into a review of the wider local Plan policies.

2.6 Will there be any potential impacts on Council staff from protected groups?

No

You should only include the following data if this area of work will potentially have an impact on Council staff. This can be obtained from: lucille.buckley@coventry.gov.uk

Headcount:

Sex:

Age:

Female	
Male	



Coventry City Council

16-24	
25-34	
35-44	
45-54	
55-64	
65+	

Disability:

Disabled	
Not Disabled	
Prefer not to state	
Unknown	

Ethnicity:

White	
Black, Asian, Minority Ethnic	
Prefer not to state	
Unknown	

Religion:

Any other	
Buddhist	
Christian	
Hindu	
Jewish	
Muslim	
No religion	
Sikh	
Prefer not to state	
Unknown	

Sexual Orientation:

Heterosexual	
LGBT+	
Prefer not to state	
Unknown	

3.0 Completion Statement

As the appropriate Head of Service for this area, I confirm that the potential equality impact is as follows:

- No impact has been identified for one or more protected groups
- Positive impact has been identified for one or more protected groups
- Negative impact has been identified for one or more protected groups
- Both positive and negative impact has been identified for one or more protected groups

4.0 Approval

Signed: Head of Service:	Date:
---------------------------------	--------------



<p>Name of Director:</p>	<p>Date sent to Director:</p>
<p>Name of Lead Elected Member:</p>	<p>Date sent to Councillor:</p>

Email completed EIA to equality@coventry.gov.uk

Cabinet

15th March 2022

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor D Welsh

Director Approving Submission of the report:

Director of Streetscene and Regulatory Services

Ward(s) affected:

All

Title:

Open Space Supplementary Planning Document - Adoption

Is this a key decision?

Yes – The proposals in the report will significantly affect residents and businesses in all wards of the city

Executive Summary:

This report seeks to adopt the Open Space Supplementary Planning Document (SPD) following public consultation which was undertaken between 30th November 2021 and 18th January 2022.

SPDs add further detail to the policies in the development plan but cannot introduce new policy. SPDs provide additional guidance for development and are capable of being a material consideration when making decisions on planning applications.

The purpose of the Open Space SPD is to set out the Council's approach towards the provision of public open space in new residential development. It supplements Policy GE1 of the adopted Local Plan, which states that: "new development proposals should make provision for green infrastructure to ensure that such development is integrated into the landscape and contributes to improvements in connectivity and public access, biodiversity, landscape conservation, design, archaeology and recreation".

The additional guidance provided within the SPD aims to provide clear information for applicants about policy requirements: which developments will trigger a requirement for open space provision, how much open space should be provided, what kind of open space is needed, and clear expectations in terms of design and delivery.

Responses to the consultation have been analysed and taken account of when amending the SPD. The proposed final version is attached at Appendix 1 to the report, and a summary of representations along with responses and proposed amendments can be seen at Appendix 2 to the report.

Recommendations:

Cabinet is recommended to:

- 1) Adopt the Open Space Supplementary Planning Document (SPD).
- 2) Delegate to the Strategic Lead (Planning), following consultation with the Cabinet Member for Housing and Communities, any necessary further non-substantive (minor) changes to the document.

List of Appendices included:

Appendix 1 - Open Space Supplementary Planning Document
Appendix 2 - Consultation: summary of representations and responses
Appendix 3 - Strategic Environmental Assessment Screening Report
Appendix 4 - Equalities Impact Assessment

Background papers:

None

Other useful documents:

Local Plan: adopted December 2017
National Planning Policy Framework July 2021

Has it been or will it be considered by Scrutiny?

No - however, the draft SPDs were considered by the Communities and Neighbourhoods Scrutiny Board (4) on 15th December 2021 as part of the consultation process.

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Open Space Supplementary Planning Document - Adoption

1. Context (or background)

- 1.1 The National Planning Policy Framework (NPPF) defines Supplementary Planning Documents (SPDs) as *'documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues.... Supplementary Planning Documents are capable of being a material consideration in planning decisions but are not part of the development plan'*.
- 1.2 Requiring developers to provide open space as part of their proposals is a key requirement of Policy GE1 (Green Infrastructure) of the adopted Coventry Local Plan.
- 1.3 The additional guidance provided within the SPD aims to provide clear information for developers about policy requirements: which developments will trigger a requirement for open space provision, how much open space should be provided, what kind of open space is needed, and clear expectations in terms of design and delivery.
- 1.4 Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing SPDs. This includes a minimum statutory public consultation period of four weeks: the Council's recently adopted Statement of Community Involvement however sets out a local standard that SPDs should be consulted on for six weeks. Because of the Christmas period consultation was undertaken over seven weeks between 30th November 2021 and 18th December 2022. Further detail is set out in section 3 of the report.
- 1.5 It is also a legal requirement, as set out in the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations), to consider whether or not Strategic Environmental Assessment (SEA) of the SPD should be undertaken. The process for determining whether or not an SEA is required is called screening. This is to determine whether a plan will have significant environmental effects. The screening opinion undertaken is attached at Appendix 3 to the report. This concludes that no SEA is needed as the SPD elaborates on existing policy. This screening report must be consulted on so that three statutory bodies (Historic England, Natural England and the Environment Agency) can respond. The screening report was made publicly available for comment at the same time as the SPD was being consulted on.
- 1.6 Finally, an Equalities Impact Assessment (EIA) been undertaken, this is attached at Appendix 4 to the report and was publicly consulted on.
- 1.7 Responses have been analysed and the SPD amended accordingly. In line with the legislation, this Cabinet report will include a statement setting out the details of the consultation, a summary of the main issues raised and how they have been addressed. This is contained at section 3 and Appendix 2 to the report

2. Options considered and recommended proposal

- 2.1 Cabinet may wish for the Council to rely upon the current Local Plan policies along with the National Planning Policy Framework along with the existing Coventry City Council Green Space Strategy. However, this approach does not provide the detail needed to give developers, officers and decision makers the clarity and consistency which is needed. This option is not recommended

- 2.2 The recommendation is to adopt a new Open Space SPD, as per Appendix 1. This approach is recommended in order to give developers, officers and decision makers the clarity and consistency which is needed. This will accurately reflect the adopted Local Plan and national policy and ensure delivery in accordance with local need.

3 Results of consultation undertaken

- 3.1 Public consultation was undertaken between 30th November 2021 and 18th January 2022. The minimum statutory period for SPD consultations is four weeks, the council's Statement of Community Involvement recommends six weeks however in this instance a seven-week consultation period was undertaken to allow for the Christmas holidays.
- 3.2 The council made all consultation documentation available on its website and in hard copy at the Council House and all libraries. A notification email was sent to all consultees on the planning policy consultation database, statutory consultees and Duty to Co-operate bodies (as set out in the regulations) which provided background to the SPD consultation and explained where people could view the documents and the various ways in which they could provide comments. The council also used its social media platforms and local press to publicise the consultation.
- 3.3 Regulation 12 of the Local Planning Town and Country Planning (Local Planning) (England) Regulations 2012 states that, before a local planning authority can adopt an SPD it must first prepare a statement setting out the persons consulted during the preparation of the document, with a summary of the main issues raised and how they have been addressed in the SPD. This report addresses these requirements, and details of the comments submitted, the officer response and changes made to the SPD as a result can be viewed at Appendix 2.
- 3.4 The Communities and Neighbourhoods Scrutiny Board (4) considered the draft SPD and supporting documents on 15 December 2021 as part of the consultation process. There was a discussion around the impact of open space and green space on wellbeing and how it can be well designed and delivered by developers, including consideration of how open spaces can be made safer for their users with particular reference in the discussions to the safety of lone women. The Scrutiny Board agreed with the content of the draft SPD's in principle.
- 3.5 Alongside the SPD, the SEA screening opinion and Equality Impact Assessment were made available for public comment as set out in section 1 of this report. In terms of the SEA screening, the statutory consultation bodies Natural England and Historic England concurred with the council's view that Strategic Environmental Assessment is not required. The Environment Agency did not respond. The screening assessment at Appendix 3 has been updated to reflect this conclusion. The Equality Impact Assessment at Appendix 4 has been updated as a result of feedback.

4 Timetable for implementing this decision

- 4.1 The SPD can be adopted immediately.

5 Comments from the Chief Operating Officer (Section 151 Officer) and the Director of Law and Governance

- 5.1 Financial implications

There are no financial implications associated with this report.

5.2 Legal implications

There are no direct implications as a result of this report. Regulations 11 to 16 of The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing SPDs. The Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) also require the Council to consider whether or not Strategic Environmental Assessment (SEA) of the SPD should be undertaken.

6 Other implications

6.1 How will this contribute to achievement of the Council's Plan?

Planning policy documents and planning applications help deliver the aims and objectives of the One Coventry Corporate Plan by determining the type and quantum of development needed, where this should be located, areas which should be protected, enhanced or improved and the infrastructure which should be provided. In line with the Corporate Plan, this document focuses upon supporting local communities creating an attractive, clearer and greener city and improving health and wellbeing through provision of a network of well-maintained open spaces.

6.2 How is risk being managed?

There are no risks associated with this report.

6.3 What is the impact on the organisation?

No direct impact.

6.4 Equalities Impact Assessment / EIA

A full Equality and Impact Assessment (EIA) was undertaken as part of developing the Local Plan. As part of that analysis, the Council had due regard to its public sector equality duty under section 149 of the Equality Act (2010). The Supplementary Planning Document elaborates on Local Plan policy and so a further EIA has been undertaken (Appendix 4)

6.5 Implications for (or impact on) climate change and the environment

This is an elaboration of Local Plan policy relating to the delivery of sustainable development and, whilst it does not introduce new policy it will assist in ensuring that developers make appropriate provision for open space through their planning applications.

6.6 Implications for partner organisations?

The Supplementary Planning Document will provide further detail to the adopted Local Plan policy which will assist those organisations involved in the delivery of open space and green infrastructure.

Report author:**Name and job title:**

Clare Eggington
Principal Town Planner (Planning Policy)

Service

Streetscene and Regulatory Services

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Service	Date doc sent out	Date response received or approved
Contributors:				
Michelle Salmon	Governance Services Officer	Law and Governance	10/02/22	11/02/22
David Butler	Head of Planning Policy and Environment	Streetscene and Regulatory Services	07/02/22	07/02/22
Rob Back	Strategic Lead Planning	Streetscene and Regulatory Services	10/02/22	14/02/22
Graham Hood	Head of Streetpride and Green Spaces	Streetscene and Regulatory Services	11/02/22	15/02/22
Names of approvers for submission: (officers and members)				
Cath Crosby	Lead Accountant, Business Partnering	Finance	10/02/22	15/10/22
Stuart Evans (ACS)	Planning and Highways Lawyer, Legal Services	Law and Governance	10/02/22	15/02/22
Andrew Walster	Director of Street Scene and Regulatory Services	-	10/02/22	11/02/22
Councillor D Welsh	Cabinet Member for Housing and Communities	-	15/02/22	18/02/22

This report is published on the council's website: www.coventry.gov.uk/councilmeetings



Coventry City Council

Open Space

Supplementary Planning Document (SPD)

March 2022

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Executive Summary

The purpose of this document is to set out the Council's approach towards the provision of open space in new residential development. It supplements Policy GE1 of the adopted Local Plan, which states: "New development proposals should make provision for Green Infrastructure to ensure that such development is integrated into the landscape and contributes to improvements in connectivity and public access, biodiversity, landscape conservation, design, archaeology and recreation."

The Council's approach can be summarised as follows:

The Council will ensure that all new residential development makes appropriate provision for new or enhanced open space. The Council's minimum size standard for new open space will be 0.1 hectares, as shown in chapter 4 of this document and in line with thresholds set out in the Green Space Strategy. This will apply to all residential development involving 10 or more dwellings or exceeding 1ha in gross site area. Although on-site provision will be encouraged on smaller schemes, the Council accepts that a financial contribution towards off-site provision or enhancement of existing open space may be more appropriate.

If the quantitative requirement is greater than or equal to the minimum size standard (0.1ha), that requirement should be delivered on-site. If the quantitative requirement is lower than the minimum size standard, or is in the city centre, within the ring road, an off-site contribution which is equivalent to that requirement will be sought. Site contributions for the improvement of an existing open space will be equivalent to the quantitative requirement calculated using the method set out in Table 6.

There will be a general presumption in favour of on-site provision of public open space, unless there are valid reasons why this cannot or should not be achieved e.g. the site is too small or through consultation with the Parks Service there is a demonstrable surplus of existing open space in the locality.

As set out in Local Plan Policy DS4 General Masterplan Principles, the delivery of open spaces should be provided in a strategic, coherent and co-ordinated manner. Public open spaces must be completed to the Council's reasonable satisfaction before 75% of homes are occupied on a development or any phase of development. This is to ensure occupiers have access to on-site open space in a timely manner.

The provision of public open space or a financial contribution towards open space, including maintenance, will be secured through a Section 106 legal agreement or planning condition.

This document provides the basis for establishing public open spaces as part of new developments. It provides details on national and local policy and the mechanism by which open space must be provided.

The document provides a series of examples from which stakeholders can calculate the amount of open space their specific proposals would generate per 1000 population.

The document discusses Green Infrastructure (GI) which is a network of green spaces and other environmental features which contribute to the quality of life for residents and the health of flora and fauna. Landscape design, biodiversity enhancements, tree considerations and requirements for multi-functional green space on site are all factors that will form part of the GI of a site and its surroundings.

Whilst this document focuses on the provision of open space in residential developments, the council encourages the provision of appropriate open space and SUDs in commercial, industrial and mixed-use developments. The creation of open spaces in commercial and industrial developments can make a significant contribution towards health and wellbeing in the workplace and can contribute to modal shift to sustainable transport modes.

The document also provides commentary and guidance on the provision of Sustainable Urban Drainage systems (SUD's) and how to integrate both public open space, the water environment and biodiversity.

1.0 Introduction

Overview

- 1.1 Access to well-planned and maintained open space, children's play areas and recreational facilities forms an important role in promoting sustainable communities. The Council attaches great importance to the provision of good quality open space in connection with new housing developments. Open space can provide a valuable formal and informal recreation facility for children and adults. It can also add character and interest to a housing development thus considerably enhancing its quality.
- 1.2 New development, both residential and commercial, can increase the demand for the use of open spaces and recreational facilities. It is important that it contributes to ensure existing spaces are enhanced and new spaces created consistent with demand.
- 1.3 Well planned and maintained open spaces provide opportunities for recreation, culture, informal and formal sport, natural environments for wildlife and even storm water management.
- 1.4 Development plays an important role in any sustainable locality. Whether it is the provision of new homes, employment or recreational facilities, development is essential to provide for our current and future needs. However, development comes with its pressures on the environment, community and general amenity.
- 1.5 The National Planning Policy Framework (NPPF)¹ defines open space as:

All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.
- 1.6 Green space is a subset of open space which includes vegetated land or water within an urban area such as parks and public gardens, playing fields, children's play areas, nature reserves, woods and other natural areas, grassed areas, cemeteries and allotments along with green corridors like paths, disused railway lines, rivers and canals. The formal definition of Green Space does not include agricultural land, private gardens or civic spaces that are part of the built landscape.
- 1.7 For the purposes of this document we use the term 'Open Space' to ensure that this includes the public realm and civic spaces which can all play a vital role in the way in which a sustainable community operates.
- 1.8 The Council expects all qualifying developments to provide open space on-site and only in exceptional circumstances will off-site provision or contributions be considered. The types of development that will qualify for contributions towards the provision or enhancement of open spaces are all developments of 10 dwellings or more or those which exceed 1ha in gross site area.
- 1.9 Green and open spaces within a development should connect to each other so that the entire development can be traversed seamlessly via green routes by pedestrians and cyclists. Where there are opportunities to link to the wider green infrastructure network,

¹ <https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>

developments should be designed to maximise connections as this helps create better connected communities as well as corridors for wildlife and a more pleasant environment overall. More detail is provided in chapter 4.

- 1.10 A cumulative approach to the delivery of open spaces by more than one stakeholder may be appropriate in certain circumstances. Where there is a cumulative need and where joined up working can deliver the greatest benefit for residents and visitors a co-ordinated approach will be welcomed subject to the satisfaction of the council.

Benefits of Green and Open Spaces

- 1.11 Green and open spaces provide multi-functional places which have significant health, environmental, economic and social benefits for those who live, work and enjoy the recreational facilities within the city and the surrounding area.
- 1.12 Professor Sir Michael Marmot's 2010 report Fair Society, Healthy Lives (The Marmot Review) identified a 'social gradient' in health. This means that those living in the most deprived neighbourhoods die earlier and spend more time in ill health than those living in the least deprived neighbourhoods.
- 1.13 In April 2013, responsibilities for public health were transferred to local government providing the Council with an opportunity to broaden its ownership of the health inequalities agenda. The Council committed to delivering rapid change in health inequalities and was one of seven cities in the UK invited to participate in the UK Marmot Network and become a Marmot City.
- 1.14 The Marmot Review identified that reducing health inequalities requires creating and developing healthy and sustainable places and communities which is also identified in the NPPF through its presumption in favour of sustainable development.
- 1.15 One of these benefits is to prioritise policies and interventions that both reduce health inequalities and mitigate climate change by improving good quality open and green spaces.
- 1.16 Benefits of green and open spaces include:
- Improved mental and physical wellbeing through exercise in a safe and pleasant environment.
 - Establishing community and social inclusion by providing areas for sport, recreation and play.
 - Supporting early years development and education.
 - Assisting with tackling community safety issues.
 - Providing wildlife habitats and encouraging biodiversity.
 - Promoting lifelong education and learning.
 - Alleviation of flood risks.
 - Instilling unique character to areas and providing local identities.
 - Encouraging ongoing revenue streams through tourism
 - Attracting local investment to the area
 - Improving air quality
 - Improving water quality

Purpose of this SPD

- 1.17 This Supplementary Planning Document (SPD) supplements Policy GE1 of the adopted Local Plan, which states that: “New development proposals should make provision for green infrastructure to ensure that such development is integrated into the landscape and contributes to improvements in connectivity and public access, biodiversity, landscape conservation, design, archaeology and recreation.”
- 1.18 This document provides guidance on how the policies of the Local Plan will be applied when proposals are made for new housing development in terms of the following:
- What open spaces should be provided in association with new housing development;
 - Where they should be located;
 - What purpose they should fulfil; and
 - What arrangements should be made where the requirement is for off-site provision or improvement / upgrading of existing facilities.
- 1.19 Whilst this document focuses mainly on the provision of open space in residential developments, the council also encourages the provision of appropriate open space and SUDs in commercial, industrial and mixed-use developments. The creation of open spaces in such developments can make a significant contribution towards health and wellbeing in the workplace and can contribute to modal shift to sustainable transport modes
- 1.20 It should also be noted that while this document makes reference to sports pitches, guidance on sports provision and associated standards will be covered in the Coventry Playing Pitch Strategy. This SPD aims to provide standards for open space as part of development and not details of formally laid out sports provision such as those governed by national sports governing bodies.
- 1.21 Through discussion and negotiation, the Council will aim to ensure that new provision / improvements are the most appropriate solution for a particular area and that facilities will be utilised to their full potential.

2.0 Policy Context

National Policy

- 2.1 Paragraph 93 of the National Planning Policy Framework (NPPF 2021) states: “To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
- Plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.”
- 2.2 Paragraph 98 of the National Planning Policy Framework (NPPF) 2021 and Planning Practice Guidance on Open Space, Sports and Recreation Facilities, Public Rights of Way and Local Green Space 2014² stress the need to ensure effective planning for high quality open spaces, sport and recreation facilities based on robust assessments of the existing and future needs of communities.
- 2.3 The NPPF advises that the assessments should include the following information:
- quantitative elements (how much new provision may be needed);
 - a qualitative component (against which to measure the need for enhancement of existing facilities); and
 - accessibility (including distance thresholds and consideration of the cost of using a facility).
- 2.4 The city council has undertaken an open space audit in accordance with Government guidance (Green Space Strategy 2019) and will apply the local standards derived from this study throughout this SPD.
- 2.5 The NPPF states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. It requires planning policies that promote opportunities to improve the local open space network and create high quality public open spaces within new development, which encourages the active and continual use of public areas.
- 2.6 The Government attaches great importance to the protection of Green Belts and strategic networks of green spaces, commonly referred to as green infrastructure, which can provide a wide range of environmental benefits. The NPPF states that Local Authorities should create policies that enable the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. It also requires Local Authorities to recognise the wider benefits of ecosystem services and minimise negative impacts on biodiversity.
- 2.7 The NPPF has also created the ability for local communities, through neighbourhood plans, to identify and protect green areas of particular importance. These areas will be known as Local Green Spaces and will be protected in the same way as the green corridors, although specific criteria must be met for this to apply.

² <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-and-safe-communities>

Local Policy

2.8 [The Coventry Local Plan](#) was adopted in 2017. It includes a suite of policies which provide a framework to ensure that new development delivers open space to meet future needs and forms the context for the development of this SPD. The relevant policies listed below can be found in Appendix 1.

- GE1: Green Infrastructure
- GE2: Green Space
- GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
- GE4: Tree Protection
- GB1: Green Belt and Local Green Space
- DS4: General Masterplan Principles
- EM4: Flood Risk Management
- EM5: Sustainable Drainage Systems
- H9: Residential Density
- DE1: Ensuring High Quality Design

Relevant Council Policies and Strategies

2.9 Regard should be had to the following documents or any subsequent updates or replacements and the Council's planning policy web pages should be checked in terms of any relevant updates³. They form part of the wider evidence base for this document and therefore are considered material planning considerations when assessing proposals.

Green Space Strategy 2019-2024

Recognises and promotes the multi-functional nature of green spaces and aims to ensure that green spaces are well managed, maintained and accessible to all.

Urban Forestry Strategy 2021-2031

Ensures our historical character of the Forest of Arden is maintained and enhanced for the long term. Enabling an understanding by all, of how the urban forest will be planned, managed and protected for the future.

Playing Pitch Strategy 2014-2019

The Coventry Playing Pitch Strategy seeks to provide guidance for planning decisions made across Coventry. By addressing the issues identified in the Assessment Report and using the strategic framework presented in the Strategy, the current and future sporting and recreational needs of Coventry can be satisfied. The Strategy will identify where there is a deficiency in provision and how best to resolve this in the future.

Coventry Local Flood Risk Management Strategy 2015

The Local Flood Risk Management Strategy (LFRMS) is an important tool to help residents, neighbourhood and business communities understand the City Council's management of flood risk throughout the city. The strategy will help develop better understanding of local flood risk and how sustained partnership working can successfully manage down the risks of flooding.

³ <https://www.coventry.gov.uk/planning-policy>

The following are adopted Supplementary Planning Documents:

Trees and Development Guidelines Supplementary Planning Document 2019

This formal planning document provides a comprehensive guide to the preservation and protection of trees during development in Coventry, leading to an improved approach to the retention and planting of trees.

Urban Extension Design Guidance Supplementary Planning Document 2019

This formal planning document provides a clear guide and steer for how new larger developments within the area should be designed and delivered. It helps inform the master planning process and detailed design proposals.

Air Quality SPD

This guidance aims to simplify the consideration of air quality impacts associated with development schemes and focus on incorporation of mitigation at design stage, countering the cumulative impacts of aggregated developments, providing clarity to developers and defining of sustainability in air quality terms. In doing so the Supplementary Planning Document (SPD) provides technical guidance and support to Policy EM7 of the city's Local Plan (2016).

Coventry Connected SPD

This SPD provides developers with clear guidance on the application of the Local Plan and outlines what information should be provided in planning applications, regarding transport. This should result in the submission of high quality planning applications which will speed up the planning process and ultimately deliver developments that support a high-quality transport network.

Health Impact Assessment SPD

Under policy HW1 of the Coventry Local Plan (see chapter 4.2 of this SPD), the Council requires applicants to mitigate against potentially significant negative health impacts. A HIA is a tool that is used to identify these impacts (and their potential severity) and to inform design of a development during the decision-making process. This leads to a development which is sustainable and healthy with a strong, vibrant community. A HIA would also identify positive impacts that the proposed development might have on health and allow them to be recorded and highlighted to the community and stakeholders

New Supplementary Planning Documents

It should be noted that other relevant Supplementary Planning Documents are being developed including ones on Biodiversity Net Gain and Residential Design. The planning policy pages of the Council's website will be updated as they progress.

3.0 Green and Open Space definitions and recommendations

Definitions (Local Plan)

3.1 The adopted Local Plan sets out that suite of green infrastructure assets, as defined by the Green Space Strategy, is divided into three overarching categories of ‘formal’, ‘informal’ and ‘functional’, as follows:

- Formal - urban parks, country and regional parks, formal and private gardens, institutional grounds (for example schools and hospitals), outdoor sports facilities and civic squares and spaces.
- Informal - recreation spaces and playing fields, play areas, village greens, urban commons, incidental green space, natural and semi-natural spaces including woodlands, hedgerows, scrub, meadows, wetlands, open and running water, and bare rock habitats, rivers and canals including their banks, road and rail corridors and verges, cycling routes and rights of way, national and local nature reserves and locally designated sites for nature conservation, historic landscapes, archaeological and historic sites.
- Functional - allotments, community gardens, city farms, orchards, roof gardens, urban edge farmland, cemeteries and churchyards, sustainable urban drainage schemes and flood storage areas, historic landscapes and archaeological sites.

3.2 When the Green Space strategy was being developed, an assessment of the quantity, and accessibility of green space in Coventry was carried out.

3.3 A green space typology as set out in the table below has been used to classify all types of green space according to their primary purpose. The Green Space Strategy 2019-2023 recognises that green spaces are multi-functional but a single classification according to the primary purpose has been used to ensure consistency and that spaces are only recorded once, otherwise they could be double counted. The Green Space typology is set out in the table below.

Table 1: Green Space Typology

Level 1 Typology	Primary Purpose	Coventry Local Plan Designation
Parks and gardens	Includes urban parks, formal gardens and ornamental areas offering accessible, high quality opportunities for informal recreation and community events.	Formal
Outdoor sports facilities	Natural and artificial surfaces for sport and recreation offering opportunities for participation in outdoor sports, pitch sports, tennis, bowls, athletics or countryside and water sports. Includes school playing fields and golf courses.	Formal
Provision for Children and Young People	Areas designed primarily for play and social interaction involving children and young people, such as equipped play areas, ball courts, skateboard areas and teenage shelters. Play spaces often form part of a larger spaces,	Formal

	such as parks and gardens, which may be used to designate the primary purpose. All play spaces have also been recorded on a separate mapping layer.	
Natural and semi-natural green spaces	Includes country parks, publicly accessible woodlands, urban forestry, grasslands, commons and wetlands for wildlife conservation, bio-diversity and environmental education and awareness.	Informal
Green Corridors	Linear routes such as river banks and corridors, towpaths, cycle routes and other connected routes for walking, cycling or horse riding, whether for leisure purposes or travel, and opportunities for wildlife migration.	Informal
Amenity green space	Informal green space often found in housing areas or adjacent to highways providing opportunities for informal activities close to home or work or enhancement of the appearance of residential or other areas.	Informal
Community Gardens, and Allotments	Designated areas offering opportunities for those people who wish to do so to grow their own produce as part of the long term promotion of sustainability, health and social inclusion. Excludes private gardens.	Functional
Cemeteries and Churchyards	Cemeteries, churchyards and crematoria grounds providing quiet contemplation and burial of the dead, often linked to the promotion of wildlife conservation and biodiversity. Also includes closed burial grounds used for informal recreation.	Functional

Green space hierarchy

- 3.4 All green spaces have also been classified according to their significance in a hierarchy. The hierarchy is applied across all green space types.

Table 2: Green Space Hierarchy

Hierarchy level	Description
City	The most significant green spaces acting as destination spaces and attracting visitors from across the city. War Memorial Park and Coombe Country Park are the two city wide green spaces.
District	Those sites whose significance should attract people from up to 1200 metres. Usually large sites with a range of facilities or designated importance for history or nature conservation.
Neighbourhood	Those sites which perform a function that serves a more immediate community. Unlikely to attract people from across the city but may draw people from up to 800 metres.
Local	Those sites which serve just the local area, up to 400m – typically areas of amenity green space.

Recommendations

- 3.5 Open space should:

- be an integral part of the development taking account of adopted Local Plan Policies GE1 (Green Infrastructure) and DE1 (Ensuring High Quality Design)
- incorporate significant existing landscape features wherever possible, including mature trees and watercourses even if these are not located centrally;
- be designed and located to reduce opportunities for crime in line with Secured by Design guidance and any other good practice which secures safe open spaces for all users and especially those with certain protected characteristics⁴ who may be particularly vulnerable.
- be designed to avoid risk of noise, disturbance and nuisance;
- where appropriate and to the satisfaction of the council, be provided in a joined up and co-ordinated manner, such that open spaces can yield greatest benefit to residents and visitors.

- 3.6 In particular, equipped play areas should:

- be sited in line with the Fields in Trust recommendations as outlined in paragraph 3.8.
- not be located in peripheral areas of the site or where access would be by narrow alleyways;
- be sited such that there is a clear delineation between highway and pedestrian areas and which allow safe and easy pedestrian access;
- avoid awkwardly shaped and leftover areas of land which should not form part of the open space provision for the site.

- 3.7 Such areas of land are usually best planted and incorporated into gardens; and be linked by green corridors to allow people and wildlife to move between areas.

- 3.8 As set out by the Fields In Trust, the recommended distance of a playground from a

⁴ Equality Act 2010

residential property is: 400 meters for Locally Equipped Areas of Play (LEAPS) and 1000 meters for Neighbourhood Equipped Areas of Play (NEAPS).⁵ Indicative costs for the provision of LEAPS and NEAPS are provided in Appendix 4. Measurements should be based on safe and convenient walking routes.

⁵ <http://www.fieldsintrust.org/knowledge-base/guidance-for-outdoor-sport-and-play>

4.0 The planning process: how development must contribute

Design

- 4.1 In line with Local Plan Policy GE1 it is strongly encouraged that a stand-alone green infrastructure parameters plan, with open space typologies and area by square metre highlighted, is provided as part of any major planning application where the minimum threshold for delivering on-site open space is 0.1ha or more. This will assist council officers when assessing the necessary requirements for the provision of on-site open space.
- 4.2 Where possible green and open spaces within a development should connect to each other so that the entire development can be traversed seamlessly via green routes by pedestrians and cyclists. Developments should pay special attention to connecting their site to any neighbouring developments; whether established, in progress or due to come forward in the future. Connections need to extend to the wider network of pedestrian routes, cycle routes and green spaces. Such linkages also provide vital connections for wildlife, ensuring that green spaces are linked and not fragmented. Residents, workers and visitors need to be able to access the extensive areas of open space throughout the city and the surrounding area via safe and, where possible, green routes. Pedestrian and cycle routes throughout the development should be integral to the design and provide sufficient green links to the surrounding area and existing areas of settlement. In general, it would be beneficial for developers to consult early on with organisations such as National Grid and National Highways. This is to ensure development or the creation of open space under or close to power lines is appropriately assessed.

Calculating need

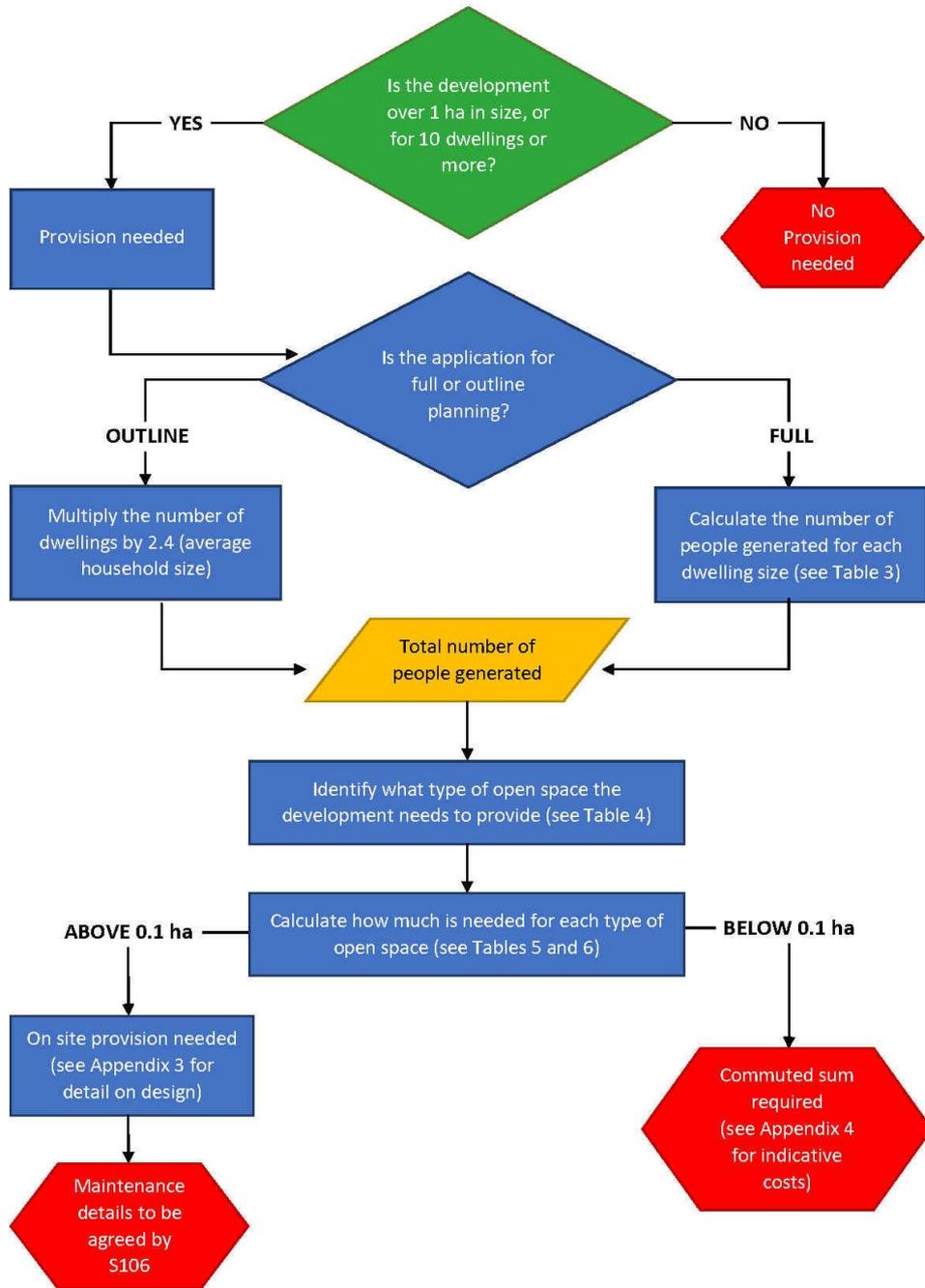
- 4.3 In determining how much new and/or improved open space provision should be delivered alongside new housing development, the starting point is to calculate the level of demand (additional population) generated by that development. Depending on whether a planning application is made in full (including reserved matters applications) or outline form, the method of calculating the resultant population and the consequent level of demand will vary.
- 4.4 The flow chart outlines the process which should be followed in order to identify the amount of open space to be provided by a particular proposal. The flow chart should be read in conjunction with:

Table 3: Household Size

Table 4: Provision of Open Space by Accommodation

Table 5: Minimum Requirements for On-site Open Space

Table 6: Worked examples of minimum standard requirements



4.5 Where the precise details of a development scheme are available, i.e. the size, mix and number of dwellings, the most appropriate way of calculating the population to be generated is to use the number of bed-spaces within a dwelling type as an approximation of household size. Table 3 below sets out the average household size (number of people) for each size of dwelling. The number of units of a given size within a development scheme should be multiplied by the relevant average household size to calculate the resultant population. See Table 6 for worked examples.

Table 3: Household Size

Dwelling Size	Average Household Size
1 Bedroom	1
2 Bedrooms	2
3 Bedrooms	3
4 Bedrooms	4
5 or more Bedrooms	5

4.6 It is important to note that certain types of residential development will not generate demand / place additional pressure on certain types of open space, e.g. an extra care housing scheme will not generally generate demand for Equipped Play Areas. Table 4 sets out what forms of development will generate additional demand for each form of open space. However, this can only be taken into consideration where the precise details of the scheme are available. Local context will also be relevant in determining the precise requirements, particularly the proximity to existing facilities. If a proposal does not generate demand for a particular type of open space, then the equivalent provision of an alternative typology should be provided. Applicants will be required to justify through evidenced documentation, why a particular typology cannot be provided.

Table 4: Provision of open space by accommodation

Dwelling Type	Size	Informal and Formal Open Space	Equipped Play Areas	Amenity Open Spaces
Houses and Flats (open market and affordable)	1 bed	Yes	No	Yes
	2 bed	Yes	Yes	Yes
	3 bed	Yes	Yes	Yes
	4 bed	Yes	Yes	Yes
	5+ bed	Yes	Yes	Yes
Student Accommodation	Any size	Yes	No	Yes
Extra Care or equivalent	Any size	Yes	No	Yes
HMOs	Any Size	Yes	No	Yes

Outline Applications

- 4.7 For applications seeking outline planning permission, population should be calculated using an average household size of 2.4 people per dwelling, which accords with evidence provided by the [City Councils Strategic Housing Market Assessment](#). The density of developments will be determined at the Reserved Matters stage.

Calculating the on-site green space requirement

- 4.8 Having calculated the number of people generated by development, the minimum requirement for each form of open space is to be calculated using the information in Table 5 below. As a minimum we expect sites of 10 dwellings or more to provide these on-site open spaces. It should be noted that these are taken from the [Green Space Strategy](#), which includes a wider range of open space typologies. These can be seen in full in Appendix 3. In some instances, additional types of open space may be required depending upon the nature of the scheme proposed. For example, allotments in an area where there is high demand and a shortfall of provision. These cases will be considered on their own merits.

Table 5: Minimum Requirements for On-site Open Space.

Type of Green Space	Planning Classification	Quantity Standard (ha/1000)
Provision for Children & Young People	Formal	0.84
Amenity Green Space, natural and semi-natural Green Space and green Corridors	Informal	2.12
E.G. Community Gardens, and Sustainable Urban Drainage system	Functional	0.37

(Figures are taken from the Green Space Strategy Appendix A)

- 4.9 Table 6 below demonstrates how this calculation should be applied. Values for the minimum standard requirements should replace the "X" in the first column of the calculation formula, e.g. 0.84 ha per 1,000 population for the provision of formal open space for Children and Young People. Appendix 3 of this SPD provides further information on the necessary standards in terms of quantity but also the expected quality and design aspects. For the purposes of these worked examples the figure of 2.4 people per dwelling has been used in order to replicate an outline application (see para 4.6). The minimum threshold which would result in a requirement for delivering on-site open space is 0.1ha (gross).
- 4.10 Depending on whether or not the minimum size standard is exceeded, either an on-site or off-site contribution will be required.

Table 6: Worked examples of minimum standard requirements

Applicable Standard				
X ha per 1,000 population	X	Number of people generated by development	=	Quantitative Requirement (ha)
Worked example, using "Children and young people" standard				
(0.84 / 1000)	x	250	=	0.21 ha

The above example would require delivery on-site as its above the minimum threshold of 0.1ha.

Applicable Standard X ha per 1,000 population	X	Number of people generated by development	=	Quantitative Requirement (ha)
Worked example, using "Amenity Green Space" standard				
(2.12 / 1000)	x	250	=	0.53 ha

The above example would require delivery on-site as its above the minimum threshold of 0.1ha.

Worked examples where the minimum threshold is not met

Applicable Standard X ha per 1,000 population	X	Number of people generated by development	=	Quantitative Requirement (ha)
Worked example, using "Children and young people" standard				
(0.84 / 1000)	x	36	=	0.03 ha

The above example would require delivery off-site, as its below the minimum threshold of 0.1ha.

Applicable Standard X ha per 1,000 population	X	Number of people generated by development	=	Quantitative Requirement (ha)
Worked example, using "Amenity Green Space" standard				
(2.12 / 1000)	x	36	=	0.07 ha

The above example would require delivery off-site, as its below the minimum threshold of 0.1ha.

- 4.11 If the quantitative requirement is greater than or equal to the minimum size standard (0.1ha), that requirement should be delivered on-site. If the quantitative requirement is lower than the minimum size standard, an off-site contribution which is equivalent to that requirement will be sought. Site contributions for the improvement of an existing open space will be equivalent to the quantitative requirement calculated using the method outlined above.
- 4.12 Open spaces that do not meet the required minimum size standard will not count towards meeting the quantitative requirement. Nevertheless, this should not preclude the incorporation of grass verges, planted areas and other smaller landscaping features within development schemes where they help to provide visually attractive housing developments. Local Plan Policies H9: Density and DE1: Ensuring High Quality Design are of relevance in this regard. Areas of incidental open space that cannot be reasonably used or accessed by the public must not be counted towards meeting the quantitative requirement.
- 4.13 A clear management strategy to ensure appropriate and long-term maintenance should be provided. If a green space is to be adopted by the City Council, then a commuted sum will be required. These costs will be determined on a case by case basis.

Costings

- 4.14 Indicative costings for the provision of formal open space including equipped play areas are set out in Appendix 4 of this document. The costs serve as guidance only and are based on 2019 figures which will be refreshed when new costings are available. Final costs will be subject to the context of the specific proposal, its location, accessibility and the quantity and quality of existing local provision, as set out in the [Green Space Strategy](#).

Guidance on design and standards is set out in Appendix 3.

Off Site contributions

- 4.15 A set out earlier in this SPD, there may be exceptional circumstances where off site contributions are needed. This includes development inside the ring road where on site provision is unlikely to be realistic and contributions must contribute to the shared public spaces within the city centre along with innovative on-site provision such as roof gardens and other opportunities for shared spaces such as balconies and terraces for example. These features are in-line with Local Plan Policy H3, where the amenity of residents and users of space is considered. By their very nature, exceptional circumstances are often site specific but may include viability or physical space due to the layout or size of site. Therefore, should there be instances where on-site provision cannot be undertaken, or where a cumulative and joined up approach is taken by multiple stakeholders, relevant justification must be provided to the satisfaction of the council.

Securing Delivery

- 4.16 Paragraphs 56 and 57 of The National Planning Policy Framework (NPPF) state that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It also states that planning obligations should only be sought where they meet all of the following legal tests⁶:

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) necessary to make the development acceptable in planning terms;*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the development*

⁶ <https://www.legislation.gov.uk/ukdsi/2010/9780111492390/regulation/122>

5.0 Implementation

On site provision

- 5.1 Full details of the layout, landscaping (including any play equipment etc.) and phasing of all on-site open space provision will be secured by conditions attached to the planning permission.
- 5.2 If the land is to be offered to the Council this should take place within one year of the open space being laid out, landscaped and equipped. It is preferable for the plots adjoining open space to have been completed by this stage. Any adoption will be subject to a maintenance sum to be determined through negotiation.
- 5.3 As set out in Local Plan Policy DS4 General Masterplan Principles, the delivery of open spaces should be provided in a strategic, coherent and co-ordinated manner. Public open spaces must be completed to the Councils reasonable satisfaction before 75% of homes are occupied on a development or any phase of development. This is to ensure occupiers have access to on-site open space in a timely manner.

Off site provision

- 5.4 Contributions for off site facilities will be dealt with through a Section 106 Legal Agreement (see Appendix 2).

6.0 Open Spaces and the Water Environment

River Corridors and Riparian Areas

6.1 Many of the Local Plan development allocations have watercourses either adjacent or running through the sites. Open space provision will often be centred around these areas. Not exclusively, this is because:

- development of built infrastructure should be directed away from areas at risk of flooding (Local Plan Policy EM4);
- development of built infrastructure should be set back at least 8m from Main River and 5m from ordinary watercourses (EM4);
- where a development proposal lies adjacent to a river corridor or tributary, a natural sinuous river channel should be retained or, where possible, re-instated (GE1);
- all opportunities to undertake river restoration and enhancement including de-culverting, removing unnecessary structures and reinstating a natural, sinuous watercourse will be encouraged (EM4); and
- both Keresley and Eastern Green SUE's require publicly accessible green and blue infrastructure corridors along the brooks running through these allocations (see Local Plan Policy DS4 parts C and D, and Local Plan Table 4.2).
- the use of appropriate buffers to protect local habitats and biodiversity will be encouraged.

Sustainable Urban Extension SPD

6.2 The natural landscape section of the Coventry Urban Extensions Design Guide (page 89) provides guidance on blue infrastructure.

6.3 Blue infrastructure will provide a key component of incorporating high quality design as well as supporting the overall drainage and flood risk strategy. This can take the form of individual pools, or in the case of Keresley and Eastern Green in particular existing and established brook corridors. These brook corridors should become focal points for the green and blue infrastructure strategy and provide a high quality useable route through the wider developments – connecting with the wider natural landscape both within the sites and beyond. They should incorporate high quality footpaths and cycle ways whilst providing a magnet for ecology and biodiversity to thrive across the sites. To ensure ecological habitats are not compromised, appropriate buffers will be encouraged.

River restoration and natural morphology

6.4 The Lead Local Flood Authority can provide advice and guidance on river restoration requirements. This may include site specific mitigation measures to help achieve the requirements of the Water Framework Directive.

6.5 Access routes and other greenspace assets are encouraged within river corridors. When locating these, the natural morphology of the river should be considered. Features should either be located away from areas where the river may encroach over time, or be easily movable. This is to avoid:

- damage to assets and associated replacement costs; and / or
- costly and inappropriate river engineering
- Allowing river channels to naturally migrate over time is always preferred if possible.

Consideration of flood risk within Green Spaces

6.6 As well as often being located adjacent to rivers and watercourses, greenspaces are often located within other areas not appropriate for development due to flood risk, such as surface water flood risk areas and exceedance flow routes. Areas may also be designed to flood, such as flood storage areas and SuDS.

6.7 It is stated within national flood risk guidance: “Amenity open space, nature conservation and biodiversity, outdoor sports and recreation and essential facilities such as changing rooms” are described as water compatible in national guidance and therefore appropriate for siting within flood risk areas.

<https://www.gov.uk/guidance/flood-risk-and-coastal-change#flood-zone-and-flood-risk-tables>

6.8 Consideration should be given in design to use of the greenspace during and after flood events. For example:

- In areas of high flood risk, flood warning signs should be considered warning users they may be temporarily affected.
- Key assets should be located in areas where flood water dissipates quickly after storm events. There may be locations where flood water will remain for longer periods, for example where floodplain does not drain freely back to a river due to site levels.
- Where flood water dissipates, greenspaces may still remain saturated for a time after flood events. Most soils in Coventry are clayey not freely draining. This should be considered in design, for example, through provision of hard surfaced footpaths.
- Flood water also has the potential to be contaminated or carry debris and refuse. This should be considered within landscape management and maintenance plans.
- Nature based solutions and natural flood risk management measures have the potential to reduce flood risk downstream from greenspaces, whilst also providing additional biodiversity and habitat benefits to wider greenspace.

6.9 The intended use of greenspaces or joint use amenity spaces should be compared with flood risk information provided in a site specific flood risk assessment, including flood risk hazard ratings.

Existing ponds

6.10 It is recommended that existing ponds are usually retained as part of greenspaces and semi natural environments, and not used or enhanced as SuDS.

Sustainable Drainage Systems in Greenspaces

- 6.11 As is stated in the Local Plan “SuDS involve a range of techniques that mimic the way that rainfall drains in natural systems and avoids any increase in flood risk and improves water quality.”
- 6.12 In policy EM5 it is stated “all development must apply SuDS and ensure that surface water runoff is managed as close to its source as possible”.
- 6.13 The Councils’ preference is for above ground SuDS which deliver multiple benefits. SuDS are therefore often located within development greenspaces.

Design considerations relevant to open spaces

- 6.14 More detailed design requirements for SuDS are provided within the Coventry SuDS in design guide (in draft). Standing advice is available here:
[https://www.coventry.gov.uk/downloads/file/28181/flood_risk_management_and_drainage - standing advice](https://www.coventry.gov.uk/downloads/file/28181/flood_risk_management_and_drainage_-_standing_advice)
- 6.15 SuDs in greenspaces should bring amenity, landscaping and biodiversity benefits as well as the water management elements required. They can be designed to meet wider greenspace requirements, such as for the provision of biodiversity for net gain requirements, or to be used as joint use amenity spaces.
- 6.16 They should interface well with the surrounding space and be incorporated into usable green space for most of the year. For example; pathways running the perimeter of ponds to allow people to interact with the feature.
- 6.17 Other requirements pertinent to greenspaces are:
- SuDs should usually be built within the natural ground conditions.
 - SuDS storage should not usually be located within areas of fluvial flood risk.
 - Given they are located in publicly accessible areas, design for safety is paramount.

Adoption and maintenance

- 6.18 The adoption and maintenance of all drainage features are a key consideration to ensure the long-term operation at the designed standards. Underground drainage infrastructure such as pipes and tanks will be considered for adoption by a Sewerage Undertaker. The Council will consider the adoption of open-air sustainable drainage within areas of public open space, (subject to a commuted sum). This will be considered on a case by case basis and be subject to consultation with the Lead Local Flood Authority. Such features could include semi-dry detention basins which form joint-use amenity space. Open attenuation features must be accessible by appropriate maintenance vehicles and require a maintenance strip with a minimum width of 3 metres, and potentially wider to suit the specific development. Severn Trent Water now adopt certain SuDS, but only the functional drainage aspects of them <https://www.stwater.co.uk/building-and-developing/new-site-developments/water-sewerage-connection/sewer-adoption/>
- 6.19 SuDS within greenspaces have unfortunately been mistreated by residents in certain

areas in the past, particularly for the disposal of rubbish. Consideration should be given to this within asset maintenance plans.

Developer contributions

- 6.20 The Council may seek developer contributions related to greenspaces and water. Contributions are sought to reduce flood risk and deliver improvements to the water environment, with benefits for both people and nature, safeguarding against the future impacts of climate change and development creep.
- 6.21 Paragraph 34 of the NPPF 2021 discusses contributions. - Plans should set out the contributions expected from development. This should include for flood and water management and green infrastructure. Such policies should not undermine the deliverability of the plan.

In what circumstances will development contributions be sought? When, why, where and how?

- 6.22 Developer contributions will only be sought where they meet all of the following tests from NPPF para. 57:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 6.23 Contributions may be considered for both on-site and off-site requirements, consistent with Local Plan Policy IM1: *The Council will, where appropriate, seek to secure site-specific infrastructure investments and/or contributions as well as off-site contributions and/or investments.* In accordance with NPPF para 53, contributions will only be sought where they are directly related to the development.

On-site SuDS, watercourses and other assets

- 6.24 As stated in Local Plan Policy IM1, The Council will, where appropriate, seek to secure site-specific infrastructure investments and/or contributions, contributions as well as off-site contributions and/or investments.
- 6.25 Where the Local Authority will maintain SuDS, watercourse or other assets on-site, contributions will be required to support ongoing maintenance over the lifetime of the development.
- 6.26 Account will also be taken of the ease of maintaining a system according to its design, with reference to health and safety. Some assets will need more frequent maintenance or replacement; therefore, this will be taken into consideration when setting the term over which a contribution will be required.
- 6.27 Where SuDS are combined with amenity or biodiversity or provide such benefits lower contributions may be applied. If separate, then the rate will reflect the full cost and if any manufactured product is used maintenance costs will be based on the recommended manufacturer's regime and relevant technical guidance (e.g. CiRIA SuDS Manual).
- 6.28 Contributions will be tailored towards the development proposals and contributions will be advised. Contributions are normally negotiated at the pre-application, outline or full application stage where matters of principle are established. In all cases we encourage applicants to seek pre-application advice from the LLFA; the details of which can be found on the Council's website here:

http://www.coventry.gov.uk/info/70/water_management_and_flooding/3153/pre-application_planning_advice

- 6.29 Depending on the situation, it may also be beneficial to seek pre-application advice from other risk management authorities such as the Environment Agency.

Additional flood storage

- 6.30 In accordance with Local Plan Policy EM4(2) “All opportunities to reduce flood risk in the surrounding area must be taken, including creation of additional flood storage. In this instance reference should be made to the Council’s Infrastructure Delivery Plan (IDP) or regulation 123 list.”
- 6.31 In the IDP, under Water and Flood Mitigation, a city-wide Flood Prevention programme is listed as a Category 1 item (essential infrastructure) to “Prevent/mitigate potential issues in the future and resolve existing issues. To ensure all homes, business and public spaces are free from flood risk”.
- 6.32 Additional flood storage therefore may be required in greenspaces. Other entries in the Plan under the Water and Flood Mitigation, and Green and Blue Infrastructure sections are relevant, including site specific schemes. A site-specific evaluation will be required to determine the necessary mitigations of the specific flood risk within the catchment associated with the new development.

River and catchment restoration including de-culverting

- 6.33 In accordance with the Local Plan policy EM4(2c) which refers to the surrounding area, “all opportunities to undertake river restoration and enhancement including deculverting removing unnecessary structures and reinstating a natural, sinuous watercourses will be encouraged”. For example, a contribution may be sought to secure the deculverting of watercourse to secure flood and water management benefits. Reference should also be made to the Green and Blue Infrastructure section of the IDP.

Watercourse access

- 6.34 A contribution may be sought for supporting the creation or improvement of access and linkages to river corridors for maintenance and amenity purposes.

7.0 Biodiversity and Green Infrastructure

- 7.1 Local Plan Policies GE1 and GE3 of the Local Plan discuss green infrastructure and biodiversity. These policies set out the framework and criteria which must be considered when preparing a development proposal.
- 7.2 Green Infrastructure (GI) is a network of green spaces and other environmental features which contribute to the quality of life for residents and the health of flora and fauna. Landscape design, biodiversity enhancements, tree considerations and requirements for multi-functional green space on site are all factors that will form part of the GI of a site and its surroundings. GI will also encompass access to, from and through the site including links to adjacent GI resources (e.g. links to hedges on surrounding land), opportunities for recreation, sustainability (e.g. climate change, pollutant filtration, Sustainable Drainage systems (SuDS), swales, low water demanding planting species, use of FSC sustainably managed timber products and soil products) and community involvement.
- 7.3 Biodiversity can be defined as the variety of all animal and plant species, the genetic diversity within them and the variety of communities and natural processes they give rise to. In the UK many species and habitats are protected under legislation and planning policy. Measures are required to avoid or mitigate impacts from development to protect these species and habitats and to provide biodiversity enhancement.
- 7.4 The Natural Environment & Rural Communities (NERC) Act 2006 – gives Local Planning Authorities responsibility to consider ‘general’ biodiversity, not just legally protected species/sites. The species and habitats to be considered are listed in Section 41 of the Act.
- 7.5 With respect to the NERC Act 2006, this places a legal duty on Local Authorities to have regard to biodiversity conservation (including opportunities for restoration and enhancement) in carrying out their functions. The determination of planning applications would be an example of one such function. Importantly the duty includes habitats and species found outside sites designated for their nature conservation interest, but which are considered of principal importance for the conservation of biodiversity (known as priority habitats and species). Examples include species-rich hedgerows and species such as hedgehogs and toads. Relevant national policy is contained in the National Planning Policy Framework and Planning Practice Guidance. The council seeks to meet the requirements of national policy and legislation, including the requirements of the NERC Act, through the Local Plan.
- 7.6 The provision of green space as part of development can also include features which enhance the natural environment and encourage biodiversity. This must, of course, be done at the right scale and in the right location to ensure existing habitats are not compromised and that any provision of new habitat is compatible with the location to ensure long-term sustainability. A balance should be struck between creating spaces for members of the public and preserving important local wildlife and protected species. Appropriate buffers should be considered, which enable safe and undisturbed wildlife habitats to co-exist with the public. Therefore, clarification should be sought from the Councils Ecologist prior to the provision of biodiversity and wildlife friendly features to ensure the longevity of the environment and the ability for the green space to function for all.
- 7.7 Careful consideration should be given to lighting and its impact on protected species and local wildlife, such as flood lights on sports pitches and the location of large noisy

carparks for more informal spaces. As well as care taken during construction particularly near to areas known for wildlife, protected species and BAP priorities and important Local Wildlife Sites/ Nature Reserves and SSSIs.

- 7.8 The Environment Act, was passed in November 2021, and is set to become mandatory in November 2023. Developers will be expected to conform to the requirements of the act and any subsequent revisions.

Appendices

Appendix 1: Local Plan Policies

Appendix 2: Section 106 Template

Appendix 3: Design Standards

Appendix 4: Indicative Costings

Appendix 1: Local Plan Policies

Policy GE1 Green Infrastructure

1. The Council will protect green infrastructure based on an analysis of existing assets, informed by the Green Infrastructure Study and Green Space Strategy by incorporating the Council's Green Space Standards, and characterisation assessments.
2. New development proposals should make provision for green infrastructure to ensure that such development is integrated into the landscape and contributes to improvements in connectivity and public access, biodiversity, landscape conservation, design, archaeology and recreation.
3. Coventry's existing and planned network of green infrastructure should be used as a way of adapting to climate change through the management and enhancement of existing habitats. This must be demonstrated through the creation of new habitats wherever possible to assist with species movement, to provide a source of locally grown food through allotments and community gardens, to provide sustainable and active travel routes for people, to provide shade and counteract the urban heat island effect, and to assist in improving public health and wellbeing.
4. New development will be expected to maintain the quantity, quality and functionality of existing green infrastructure. Where quantity is not retained, enhancement to quality is expected. Where the opportunity arises, and in line with the city's most up-to-date Green Space Strategy, the Council will also expect new developments to enhance green infrastructure and create and improve linkages between individual areas. Any development which is likely to adversely affect the integrity of a green corridor will be required to be expressly justified and where appropriate, mitigation measures put in place.
5. A key element of Coventry's approach to green infrastructure will be the continued development of a network of green spaces, water bodies, paths and cycle ways, with priority given to those parts of the city where there is an identified deficiency of green space. Where a development proposal lies adjacent to a river corridor or tributary, a natural sinuous river channel should be retained or, where possible, re-instated. Culverts should be removed unless it can be demonstrated that it is impractical to do so.
6. Development must respect the importance of conservation, improvement and management of green infrastructure in order to complement and balance the built environment. A strategic network of green infrastructure already exists in the city, connecting natural heritage, green space, biodiversity, historic landscapes or other environmental assets, together with links to adjacent districts in Warwickshire and Solihull. This strategic network will be safeguarded and enhanced by:
7. Not permitting development that compromises its integrity and that of the overall green infrastructure framework (including the Coventry/Oxford Canal);
 - a. Using developer contributions to facilitate improvements to its quality, connectivity, multi- functionality and robustness;
 - b. Investing in enhancement and restoration where opportunities exist, and the creation of new resources where possible, such as linking green infrastructure to other forms of infrastructure;
 - c. Improving its functionality, quality, connectivity and accessibility;

- d. Ensuring that a key aim of green infrastructure is the maintenance and improvement and expansion of biodiversity;
- e. Integrating proposals to improve green infrastructure in the delivery of new developments, particularly through area-based regeneration initiatives and major proposals and schemes;
- f. Flood risk management and improving surface water quality.

Policy GE2: Green Space

1. Development involving the loss of green space that is of value for amenity, recreational, outdoor sports and/or community use will not be permitted unless specifically identified as part of a strategic land use allocation, or it can be demonstrated that:
 - a. An assessment showing there is no longer a demand, or prospect of demand, for the recreational use of the site or any other green space use; or
 - b. A deficiency would not be created through its loss, measured against the most up-to-date Coventry Green Space standards; or
 - c. The loss resulting from any proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location of the city.
2. To support the proposed allocations at H2:19 and JE2:4 the following sites are allocated for the provision of new replacement sports pitches:
 - a. Land at Charter Avenue (former Alderman Harris School site).
 - b. Land east of Coundon Wedge Road.

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation

1. Sites of Special Scientific Interest (SSSIs), Local Nature Reserves (LNRs), Ancient Woodlands, Local Wildlife and Geological Sites will be protected and enhanced. Proposals for development on other sites, having biodiversity or geological conservation value, will be permitted provided that they protect, enhance and/or restore habitat biodiversity. Development proposals will be expected to ensure that they:
 - a. lead to a net gain of biodiversity, where appropriate, by means of an approved ecological assessment of existing site features and development impacts;
 - b. protect or enhance biodiversity assets and secure their long term management and maintenance;
 - c. avoid negative impacts on existing biodiversity;
 - d. preserve species which are legally protected, in decline, are rare within Coventry or which are covered by national, regional or local Biodiversity Action Plans.
2. Where this is not possible, adequate mitigation measures must be identified. If mitigation measures are not possible on site, then compensatory measures involving biodiversity offsetting will be considered, but only in exceptional circumstances.
3. Biodiversity will be encouraged particularly in areas of deficiency, in areas of development and sustainable urban extensions, and along wildlife corridors. Opportunities will be sought to restore or recreate habitats, or enhance the linkages between them, as part of the strategic framework for green infrastructure. Protected Species, and species and habitats identified in the Local Biodiversity Action Plan (LBAP), will be protected and conserved through a buffer or movement to alternative habitat. Identified important landscape features,

including Historic Environment assets, trees protected by preservation orders, individual and groups of ancient trees, ancient and newly-planted woodlands, ancient hedgerows and heritage assets of value to the locality, will be protected against loss or damage. In the case of archaeological remains, all practical measures must be taken for their assessment and recording in accordance with Policy HE2.

Policy GE4: Tree Protection

1. Development proposals will be positively considered provided:
 - a. there is no unacceptable loss of, or damage to, existing trees or woodlands during or as a result of development, any loss should be supported by a tree survey;
 - b. trees not to be retained as a result of the development are replaced with new trees as part of a well- designed landscape scheme; and
 - c. existing trees worthy of retention are sympathetically incorporated into the overall design of the scheme including all necessary measures taken to ensure their continued protection and survival during construction.
2. Development proposals that seek to remove trees that are subject to 'Protection', without justification, will not be permitted.

Policy GB1: Green Belt and Local Green Space

1. The city's most up-to-date Green Belt and Local Green Space boundaries are identified on the Policies Map.
2. A: Inappropriate development will not be permitted in the Coventry Green Belt unless very special circumstances exist. Development proposals, including those involving previously developed land and buildings, in the Green Belt will be assessed in relation to the relevant national planning policy.
3. B: Within areas designated as Local Green Space, the erection of small buildings and structures which are ancillary to the primary use of the land may be acceptable. Other development will not be permitted unless very special circumstances are demonstrated.
4. In addition to appropriate development in the Green Belt identified in the NPPF, limited infill development would be considered appropriate. Any proposal in these locations will be expected to be of an appropriate density to reflect surrounding properties should not impact negatively on the openness and character of the wider Coventry Green Belt and will also need to accord with Policy H3.

Policy DS4 (Part A) – General Masterplan principles

The following General Principles should be adhered to when master planning any major development proposal:

- i. Where appropriate the Masterplan should clearly identify any phasing of development along with the timely provision of supporting infrastructure;
- ii. Where the site is identified as an allocation within the Local Plan or City Centre AAP it should plan positively to meet in full the requirements identified within the relevant policies associated with the allocation. Where the proposal represents a

phase or phases of a wider scheme however, the quantum of development should reflect the relative size and characteristics of the phase, including its position within the wider site;

- iii. Where possible, all proposals should be planned in a comprehensive and integrated manner reflecting partnership working with relevant stakeholders. Where proposals represent a phase of a larger development the Masterplan should have full regard to any adjoining land parcels and development proposals to ensure it delivers appropriate parts of the strategic or site-wide infrastructure and other relevant features. This should support the wider delivery of the comprehensive scheme;
- iv. Opportunities to deliver higher density residential and mixed-use development should be maximised along public transport corridors and in designated centres with lower densities provided elsewhere (in accordance with policies H9 and R3);
- v. Employment and commercial proposals should respond positively to market demands and requirements, maximising opportunities to locate within or close to designated centres (as appropriate) and provide a range and choice of opportunities to meet business and customer needs;
- vi. Identify appropriate highway infrastructure along with sustainable transport corridors that include the provision for integrated public transport, cycling and walking which provides excellent connectivity and linkages to within the site itself, the city centre and with the surrounding area and existing networks;
- vii. Appropriate levels of car and cycle parking should be made in accordance with the Local Plan's parking requirements. Spaces should be well integrated within the development and laid out to ensure they do not result in the obstruction of the highway as a result of excessive on-street parking;
- viii. Where appropriate social and community facilities should be concentrated within mixed use hubs and designated centres and easily accessed by public transport, walking and cycling (having regard to Policy CO1);
- ix. Proposals should respond to the local context and local design characteristics (in accordance with Policies GE3, HE2 and DE1), to create new well designed developments with a distinctive character which residents will be proud of;
- x. Features of the historic environment should be respected as part of new developments with existing heritage assets conserved and enhanced as part of development proposals (in accordance with Policy HE2). Where appropriate, this should include the setting of buildings and spaces and the restoration of assets at risk of loss;
- xi. Sympathetically integrate existing landscape, biodiversity and historic features of the site into the development taking opportunities to protect, enhance and manage important features along with mitigation and

enhancement measures to provide satisfactory compensatory provisions where appropriate (having regard to Policies GE1-4);

- xii. Provide fully integrated, accessible and connected multi-functional green and blue infrastructure which forms strategically important links to the surrounding area to provide routes for people and wildlife and open spaces for sports, recreation and play;
- xiii. Where appropriate incorporate innovative and creative approaches to energy generation, the provision of utilities and information technology, mitigation of pollutants, management of surface water and flood risk and waste management solutions. These should be adopted to make new developments more sustainable and resistant to the impacts of climate change; and
- xiv. All new Masterplans should be informed by consultation with existing communities in adjoining areas. This should take place prior to the submission of a planning application to ensure feedback can influence the final proposals.

Policy EM4 Flood Risk Management

1. All major developments must be assessed in respect of the level of flood risk from all sources. If development in areas at risk of flooding is the only option following the application of the sequential test, it will only be permitted where all of the following criteria are met:
 - a. the type of development is appropriate to the level of flood risk associated with its location with reference to Coventry's Strategic Flood Risk Assessment (SFRA) flood zone maps and advice on appropriate uses within these zones from the Environment Agency and/or Lead Local Flood Authority;
 - b. it is provided with the appropriate minimum standard of flood defence and resilience to aid recovery (including suitable warning and evacuation procedures) which can be maintained for the lifetime of the development;
 - c. it does not impede flood flows, does not increase the flood risk on site or elsewhere or result in a loss of floodplain storage capacity;
 - d. in the case of dwellings, it is evident that as a minimum, safe, dry pedestrian access would be available to land not at high risk;
 - e. in the case of essential infrastructure, access must be guaranteed and must be capable of remaining operational during all flooding events.
2. All opportunities to reduce flood risk in the surrounding area must be taken, including creating additional flood storage. In this instance reference should be made to the Councils IDP or Regulation 123 list. In order to achieve this:
 - a. the functional floodplain (Flood Zone 3b) should be protected from development and reinstated in brownfield areas wherever possible;
 - b. single storey buildings, basements and buildings on stilts will not be acceptable in Flood Zone 3;

- c. all opportunities to undertake river restoration and enhancement including de-culverting, removing unnecessary structures and reinstating a natural, sinuous watercourse will be encouraged;
- d. unless shown to be acceptable through exceptional circumstances, development should be set back at least 8m (from the top of bank or toe of a flood defence) of Main Rivers and 5m from Ordinary watercourses for maintenance access. This includes existing culverted watercourses.
- e. finished floor levels must be set a minimum of 600mm above the 1% AEP (1 in 100 year) plus climate change flood level.

Where a development benefits from an existing or proposed flood defence scheme, the development should contribute towards the capital and/or maintenance of these defences over its lifetime.

- 3. For sites in Flood Zone 3a, development should not impede flow routes, reduce floodplain storage or consume flood storage in a 'flood cell' within a defended area. If the development does result in a loss of storage, compensatory floodplain storage should be provided on a 'level for level' and 'volume for volume' basis.
- 4. For sites in Flood Zone 3a, all types of new development behind flood defences should be avoided, where possible, due to the residual risks of breach and overtopping. Development should ensure that it would not prevent the water bodies' ability to reach good status or its potential to do so as set in the Severn River Basin Management Plans and should support, where possible, to improving the status class.
- 5. A sequential, risk-based approach to the location of suitable development will be undertaken by the Council based on the Environment Agency's latest flood maps, SFRA flood zones and Vulnerability Classification to steer new development to areas with the lowest probability of flooding avoiding, where possible, flood risk to people and property and managing any residual risk.
- 6. The Exception Test (for use when there are large areas in Flood Zones 2 and 3, where the Sequential Test alone cannot deliver acceptable sites, but where some continuing development is necessary) will apply where development will provide wider sustainability benefits that outweigh flood risk, fully informed by an appropriately scaled Flood Risk Assessment (FRA) which indicates that development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible reducing flood risk overall.
- 7. Land that is required for current and future flood management will be safeguarded from development. Where development lies adjacent to or benefits from an existing or future flood defence scheme they may be expected to contribute towards the cost of delivery and/or maintenance of that scheme in accordance with Policy IM1.
- 8. A Flood Risk Assessment is required, appropriate to the scale and nature of the development proposed, where the development is:
 - a. within a river floodplain, as defined by the Coventry SFRA indicative flood zonemaps;
 - b. within 20 metres of any watercourse;
 - c. adjacent to, or including, any flood bank or other flood control structure;
 - d. within an area where there may be surface water issues and drainage problems;

Policy EM5 Sustainable Drainage Systems (SuDS)

1. All development must apply SuDS and should ensure that surface water runoff is managed as close to its source as possible.
2. SuDS are the preferred way of managing and conveying surface water. All developments will consider and demonstrate how the following hierarchy for the discharge of surface water from a site will be applied:
 - a. Discharge by infiltration and water reuse technologies.
 - b. Discharge to a watercourse allied with water reuse technologies.
 - c. Discharge to surface water sewer allied with water reuse technologies.
3. All development should carry out infiltration tests and a ground water risk assessment, including seasonal groundwater monitoring, to demonstrate whether infiltration is possible and that ground water would not be polluted to Environment Agency and Lead Local Flood Authority requirements. Where it is proven that infiltration is not possible, allied with water reuse technologies, surface water should be discharged into a watercourse (in agreement with the Environment Agency and Lead Local Flood Authority) at a rate no greater than Qbar greenfield runoff, or an appropriate minimum rate for small sites, agreed by the Lead Local Flood Authority. If there is no watercourse available then, allied with water reuse technologies, surface water should be discharged to a surface water sewer at a rate no greater than Qbar greenfield runoff.
4. In exceptional circumstances, where a sustainable drainage system cannot be provided, it must be demonstrated that it is not possible to incorporate sustainable drainage systems, and an acceptable means of surface water disposal is provided at source which does not increase the risk of flooding or give rise to environmental problems and improves on the current situation with a reduction in peak and total discharge.
5. The long-term maintenance arrangements for all SuDS must be agreed with the relevant risk management authority. A separate SPD will be produced to detail how SuDS schemes will be designed in accordance with the technical standards set out by the Coventry Lead Local Flood Authority and by the Department for Environment, Food and Rural Affairs.

Policy H9: Residential Density

1. Residential development, including conversions, must make the most effective and efficient use of land whilst ensuring compatibility with the quality, character and amenity of the surrounding area.
2. Therefore, outside of the Ring Road (The A4053) a minimum of 35 dwellings per hectare (net) should be provided on Previously Developed Land.
3. Developments inside the Ring Road (The A4053) should aim to achieve a minimum of 200 dwellings per hectare (net).
4. Developments on Greenfield sites should achieve a minimum of 30 dwellings per hectare (net).

DE1 Ensuring High Quality Design

1. All development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.
2. The setting, integrity and character of heritage assets will be protected in accordance with Policy HE2.
3. All development will be expected to meet the following key principles:
 - a. respond to the physical context of the site;
 - b. consider the local distinctiveness and identity of the site but also have regard to opportunities to enhance the local built and natural environment through new development and enhanced design;
 - c. where appropriate, retain and incorporate into the layout the protection of important views, including key views of the three spires;
 - d. preserve or enhance the character and setting of the historic built, landscape and where appropriate archaeological environment;
 - e. preserve or enhance the character and setting of major road, rail and canal corridors;
 - f. clearly define the boundaries between public and private spaces and enclosure of space;
 - g. provide attractive, safe, uncluttered, active and easily identifiable, high quality public spaces;
 - h. make places that inter-connect and are easy to move through;
 - i. ensure places are easily understood by users, with clear routes and distinct physical features;
 - j. seek high quality design and attention to detail in the layout of developments, individual buildings and infrastructure in terms of function and impact, not just for the short term, but over the lifetime of the development;
 - k. be adaptable to changing social, technological, economic and market conditions and ensure that developments maximise the use of the site;
 - l. promote diversity through mixes of uses within a site or building, which work together to create vital and viable places;
 - m. be proactive in responding to climate change and adopt sustainable and low carbon construction principles in terms of their design, layout and density;
 - n. consider green infrastructure at the earliest stage in the design process, to ensure that it is well planned, designed, managed and maintained. It should also be well integrated and serve multiple purposes (as appropriate);
 - o. support the integration of through routes for public transport and incorporate suitable bus priority measures as appropriate;
 - p. minimise adverse impact on important natural resources;
 - q. conserve, restore or enhance biodiversity; and
 - r. respect and enhance landscape quality including trees, hedges and other landscape features of value.

Appendix 2 Section 106 Template

Off-site Open Space Contribution	Means the sum of £XXXXX towards the [enhancement/improvement/provision] of off-site open space and play facilities at [LOCATION];
OS Completion Certificate	means a written certificate confirming that the relevant part of the Open Space has been completed to the reasonable satisfaction of the Council.
Open Space	means those areas of open space to be provided as part of the Development in the general locations shown on Plan XXXX
Open Space Maintenance and Management Strategy	means a scheme setting out the future management and maintenance regime for the Open Space including details of its transfer to and future maintenance by a Management Company (including details of the identity of the proposed management company) or the Council (if proposed by the Owner and accepted by the Council).
Open Space Management Company	means a company set up or appointed by the Owner to manage and maintain the Open Space.
Open Space Maintenance Sum	means a commuted sum of £XXXX for maintenance of the Open Space payable by the Owner upon the transfer of the Open Space.
Open Space Specification	means a written scheme detailing the location layout and specifications of the Open Space which accords with Green Flag Standards or any other standards the Local Authority deem appropriate.

OFF-SITE OPEN SPACE CONTRIBUTION

- 1.1. Prior to the Commencement of Development, the Owner covenants with the Council to pay to the Council the Off-Site Open Space Contribution.

- 1.2. The Owner will not permit or cause the Commencement of Development until the Off-Site Open Space Contribution has been paid to the Council.

ON-SITE OPEN SPACE PROVISION

The Owner covenants with the Council:

- 1.1. That prior to Commencement of Development they will submit to the Council the Open Space Maintenance and Management Strategy for written approval and that they shall not permit or cause Commencement of Development until the Open Space Maintenance and Management Strategy has been approved by the Council in writing.

- 1.2. To complete the laying out, planting and equipping of the Open Space in accordance with the Open Space Specification and to the satisfaction of the Council prior to Occupation of 75% of the Residential Dwellings.

- 1.3. Not to Occupy or permit the Occupation of more than 75% of the Residential Dwellings until the Open Spaces have been laid out, planted and equipped in accordance with the Open Spaces Specification and to the satisfaction of the Council; and

- 1.4. To write to the Council and invite it to inspect the Open Space within 10 Working Days of its completion.
- 1.5. In the event Defects are identified by the Council following its inspection pursuant to **paragraph 1.4** to rectify such Defects.
- 1.6. Within 10 Working Days of rectifying the Defects pursuant to **paragraph 1.5** to invite the Council to inspect the Open Space and identify any Defects requiring attention following which the steps set out in **paragraph 1.5** and this **paragraph 1.6** shall be repeated provided that in the event no Defects are identified following an inspection by the Council and the OS Completion Certificate is issued in respect of that part of the Open Space no further repeat of the steps will be required.
- 1.7. Following the issue of the OS Completion Certificate pursuant to **paragraph 1.6** above the Owner shall provide written notification to the Council confirming it intends to offer the Open Space to the Council or whether it will be transferring the Open Space to an Open Space Management Company.
- 1.8. On receipt of the notification, in the event the Owner offers the Open Space to the Council the Council will confirm whether or not it intends to adopt the Open Space together with any requirements for adoption.
- 1.9. If the Owner elects to transfer the Open Space to an Open Space Management Company or the Council declines to accept the Open Space, the Owner will within 60 Working Days of the issue of the OS Completion Certificate for the Open Space:
 - 1.9.1. Transfer the Open Space at nil consideration to an Open Space Management Company subject to all rights of way and rights reasonably required for the use of the Open Space and subject to the reservation of all rights of access and rights of way and passage of services and rights of entry reasonably necessary for the purpose of the Development and a covenant on behalf of the relevant Open Space Management Company to retain and maintain the Open Space transferred in perpetuity;
 - 1.9.2. The Owner will agree with the Council the Articles of Association for the Open Space Management Company prior to the formation and registration of the Company unless the Open Space Management Company is already in existence;
 - 1.9.3. To provide sufficient funds to the Open Space Management Company for the future maintenance of the Open Space as agreed between the Open Space Management Company and the Owner;
 - 1.9.4. to maintain the Open Space until it is transferred to the relevant Open Space Management Company and from the date of issue by the Council of the Certificate of Practical OS Completion Certificate, in accordance with the standards of maintenance set out in the Open Space Maintenance and Management Strategy.
- 1.10 If the Owner has elected to offer the Open Space to the Council and the Council has indicated a willingness to accept the transfer of the Open Space pursuant to paragraph 1.7 above, the Owner will within 60 Working Days of the issue of the OS Completion Certificate for the Open Space,:
 - 1.10.1 Offer to transfer at nil consideration the Open Space to the Council subject to all rights of way and rights reasonably required for the use of that Open Space and subject to the reservation of all rights of access and rights of way and passage of services and rights of entry reasonably necessary for the purpose of the Development;

1.10.2 To pay the Open Space Maintenance Sum to the Council on the date of the transfer.

1.10.3 To maintain the Open Space until it is transferred to the Council and from the date of issue by the Council of the OS Completion Certificate, in accordance with the standards of maintenance set out in the Open Space Maintenance and Management Strategy;

OPEN SPACE COUNCIL COVENANTS

1.1.1. The Council covenants with the Owner as follows:

3.1.1 To confirm in writing within 20 Working Days (or such other period as may be agreed with the Phase Owner) of receipt whether or not an Open Space Maintenance and Management Strategy is approved.

3.1.2 To arrange for an inspection of the Open Space within 20 Working Days (or such other period as may be agreed with the Phase Owner) of receiving a request pursuant to paragraph 1.4 above

3.1.3 To accept any transfer of the Open Space pursuant to paragraph 1.10.1 above and to use reasonable endeavours to complete any transfer within 3 months of a draft transfer being received by the Council

3.1.4 In the event that the Council does not approve or reject an Open Space Maintenance and Management Strategy within 20 Working Days (or such other period as may be agreed with the Owner) of receipt of the relevant document then the Phase Owner shall be entitled to consider the relevant Open Space Maintenance and Management Strategy as being approved

3.1.5 In the event that the Council does not approve or reject the Articles of Association of the Open Space Management Company within 20 days (or such other period as may be agreed with the Phase Owner) of receipt then the Phase Owner shall be entitled to consider the relevant Articles of Association of the Open Space Management Company as being approved.

Appendix 3: Design Standards

Public Open Space Design Guidance

Open space is a key facet of creating a successful place. As a starting point, existing features should be retained wherever possible and utilised to define design character and allow new development to assimilate naturally into its context.

Overall landscape design should be done with reference to the council's green space strategy April 2019. This sets out both the standard and amount of provision the city council would expect to see within or near to the development work.

The adopted Coventry Green Space strategy in line with the adopted Coventry Local Plan Policy GE1 classifies green spaces according to three broad categories: Formal; Informal and Functional. The table below shows the component types of green space within each classification. Guidance on sports provision and associated standards will be covered in the Coventry Playing Pitch Strategy.

Type of Green Space	Planning Classification
Parks and Gardens	Formal
Outdoor Sports Facilities (with unrestricted access)	
Provision for Children & Young People	
Amenity Green Space	Informal
Natural and Semi-natural Green Space	
Green Corridors	
Community Gardens	Functional
Cemeteries & Churchyards	

The ongoing care and maintenance of open space is also a key issue in ensuring that its quality is enduring. The Council will expect full details to be provided regarding the proposed management of open space within all new residential and mixed use developments.

Formal Open Space

A clean, safe and well maintained and drained green space which is capable of receiving a Green Flag award with a score of at least 70 (out of 100). The site will demonstrate a high level of design to reinforce the sense of enclosure. The design element should allow the space to flow naturally and sit well within a more informal space if required. It will contain ornamental planting, some formal tree planting e.g. avenue and at least one formal element possibly more, depending on size, including play area; play equipment; outdoor gym equipment; sports/games area, band stand/performance area, artwork/sculpture. The site and its ancillary features (footpaths, seats, gates and fencing etc.) will be both safe to use and comply with the requirements of the Disability Discrimination Act 1995 / Equality Act 2010 as applicable. Ideally the site will contain a Lucy pillar or metered mains electricity supply to allow for catering/entertainment concessions.

Informal Open Space

A clean, safe and well maintained and drained green space which is capable of achieving Green Flag score of 60 (out of 100). The site will be big enough and of sufficient variety of landscape to encourage natural play and other forms of informal recreation and leisure. It will be easily accessed with welcoming entrances and well-constructed all weather footpaths and defined by suitable well-constructed boundary fencing. The site and its ancillary features (footpaths, seats,

gates and fencing etc.) will be both safe to use and comply with the requirements of the Disability Discrimination Act 1995 / Equality Act 2010 as applicable. The site will have appropriate and sufficient furniture for its potential users, with a minimum of one bin for each bench and each entrance. The site will have attractive soft landscaping including structural tree planting of diverse native species, shrubs, grassed areas and other natural features which promote and support biodiversity. The site will have a spacious outlook and will enhance the appearance of the surrounding environment.

Quality Standards

Type of provision	Required standard	Relevant links
Quality Standard for Open Space	The proposed quality standard is 70 (out of 100) for all formal green spaces- broadly equivalent to achieve the Green Flag Award. The proposed quality standard is 60 (out of 100) for all informal green spaces. All informal green spaces should achieve a minimum of 'good' against the Green Flag Award Standard.	Coventry Green Space Strategy Green Flag Award
Accessibility to Public Open Space	Coventry Green Space Strategy; All residents should be within 1200m of a District Level Space or All residents should be within 800m of a Neighbourhood level space or All residents should be within 400m of a Local Level Space. Functional Green Space; all residents should be within 1200m of a community garden, churchyard or cemetery.	Coventry Green Space Strategy
Provision for Children and Young People	Whilst Provision for Children and Young people forms part of the classification Formal Green Space, the Green Space Strategy and Local Standards do not propose a quantity standard for equipped provision for children and young people. However, the authority has adopted the Fields in Trust accessibility standards ⁷ as summarised below.	Coventry Green Space Strategy Fields in Trust Guidance for Outdoor sport and play

Designation			Accessibility Standard
Equipped / designated play areas	LAP	Local Area for Play (and informal recreation)	100 m
	LEAP	Local Equipped Area for Play (and informal recreation)	400 m
	NEAP	Neighbourhood Equipped Area for Play (and informal recreation, and provision for children and young people)	1,000 m
	MUGA	Multi Use Games Area	700 m

⁷ Fields in Trust (2018) – Guidance for Outdoor Sport and Play : Beyond the Six Acre Standard (England)

The Coventry Green Space Strategy proposes the following minimum quantity standards

Type of Green Space	Planning Classification	Quantity Standard (ha/1000)
Parks and Gardens	Formal	0.84
Outdoor Sports Facilities (with unrestricted access)		
Provision for Children & Young People		
Amenity Green Space	Informal	2.12
Natural and Semi-natural Green Space		
Green Corridors		
Community Gardens	Functional	0.37
Cemeteries & Churchyards		
TOTAL		3.11

NB : There is no proposed quantity standard for provision for children and young people since this is determined by access standards as published by the Fields in Trust.

Provision for Children and Young People

The Green Space Strategy and Local Standards do not propose a quantity standard for green space and equipped play provision for children and young people. However, the authority has adopted the Fields in Trust accessibility standards⁸ as summarised below.

	Designation		Accessibility Standard
Equipped / designated play areas	LAP	Local Area for Play (and informal recreation)	100 m
	LEAP	Local Equipped Area for Play (and informal recreation)	400 m
	NEAP	Neighbourhood Equipped Area for Play	1,000 m

⁸ Fields in Trust (2018) – Guidance for Outdoor Sport and Play : Beyond the Six Acre Standard (England)

		(and informal recreation, and provision for children and young people)	
	MUGA	Multi Use Games Area	700 m

Summary table: Specifications for children's play provision

A detailed specification must be submitted with a full application or at Reserved Matters stage and will be subject to community consultation.

Type	Minimum Size	Equipment/Facilities	Design Considerations	Distance from dwellings	Boundary Treatment	Management
LAP	100 sqm	A designed space for natural play, using changes in level, natural features such as boulders, logs or small dips, and planting with a range of textures, scents and colours. Creating a space that will stimulate senses and enable young children to claim the space as their own. Provision of seating.	<ul style="list-style-type: none"> • Appropriate to community needs • Unique to the development • Taking into account natural features • Integrated within the open space • Accessible to children with disabilities 	5m for boundary	Incorporated within open space, planting may be used to indicate boundaries. Perimeter fencing is not appropriate. The open space itself may be fenced from roads if appropriate.	Arrangements for graffiti removal, litter picking, dog waste clearance, dog waste and general waste collection.
LEAP	400 sqm	At least 5 types of play equipment, providing a range of activities ² , avoiding duplication of nearby play facilities. Planting to provide a range of textures, scents and colours. Seating in sun and shade. Litter bins.	<ul style="list-style-type: none"> • Good natural surveillance • Safer surfacing • Generous use of planting 	20m from facade	Recognisable by either fencing or landscaping. Perimeter fencing is generally inappropriate although the site may be fenced from adjoining roads and other hazards.	In addition to LEAP requirements - Post installation RoSPA inspection. Inspection regime incorporated in management and maintenance plan. Weekly visual inspections. 3 monthly inspections to a recognised standard.

NEAP	1000 sqm	In addition to LEAP requirements - minimum activity zone of 1,000m ² , with play equipment and structures. Hard surfaced area of 465sqm for five a side football and other games. Separation of more adventurous play.		30m from boundary		
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Design Standard

Streetpride and Greenspace work towards the Green Flag standard of maintenance in the city and currently have 5 Green Flag Awards. Due to the size and number of dwellings in this development the green space represents a significant provision and should also aim towards the Green Flag Award Standard.

Applicants are judged against 27 different criteria divided into eight sections. These are not a list of requirements – the strength of the Green Flag Award is that it provides a framework for good management that professionals can evaluate and apply to their own particular site. For some sites, some of the sub-criteria will be ‘not applicable’ and for every site their proportionate importance will vary widely. This approach provides a clear but flexible framework for current management and future planning, and helps to make a case for funding, proving the value of the site to the community that it serves (often in ways that are otherwise difficult to quantify) and recognising the hard work of staff and volunteers.

The eight sections are:-

A Welcoming Place, Healthy Safe & Secure, Well Maintained & Clean, Environmental Management, Biodiversity Landscape & Heritage, Community Involvement, Marketing & Communication and Management.

Outlines for these sections can be seen in Fig. 1 and details found here; <http://www.greenflagaward.org.uk/media/1019/green-flag-award-guidelines.pdf>

Figure 1



Section 4: Environmental Management

This section seeks to ensure that the way the site is managed has a positive impact on the environment, locally and globally, both now and for the future. Where choices can be made for future procurement, landscaping or buildings, they should aim to minimise energy and resource consumption and waste, and design in benefits to the local and global environment. Policies should seek to eliminate the use of peat and chemicals to control pests and as fertilisers. Horticultural and arboricultural decisions should reflect an understanding of the impacts of climate change.

- 14. **Managing Environmental Impact**
- 15. **Waste Minimisation**
- 16. **Chemical Use**
- 17. **Peat Use**
- 18. **Climate Change Adaption Strategies**

Section 5: Biodiversity, Landscape and Heritage

Attention should be paid to the appropriate management and conservation of natural features, wildlife and flora; landscape features; and buildings and structures. Their particular character and requirements should be identified and appropriate management strategies put in place to conserve and enhance them.

- 19. **Management of Natural Features, Wild Fauna and Flora**
- 20. **Conservation of Landscape Features**
- 21. **Conservation of Buildings and Structures**

Section 6: Community Involvement

This section examines the extent to which the managing organisation:

- + understands the community it seeks to serve;
- + actively and appropriately involves members of the community in making decisions about the site's development;
- + provides opportunities for active participation in site projects; and
- + ensures that there is appropriate provision of recreational facilities and activities for all sectors of the community.

- 22. **Community Involvement in Management and Development**
- 23. **Appropriate Provision for Community**

Section 7: Marketing and Communication

This section seeks to examine the ways that managers understand the key benefits of the site and how they use this information to promote it appropriately. They should understand who the main user groups are, could be or should be, and use a fitting range of interpretation and engagement techniques to communicate with them. This basis ensures that appropriate facilities, events and activities can be offered and most effectively promoted, and forms a solid foundation for development now and in the future.

24. Marketing and Promotion

25. Appropriate Information Channels

26. Appropriate Educational and Interpretational Information

Section 8: Management

This section evaluates how well the management plan is implemented on site.

27. Implementation of Management Plan

Appendix 4: Indicative Costings

Indicative costs of creating a new NEAP or LEAP based on 2019 figures. Note: Labour costs are not included.

Requirement	LEAP	NEAP	Qty	Guide Cost LEAP Example Swanswell Park	Guide Cost NEAP Example Allesley Park	Supporting Comments
Supply of play equipment	x	x	1	£37K	70k	5 pieces of equipment (min LEAP) for young play , covering different aspects of play. 8 pieces min (NEAP) young - teen.
Supply of Safety Surface	x	x	1	£21k	35K	Surface type decided on site by site basis.
Supply and installation of dog proof fencing or segregation of areas. Two self closing gates.	x	x	1	£7K	9k	Fencing: 80 liner meters accounted for LEAP, 100 NEAP. Segregation such as bolders and planting may be considered.
Supply and installation of litter bins x2 (min)	x	x	1	£750	£750	Includes a pad for installation
Supply and installation of seating areas x 2 (Min)	x	x	1	£3,100	£3,100	Includes a pad for installation
Signage (usage rules)	x	x	1	£420	£420	
Community Board plus	-	x	1	N/A	£2,160	

installation						
Bike Parking frame.	-	x	1	N/A	£800	
Purpose built sports area.	-	x	1	N/A	£45,000	
Post installation Inspection x 1	x	x	1	£120	£150	Based on ROSPA inspection
Total			Total	£69,390	£166,380	
Plus 20% installation			Plus 20%	£13,878	£33,276	
Preliminary works (10% of total cost)			10%	£8,327	£19,966	Variable depending site topology
Final totals				£91,595	£219,622	

Inspection and Maintenance Costs Leap:

Inspection: The inspection costs are based on the annual costs multiplied by the term that Coventry City Council require the developer to contribute to the up-keep of any provision.

£2036 x 20 years = £40,720

Maintenance: The maintenance costs are broken down over four 5 year periods and a percentage of the total cost per period, based upon wear and tear, replacement equipment and surfacing.

Year 1 - 5 (20%) = £13,920

Year 6 - 10 (25%) = £17,400

Year 11 - 15 (40%) = £27,840

Year 16 - 20 (15%) = £10,440

Maintenance costs of a Leap: £69,600

Inspection costs for a Leap: £40,720

Total: £110,320

Inspection and Maintenance Costs Neap:

Inspection: The inspection costs are based on the annual costs multiplied by the term that Coventry City Council require the developer to contribute to the up-keep of any provision.

£2036 x 20 years = £ 40,720

Maintenance: The maintenance costs are broken down over four 5 year periods and a percentage of the total cost per period, based upon wear and tear, replacement equipment and surfacing.

Year 1 - 5 (20%) = £36000

Year 6 - 10 (25%) = £45000

Year 11 - 15 (40%) = £72000

Year 16 - 20 (15%) = £27000

Maintenance costs of a Neap: £180,000

Inspection costs for a Neap: £40,720

Total: £220,720

Comment Reference	Respondent	Page/Para reference	Consultation Response (Summary)	Officer Response	Proposed Change
OS1	Severn Trent Water	-	No comments	-	None
OS2	National Highways	-	No comments	-	None
OS3	Canal and Rivers Trust	-	No comments	-	None
OS4	Birmingham Airport	-	No comments	-	None
OS5	Historic England	Para 3.1	Although we acknowledge that the Green Space Typology set out in Table 1 uses a single classification according to the primary purpose, we suggest that reference to the historic environment should be included within the various relevant Green Space typologies, such as 'Parks and gardens', 'Natural and semi-natural green spaces', 'Green corridors' and 'Cemeteries and churchyards'.	Comment noted. The typologies are taken from the adopted Local Plan and Green Space Strategy. Any addition in this SPD would result in inconsistent definitions across documents. Therefore, we don't propose a change.	No change
OS6	Sport England	Para 2.9	SPD should state PPS 2014-2019 (and any subsequent update) to ensure that the new PPS is referred to when assessing proposals to establish the current and future sporting and recreational needs, and how best to address any deficiencies identified.	There is already wording at 2.9 which states "or any subsequent updates or replacements." This covers all documents listed beneath it.	No change.

	Sport England	Para 3.7	Chapter 4 sets out the methodology for how developments will contribute to open spaces. From the worked examples it is unclear whether formal playing pitches are covered within the SPD despite the reference to the PPS as a relevant document for the SPD. It should be noted that the Council on the completion of the new PPS will have access to its Playing Pitch Calculator (PPC). The PPC helps local authorities estimate the demand that may be generated for the use of playing pitches by a new population quantifying needs in terms of on site provision or monetary value for off site contribution (actual figure depending on local costings of project to meet the demand identified). The PPC is designed to assist those developing and implementing a Playing Pitch Strategy by giving a consistent starting point to help estimate the demand from a new population.	The Open Spaces SPD focuses on the provision of green and open spaces. The playing pitch strategy is the document which will provide detail on the provision of sports pitches and wider sports provision.	New wording at para 1.19 added for clarity.
OS8	Warwickshire Wildlife Trust	General	We note that the document sets a threshold of 10 dwellings but doesn't consider the cumulative impact of a number of nearby sites just under 10. Such as where a number of smaller application are submitted as part of a wider scheme and would have a large cumulative impact.	Comments noted. As set out in the executive summary, provision of open space is encouraged on all schemes. However, it may be that a financial contribution towards off-site enhancement maybe be more appropriate in some cases.	No change
OS9	Warwickshire Wildlife Trust	Para 3.1	Under 3.1 in the Open Space SPD it is also noted that designated sites such as 'Local Wildlife Sites' and 'Nature Reserves' are not listed	Comment noted. The typologies are taken from the adopted Local Plan and Green Space Strategy. Any	No change

				addition in this SPD would result in inconsistent definitions across documents. Therefore we don't propose a change.	
OS10	Warwickshire Wildlife Trust	General	We are also concerned regarding reaching a balance between creating spaces for members of the public and preserving important local wildlife and protected species. There is a need for buffers of semi natural vegetation and we suggest at least 10 meters away from members of the public and busy footpaths. In terms of site design for example next to water courses, it is important to have one side at least as a green/ blue footpath that isn't used by the public and is an Informal space for nature.	Comments noted. Relevant additions to para 7.6 will be made. "A balance should be struck between creating spaces for members of the public and preserving important local wildlife and protected species. Appropriate buffers should be considered, which enable safe and undisturbed wildlife habitats to co-exist with the public."	Add additional wording to para 7.6. to address this point.
OS11	Warwickshire Wildlife Trust	Para 7.0	Careful consideration should be given to lighting and its impact on protected species and local wildlife, such as flood lights on sports pitches and the location of large noisy carparks for more informal spaces. As well as care taken during construction particularly near to areas known for wildlife, protected species and BAP priorities and important Local Wildlife Sites/ Nature Reserves and SSSIs.	Comments noted. Insert into section 7 para 7.7. 'Careful consideration should be given to lighting and its impact on protected species and local wildlife,	New wording at para 7.7 to address this point.

				such as flood lights on sports pitches and the location of large noisy car parks for more informal spaces. As well as care taken during construction particularly near to areas known for wildlife, protected species and BAP priorities and important Local Wildlife Sites/ Nature Reserves and SSSIs.'	
OS12	Warwickshire Wildlife Trust	Para 6.1	6.1 River Corridors, we support the use of buffers to protect local habitats and biodiversity though suggest these should be larger in some cases, we suggest buffers of 10m in line with our guidance.	Comments noted. Given the need to ensure flexibility across a range of sites we consider adding an additional bullet point to para 6.1 to read "the use of appropriate buffers to protect local habitats and biodiversity will be encouraged."	Add additional bullet point at 6.1. to reflect this point.
OS13	Warwickshire Wildlife Trust	Para 6.3	6.3 mentions ecology and biodiversity but not how the conflicting uses with cycle paths would be managed. Such as a last resort through	Comments noted. Agree the addition of appropriate wording	Add wording to para 6.3 to reflect this point.

			the use of buffers or focusing paths on the least important locations in terms of biodiversity.	“They should incorporate high quality footpaths and cycle ways whilst providing a magnet for ecology and biodiversity to thrive across the sites. To ensure ecological habitats are not compromised, appropriate buffers will be encouraged.”	
OS14	Warwickshire Wildlife Trust	Para 6.10	6.10 page 17, we support that existing ponds should be retained as part of greenspaces, and not be used as SUDs, this section could however be enhanced by adding wording that retains ponds and the surrounding environment as semi natural environments to protect protected species and important local wildlife.	Comments noted, wording strengthened, although this is a recommended approach so there is scope for flexibility.	Amend 6.10 to address this point although it should be noted this is a recommended approach and each site will need to be considered on a case by case basis.
OS15	Warwickshire Wildlife Trust	General	We also note that Natural England’s Accessible Natural Green Space Standards (ANGS) don’t appear to have been used and we cannot find information on why alternative standards have been used.	The SPD reflects the adopted Green Space Strategy.	No change
OS16	Warwickshire County Council Lead Local Flood Authority	Para 6.13	The explicit statements regarding the use of water and sustainable drainage is welcome and the proposals, particularly in relation to adoption and maintenance could be transformational to the inclusion of SuDS across Coventry. However, it is understood from the current reading of the document that there is little policy given in terms of priority and as such there could be the potential for above-ground SuDS to be discounted on space grounds as a result of requiring	See Comments from Coventry City Council Lead Local Flood Risk Authority (OS21) which refer to green spaces potentially serving multi functional purposes.	No change to 6.13

			formal & informal open space over functional open space. In short, it should be clarified as to a priority hierarchy.	The SPD cannot introduce new policy as this is beyond its scope. 6.13 sets out the councils preference but does not set it as an absolute requirement.	
OS17	Warwickshire County Council Lead Local Flood Authority	Appendices	Policy EM5 should be included in Appendix and list of relevant policies	Agreed	Add EM5 to Appendix
OS18	Warwickshire County Council Lead Local Flood Authority	Para 2.9	Given the references to sustainable drainage and Policy EM4, should the strategies also make reference to Coventry's SuDS guidance and local flood risk management strategy.	Agreed	Add relevant Flood Risk Management strategies to 2.9
OS19	Coventry City Council Lead Local Flood Authority	Para 6.8	Add some commentary about soils, given Coventry is predominantly clay in nature https://www.bgs.ac.uk/	Comments noted, soils are referenced in the second bullet point	No change
OS20	Coventry City Council Lead Local Flood Authority	Para 6.8	Para 6.8 an additional bullet point on natural flood risk management solutions could be beneficial. "Nature based solutions as a flood risk management measure should be considered for the benefits of flood risk reduction downstream from greenspaces." or "Nature based solutions and natural flood risk management measures have the potential to reduce flood risk downstream from greenspaces, whilst also providing additional biodiversity and habitat benefits to the wider greenspace."	Agreed. Add bullet point to read: "Nature based solutions and natural flood risk management measures have the potential to reduce	Additional bullet point at para 6.8

				flood risk downstream from greenspaces, whilst also providing additional biodiversity and habitat benefits to the wider greenspace.”	
O21	Coventry City Council Lead Local Flood Authority	Para 6.9	“The intended use of greenspaces should be compared with flood risk information provided in a site specific flood risk assessment, including flood risk hazard ratings”; we think that there would be value in referencing joint use amenity space again in this paragraph. “The intended use of greenspaces or joint use amenity spaces should be compared with flood risk information provided in a site specific flood risk assessment, including flood risk hazard ratings.	Comment noted and agreed “The intended use of greenspaces or joint use amenity spaces should be compared with flood risk information provided in a site specific flood risk assessment, including flood risk hazard ratings.”	Make change to para 6.9 to reference joint use
OS22	Jos Bigham	Exec Summary	Executive Summary ‘The London Plan. The Spatial Development Strategy for Greater London. March 2021’ has a list of objectives which, if adapted, might be of use within the executive summary: ‘Objectives include: promoting mental and physical health and wellbeing; adapting to the impacts of climate change and the urban heat-island effect; improving air and water quality; encouraging walking and cycling; supporting landscape and heritage conservation; learning about the	Noted. These issues are picked up throughout the SPD and the executive summary addresses the purpose and scope of the document.	No change

			environment; supporting food growing and conserving and enhancing biodiversity and ecological resilience alongside more traditional functions of green space such as play, sport and recreation.'		
OS23	Jos Bigham	Document wide	This SPD document should also set the Council's approach towards the provision of open space for new commercial, industrial and mixed development. It is essential that all forms of development connect with the wider green infrastructure network; otherwise, the Council's approach towards sustainability, biodiversity recovery, improving air quality, reducing flood risk and mitigating and adapting to climate change will be undermined.	Agreed. Include written text in executive summary to encourage the provision of appropriate open space and SUDs in commercial and industrial developments.	Reference to industrial and commercial included in Executive summary.
OS24	Jos Bigham	Para 1.15 numbering now amended. 1.15 in draft document is 1.16 in final document.	Add the following bullet points: <ul style="list-style-type: none"> • Improving air quality • Improving water quality 	Agreed. Include as suggested.	Include as suggested Include additional bullet points to para 1.16
OS25	Jos Bigham	Para 1.15 numbering now amended. 1.15 in draft document is 1.16 in final document.	Change the bullet point 'Improved mental and physical health through exercise...' to 'Improved mental and physical health through experience of restorative environments and exercise	Comment noted. Suggest amended wording in line with representation Amend bullet point to read: 'Improved mental and physical wellbeing through exercise in a safe and pleasant environment.'	Amend bullet point 1.16

OS26	Jos Bigham	Para 1.16	'...contributes to improvements in connectivity and public access...' Should there be a section on a commitment to Public Rights of Way (PRoW) and their maintenance in support of this statement?	Noted. Policy GE1 covers this	No change
OS27	Jos Bigham	Para 1.17	'...new housing development...' This section should refer to all forms of development including commercial, industrial and mixed sites.	Agreed – new paragraph added at the end of section 1 to read 'Whilst this document focuses mainly on the provision of open space in residential developments, the council also encourages the provision of appropriate open space and SUDs in commercial, industrial and mixed-use developments. The creation of open spaces in such developments can make a significant contribution towards health and wellbeing in the workplace and can contribute to modal shift to sustainable transport modes' and laso included in the executive summary.	Change made in line with officer comments

Coventry Open Spaces SPD Consultation Summary**APPENDIX 2**

	Jos Bigham	Chapter 7 and Intro	Within the Open Spaces SPD, there should also be references made to the recent Environment Act (2021) especially with regards to 'Part 6 Nature and biodiversity' and other sections which may require signposting (https://www.legislation.gov.uk/ukpga/2021/30/contents/enacted).	Agreed.	Insert reference in chapter 7 (para 7.8) and introduction
OS29	Jos Bigham	Para 2.8	Consider including other relevant SPDs in the bullet point list e.g., <ul style="list-style-type: none"> • Air Quality SPD • Coventry Connected SPD • Health Impact Assessment SPD • Tree and Developer Guidelines SPD (2020) 	Agreed	Insert relevant SPDs to list at 2.8
OS30	Jos Bigham	Para 2.9	Consider including the following strategies and any others which may link with the Open Spaces SPD e.g., <ul style="list-style-type: none"> • Coventry Health and Wellbeing Strategy 2019-2023 • Marmot strategy (2016-2019) • Climate change strategy (2012-2020) • Sub Regional Green Infrastructure Strategy (https://www.warwickshire.gov.uk/greeninfrastructure) 	Noted Due to dated nature of a number of documents it is considered prudent to refer to the councils website for more information.	Insert website link
OS31	Jos Bigham	Para 3.3	Table 1: Green Space Typology Change 'Community Gardens and Allotments' to 'Community Gardens, Orchards and Allotments'	The table is taken from documents which are already adopted so any change would lead to inconsistencies.	No change.
OS32	Jos Bigham	Para 3.5	3.5 adapt the third bullet point to include a reference to 'Secured by Design Development Guides' (https://www.securedbydesign.com/guidance/design-guides) e.g., <ul style="list-style-type: none"> • incorporate security into developments to meet the requirements of Secured by Design (SBD) with the aim of reducing opportunities for crime Page 12 of 23 	Agreed. Insert reference to Secured by Design in bullet point 3 of para 3.5. be designed and located to reduce opportunities for crime.."in line with guidance contained	Change to include secured by design

				within Secured by Design”	
OS33	Jos Bigham	Para 3.6	3.6 Change ‘...meters...’ to ‘metres’	Noted	Make change
OS34	Jos Bigham	General	<p>Crime and security</p> <p>Refer to the detail in ‘Secured by Design Homes 2019’ Section 1 especially in the following areas:</p> <ul style="list-style-type: none"> • Layout of roads and footpaths • Communal areas and play space • Planting in new developments • Street lighting <p>Refer to the detail in ‘Secured by Design Commercial Developments 2015’ Section 1 especially in the following areas:</p> <ul style="list-style-type: none"> • Roads and footpaths • Perimeter security and site access • External security issues • Security lighting <p>It would also be useful involve West Midlands Police’s ‘Designing Out Crime Officer’ with this consultation so that they have an opportunity to comment and make suggestions.</p>	Comment noted. Paras 3.5 and 3.6 sufficiently cover this.	No change
OS35	Jos Bigham	Para 3.8	<p>Impenetrable barriers</p> <p>With regards to calculations of distances, impact of impenetrable barriers needs to be referred to.</p>	Comment noted. Para 3.8 states safe and convenient walking routes.	No change
OS36	Jos Bigham	Chapter 7	Suggests more commentary on ecological assessments, carbon storage and net gain as part of chapter 7.	Comments noted. Chapter 7 (para 7.8) includes reference to recent national policy changes. SPD to be updated to reflect most recent position. However, biodiversity SPD will	Insert reference to Environment Act at 7.8

				be the focus for this discussion.	
OS37	Jos Bigham	General	Electricity pylons and high voltage overhead power lines Space underneath electricity pylons is an issue which does need addressing within the SPD. In general, it would be beneficial for developers to consult early on with organisations such as National Grid and National Highways. According to the National Grid's document 'Design guidelines for development near pylons and high voltage overhead power lines', there should be a 15m buffer zone for unsupervised/open access areas	Agreed. General sentence to be included in 4.2. Include in 4.2: "In general, it would be beneficial for developers to consult early on with organisations such as National Grid and National Highways. This is to ensure development or the creation of open space under or close to power lines is appropriately assessed."	Include sentence at 4.2
OS38	Sara Maycock		How will the policy be monitored in terms of its effectiveness in practice? eg direct Impacts on health and wellbeing of residents, local biodiversity measures, climate change mitigation - there is no rigour incorporated into the document in terms of measures of success or ensuring that targets are met. The expected policy impacts should be measurable using SMART targets. Include a statement of required outcomes in the context of Coventry's social and environmental issues it is trying to target.	Comment noted. The document provides guidance to developers on the quantum and quality of open space provision as part of developments. The parameters and outcomes of provision will be dealt with on a case by case basis as part	No change

				of the planning application stage and any associated legal agreement or undertakings. As part of routine and ongoing monitoring, the delivery of developments will be assessed.	
OS39	The Coventry Society	Chapters 6 & 7	(Open Spaces and the Water Environment and Biodiversity and Green Infrastructure) look like add on's and are not well incorporated in the document since there are no references to these sections in the Executive Summary or the Overview.	Comment noted. Relevant changes to be made to executive summary.	Executive summary amended.
OS40	The Coventry Society	Executive Summary	There is a reference to the improvement to archaeology in the first paragraph of the Executive Summary but no further reference elsewhere in the document as to how green spaces can help retain or protect archaeology. How is this then a Summary? If archaeology is not considered important then why reference it at all?	Comment noted. The SPD is underpinned by Policy GE1 of the Local Plan. The reference to archaeology is contained within that policy. All development proposals must have regard for the historic environment and therefore any open spaces which is created as a result of a new development must also respect and enhance the	No change

				historic environment.	
OS41	The Coventry Society	Executive Summary	Third para needs an addition at end 'or in the city centre inside the Ring Road', in order to properly reflect the wording in para 4.15 (p14)	Agreed. Amend third para of Exec summary to read "If the quantitative requirement is greater than or equal to the minimum size standard (0.1ha), that requirement should be delivered on-site. If the quantitative requirement is lower than the minimum size standard, or is in the City Centre, within the ring road".....	Executive summary amended to reflect change
OS42	The Coventry Society	Para 1.3	Needs to start 'Well planned and maintained open spaces can...' as 'It' can be taken to refer to the foregoing para referencing new development	Agreed	Make change to para 1.3 as suggested
OS43	The Coventry Society	Para 1.4	First sentence is contentious and unnecessary. This Overview needs to link to S6 (notably SUDS and the need for additional water storage in greenspaces (6.32) and S7 (esp 7.4 and the introduction to 7.6).	Comment noted. Consider first sentence to be appropriate in context.	No change
OS44	The Coventry Society	Para 1.15	Need to separate out 'Alleviation of flood risks' from 'Instilling unique character to areas and providing local identities'. An additional benefit which should be added is 'supporting early years development and education'.	Agreed	Make change to para 1.15 as suggested.

OS45	The Coventry Society	Paras 3.6-3.8	Green Space and Open Space definitions and recommendations 3.6-3.8 focus on equipped play areas. They ignore the guidance from Fields in Trust on playing pitches and outdoor sports. Why? Surely such provision could and should be made in relation to larger development sites?	The Open Spaces SPD focuses on the provision of green and open spaces. The playing pitch strategy is the document which will provide detail on the provision of sports pitches and wider sports provision. This is currently being updated.	No change
OS46	The Coventry Society	Para 3.8	3.8 is fundamentally wrong. Fields in Trust guidance is for the distances of playgrounds from residential properties to be a maximum not a minimum! How far have young parents to take their children to play?!	FiT document as referenced in this SPD (https://www.fieldsintrust.org/Upload/file/guidance/Guidance-for-Outdoor-Sport-and-Play-England.pdf) provides a recommendation using benchmark guidelines and distances are neither maximum nor minimum as the guidance also sets out that the local context is important.	Replace 'minimum' with recommended in para 3.8 to reflect the FiT wording

	The Coventry Society	Para 4.15	<p>The Planning Process : how development must contribute</p> <p>Para 4.15 refers to exceptional circumstances where off-site contributions are needed. These are not set out clearly, however. Derived from the rest of the document, they appear to be</p> <ul style="list-style-type: none"> - site is too small (4th para of Summary and 4.11) - demonstrable surplus of existing open space in a locality (4th para of Summary only?) - development inside the Ring Road (this para). <p>This para needs to be expanded to reflect the circumstances that are regarded as exceptional.</p>	<p>Comment noted. 1.15 amended to include: ' By their very nature, exceptional circumstances are often site specific but may include viability or physical space due to the layout or size of site. Therefore, should there be instances where on-site provision cannot be undertaken, or where a cumulative and joined up approach is taken by multiple stakeholders, relevant justification must be provided to the satisfaction of the council.'</p>	Expand para 4.15 to clarify exceptional position.
OS48	The Coventry Society	Para 4.16	4.16 is under heading Securing Delivery. This should be the first para in the next section 'Implementation'.	Comment noted but considered that this is in the correct location as negotiating planning obligations needs to be undertaken	No change

				before the scheme can be implemented.	
OS49	The Coventry Society	Para 5.3	Introduces a key requirement for developers i.e. POS must be completed to the Councils reasonable satisfaction before 50% of houses are occupied on site. This is significant information for developers. It surely needs a justification and a reference in the Executive Summary.	Paragraph 5.3 to be amended to provide the justification ie ensuring occupiers have timely access to open space but also to reflect the reality of site delivery so the threshold is increased to 75% in line with feedback from the development industry	Threshold figure amended at 5.3 and included in executive summary with justification.
OS50	The Coventry Society	Chapters 6&7	Sections 6 and 7 appear standalone and appear to have come from external sources. They are not at all well integrated into the document. If they are to be taken seriously by developers in their development proposals then they need to be referenced in the Executive Summary and the Overview. See earlier comments.	Expand reference to relevant areas in executive summary and overview.	Expand reference to relevant areas in executive summary and overview.
OS51	Turley for University of Warwick	Chapter 3	This section of the document notes that green infrastructure assets may be classified as 'formal', 'informal' and 'functional'; with both schools and hospitals categorised as 'formal'. We would take this opportunity to clarify that the University of Warwick campus includes extensive areas of landscape which fall within each of these definitions.	Comment noted. The council recognises the cross-cutting nature of the typologies, as set out in section three of this SPD, the Green Space Strategy and the Coventry Local Plan.	No change.

OS30	Turley for University of Warwick	Para 3.5	The recommendations for open space (at Section 3.5) are broadly supported. We would suggest that the circumstance is noted where cumulative needs may indicate that a joined up and coordinated approach to open space delivery, may yield greatest benefit. This may apply to the University campus or indeed to broader strategic housing releases, for example.	Add a para re. cumulative needs and co-ordinated delivery at 3.5.	Change made as per officer comments.
OS53	Turley for University of Warwick	Para 4.15	Off Site Contributions The SPD confirms that ‘off site’ contributions to open space may be appropriate, only in certain circumstances – such as for sites within the ring road where provision may be unrealistic. We would suggest that offsite contributions may also be appropriate in circumstances where there is a cumulative need and where there is an opportunity for stakeholders to agree a coordinated and joined up strategy for open space delivery and derive greater benefit.	Agreed. Joined up approach added to 4.15	Joined up approach added to 4.15
OS54	Savills for Barratt	Appendix 3	The SPD requires for a total of 3.11ha of public open space to be provided per 1,000 people. Appendix 3 of the SPD states that all residents should be within: 1,200m of a District Level Space; within 800m of a Neighbourhood level space, or 400m of a Local Level Space. Appendix 3 also sets out further detail on children’s play space requirements including the distance from existing facilities (e.g. a LAP within 100m) and where they should be located on sites (e.g. a LAP 5m from a proposed dwelling boundary). The SPD should not place any onerous distance requirements on developers. Barratt consider that the location of open space and play space on a site should be agreed on a site by site basis and determined on constraints/ opportunities within the site (e.g. accessibility and layout) as well as the surrounding context (e.g. connections to the existing green infrastructure network).	The distances are taken from the Field in Trust benchmarking : this is established guidance but it incorporates flexibility to enable local context to be reflected.	Amend bullet one of 3.6 to reflect the need to take into account Fields in Trust Guidance..
OS55	Savills for Barratt	Appendix 3	Appendix 3 also requires formal open space to achieve a quality standard of 70 (out of 100) and informal green space to score 60 (out of 100) to achieve the Green Flag Award. All informal green spaces should achieve a minimum of ‘good’ against the Green Flag Award Standard. The PPG states that SPDs should build upon policies in a	Comment noted. This reflects wording of existing documents. Re-word Appendix 3 to	Amend appendix 3 in line with officer comments.

			local plan but “they should not add unnecessarily to financial burdens on development” (Reference ID: 61-008-20190315). The Green Flag standards are not a national requirement and its impact on the delivery of development sites has not been assessed as part of the SPD. Barratt therefore consider that Appendix 3 and the SPD should be reworded to incorporate some flexibility to ‘encourage’ applicants to ‘aim or aspire to achieve the relevant Green Flag standards’.	incorporate references to the adopted Green Space Strategy and Local Plan Policy GE1.	
OS56	Savills for Barratt	Paras 1.9 & 3.5	The SPD also states that open space should be connected to existing open space (paragraph 1.9) and should usually form part of a central feature [3.5]. We do not support the central provision of open space and consider that it should be determined on a site by site basis and its location being based on the most suitable part of the site to achieve the requirements of Policy GE1.	Comment noted. Change para 3.5 to reflect Local Plan policies GE1 and DE1 which set out how open space can be designed as an integral part of a development.	Change para 3.5 in line with officer comments.
OS57	Savills for Barratt	Para 4.15	Paragraph 4.15 states that “there may be exceptional circumstances where off site contributions are needed” [Savills emphasis]. The SPD does not explicitly set out what the Council consider are exceptional circumstances. However, it is considered that in part / whole off-site provision should be agreed on a site by site basis where there is reasoned justification.	Amend 4.15 to read: ‘By their very nature, exceptional circumstances are often site specific but may include viability or physical space due to the layout or size of site. Therefore, should there be instances where on-site provision cannot be undertaken, or where a cumulative and joined up approach is taken by	Change 4.15 in line with officer comments.

				multiple stakeholders, relevant justification must be provided to the satisfaction of the council.'	
OS58	Savills for Barratt	Para 5.3	Paragraph 5.3 states that "prior to Occupation of 50% of dwellings provided on site, the Owner shall complete public open spaces to the reasonable satisfaction of the Council". We do not support a city-wide blanket trigger being included within the SPD. The trigger for the provision of on-site open space should be determined by the scale of the site and the location of the open space relative to the site compound. Barratt therefore request that paragraph 5.3 is amended to remove reference to 50% occupation and be reworded to state that triggers will be agreed on a site by site basis. The SPD could 'encourage' applicants to deliver public open space at the earliest opportunity.	Comment noted see response to OS71. It is considered that 'at the earliest opportunity' is too vague, however an increase to 75% is felt to be reasonable and realistic.	See OS71, change to 75%.
OS59	Savills for Barratts	Para 6.15 & Chapter 7	Biodiversity net gain is referred once in the document and there is no specific percentage requirement quoted. Barratt supports this given the SPD provides guidance on local plan policies and the adopted Local Plan has not been updated to address the 10% requirement in the Environment Act.	Section 7 to be updated to reflect recent change regarding the Environment Act. The Council will be producing a biodiversity SPD later in 2022.	Add reference to Environment act in section 7 at para 7.8
OS60	Pegasus for Persimmon		In terms of the overview of the document, Persimmon welcomes the confirmation that Coventry City Council consider water to fall within the definition of greenspace (a subset of open space), in accordance with the definition of open space included in the National Planning Policy Framework (NPPF, 2021 – Annex 2: Glossary, page 70). This provides helpful clarity that on-site SuDS and open air drainage should	Comment noted.	No change

			be considered to form part of the on-site open space provision. This approach is supported.		
OS61	Pegasus for Persimmon	Chapter 3	<p>Green and Open Space definitions and recommendations</p> <p>This section of the SPD sets out the various typologies of green space and assigns them to three overarching categories (see Table 1). It should be acknowledged that the typologies cannot be sorted into distinct categories and that there is an inevitable degree of overlap between categories.</p> <p>For example, function green space is listed as including sustainable urban drainage schemes and flood storage areas.</p> <p>However, in Table 1 natural and semi-natural green space (including wetlands) and amenity green space (including space for the enhancement of the appearance of areas) would likely include SuDS ponds and other drainage features but both are categorised as informal green space. This demonstrates how the categories will inevitably overlap and the need for the Council to take a flexible approach when attempting to split green space provision into categories.</p>	Comment noted. The council recognises the cross-cutting nature of the typologies, as set out in section three of this SPD, the Green Space Strategy and the Coventry Local Plan.	No change.
OS62	Pegasus for Persimmon	Para 3.5	<p>One of the recommendations is that open space should usually form a central feature and incorporate significant existing landscape features wherever possible. This is generally supported however there needs to be a flexible approach depending on site-specific characteristics, for example existing landscape features will not always be centrally located so open space should be located in the most advantageous location given the specific characteristics of each site.</p>	Comment noted. The word usually is included in the para and therefore provides sufficient flexibility.	No change
OS63	Pegasus for Persimmon	Para 3.6	<p>Paragraph 3.6 continues the recommendations specifically in relation to equipped play areas. The first recommendation states that equipped play areas should be sited at least 30 metres from the centre point of the building of the nearest residential property. It is not clear what evidence this recommendation is based on, particularly as the following paragraphs (see 3.8) make reference to the Fields in Trust (FiT) which also contains guidance on separation distances for different types of equipped plays areas. Fields in Trust recommends</p>	Amendment to be made to 3.6 to reference Fields in Trust recommendations.	Amend 3.6 to reference Fields in Trust recommendations.

			<p>the following buffer zones between the activity zone and nearest property containing a dwelling:</p> <ul style="list-style-type: none"> • LAP – 5m • LEAP – 20m • NEAP/MUGA – 30m <p>It is suggested that this guidance should be referred to so it clear that different types of equipped play areas should have different separation distances. This would ensure that the SPD is consistent with the national guidance. It should also be acknowledged that this is recommended guidance rather than a strict minimum separation distance and the guidance should be applied flexibly in recognition of different site circumstances.</p>		
OS64	Pegasus for Persimmon	Para 4.1	<p>Paragraph 4.1 recommends that a stand-alone green infrastructure parameters plan is provided as part of any major planning application where on-site open space is to be provided. It is not clear if major planning application is referring to any application over 10 dwellings. The statutory definition for major development is contained within the Town and Country Planning Development Management Procedure Order, which defines major development as where the number of dwellinghouses to be provided is 10 or more, or the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within subparagraph (c) (i). This could helpfully be clarified within the SPD. Parameter plans are usually only provided for large-scale applications which are accompanied by an Environmental Statement (ES). Whilst it is acknowledged that such a plan could be helpful for these types of applications it should not be a requirement for all major planning applications.</p>	<p>Parameters plans are helpful so they are to be 'strongly encouraged' and the wording amended to reflect this. The paragraph will also be amended to provide clarity: 'All major applications where the minimum threshold for delivering on-site open space is 0.1ha or more'.</p>	<p>Amend in line with officer comments.</p>
OS65	Pegasus for Persimmon	Table 5	<p>The tables and worked examples to calculate population and open space requirements for a site is helpful and provides greater certainty for developers. The exemptions for 1 bedroom dwellings, student accommodation, extra care and HMOs from providing equipped play areas is supported as these types of accommodation do not generate</p>	<p>Para 3.3 acknowledges the multi-functional nature of the typologies.</p>	<p>No change</p>

			<p>demand for this type of open space. Table 5 sets out the minimum requirements for onsite open space by planning classification. As set out above, these classifications will overlap, particularly informal and function green space, so provision of on-site open space will need to be considered as a whole rather than in strict categories. This should also reflect site specific characteristics and existing open space provision in the local area.</p>		
OS66	Pegasus for Persimmon	Para 4.12	<p>Paragraph 4.12 sets out that open spaces that do not meet the required minimum size standard will not count towards meeting the quantitative requirement. The paragraph continues that this should not preclude the incorporation of grass verges, planted areas and other smaller landscaping features within development schemes. It is not clear why these types of open space should be excluded from forming part of the quantitative requirement. Furthermore, by not including such features within POS calculations would inevitably discourage the provision of smaller scale landscaping features which form an important part of overall amenity green space and are important in achieving good design. The SPD should be amended to allow smaller areas of amenity green space to contribute towards achieving the quantitative requirement.</p>	<p>The intention of this commentary is to ensure developments provide some visually attractive and soft landscaped elements. It is not agreed however that they should contribute to the overall calculations as open space needs to be functional and useable. Para to be amended to state 'Areas of incidental open space that cannot be reasonably used or accessed by the public should not be counted towards meeting the quantitative requirement.'</p>	<p>Amend 4.12 in line with officer comments.</p>

OS67	Pegasus for Persimmon	Para 4.13	It is understood that open space requires ongoing, long-term management and maintenance (paragraph 4.13). The SPD suggests that open space may be adopted by the City Council, which would require a commuted sum which will be determined on a case by-case basis. It would be helpful if the SPD could clarify under what circumstances that City Council would look to adopt on-site open space and the basis on which the commuted sum is to be calculated.	Comment noted. This will be determined on a case by case basis.	No change
OS68	Pegasus for Persimmon	Appendix 2	In Appendix 2 Section 106 Template, paragraph 1.8 states that 'in the event the Owner offers the Open Space to the Council' and paragraph 1.9 continues that 'If the Owner elects to transfer the Open Space to an Open Space Management Company or the Council declines to accept the Open Space'. This wording leaves both options open for the Owner to decide which option is best for a specific site. Persimmon Homes support this approach and this should be reflected in the main text of the SPD.	Comments noted. It is considered that the point is sufficiently made already.	No change
OS69	Pegasus for Persimmon	Para 4.14	Paragraph 4.14 continues that indicative costings for formal open space provision are included at Appendix 4. These are 2019 costings and will be refreshed when new costings are available. It would be helpful if this SPD could include updated costings. It is acknowledged that costings should have some flexibility to reflect site-specific factors but it would be helpful if the SPD could clarify these are maximum costings and site-specific factors would lead to relevant reductions.	As stated in 4.14, these are indicative costings and are the most recent currently available. They are not maximum costings, they are a guideline. Para 4.14 provides flexibility to enable consideration on a site by site basis.	No change
OS70	Pegasus for Persimmon	Para 4.15	Paragraph 4.15 confirms that off-site delivery may be required in certain circumstances. The SPD cites location (within the ring road) as an example of when off-site provision would be appropriate. The approach of allowing for off-site contributions in certain circumstances is supported and this should include sites where the	Comments noted. This would be considered on a case by case basis.	No change

			locality already has nearby open space provision where a contribution to upgrade these facilities would be better for the area than additional on-site provision which would duplicate and compete with existing open space provision.		
OS71	Pegasus for Persimmon	Para 5.3	Paragraph 5.3 suggests a trigger of 50% occupation. This is unlikely to be feasible for many sites as it is not practical to complete open space while construction is ongoing nearby. It is suggested that a trigger of 75% is more appropriate. The trigger would also need to allow for open space delivery to be phased on larger developments.	Agreed that 75% is an acceptable trigger which, in the case of phased developments will be applied to each separate phase.	Change trigger to 75% in 5.3
OS72	Pegasus for Persimmon	Para 5.4	Paragraph 5.4 states that off-site facilities will be dealt with through Section 106 Legal Agreements. This is generally supported although the SPD should allow for this to be dealt with through Unilateral Undertaking when required.	Comment noted. The Council's preference is for the use of s106.	No change
OS73	Pegasus for Persimmon	Para 6.10	In terms of existing ponds, paragraph 6.10 states that these should be retained and not used or enhanced as SuDS. The retention of existing ponds where possible is supported however it is not clear why these should not be used or enhanced as SuDS. This approach has been used on schemes within the City with the agreement of the lead local flood authority. If there are no technical reasons why an existing pond should not be utilised or enhanced as SuDS then this should be permitted. Indeed, this approach is likely to encourage the retention of existing ponds and integrate them into the drainage solution for sites. The integration and enhancement of existing ponds also has the potential to offer significant ecological benefit.	Noted. The paragraph states 'usually', which does provide flexibility depending upon the local context. Amend paragraph to replace 'should' with 'recommended'.	Make change as set out in officer comments.
OS74	Pegasus for Persimmon	Chapter 6	This section continues that the Council's preference is for above ground SuDS and acknowledges that this is therefore often located within development greenspaces. The preference for above ground SuDS is supported although there will be sites where this approach is not practical or feasible in which circumstances exceptions will need to be made. The acknowledgement in the SPD that above ground SuDS form part of a sites green space provision is supported and this	Comments noted. The SPD sets out the Council's recommended approach but there is flexibility to allow	No change

			‘functional’ green space should not be excluded when calculating the open space requirements. As set out above, areas including SuDS often form part of amenity green space and can contribute to visual amenity function of public open space. Attractive walking routes may be provided around SuDS features, which can often be engineered to be either wet or dry depending on the site context, to encourage residents to make use of and enjoy these areas of POS. In addition, SuDS as part of wider open space provision can provide significant ecological benefits and contribute towards wider linkages. It is clear that above ground SuDS have a range of benefits, are the Council’s preferred option and their provision should be further encouraged through their inclusion as part of open space requirement calculations.	for local circumstances.	
OS75	Pegasus for Persimmon	Para 6.18	Paragraph 6.18 states that the Council will consider adoption of open-air SuDS within areas of open space, subject to a commuted sum. It would assist if the SPD could set out the circumstances under which the Council would look to adopt SuDS and provide guidance regarding the commuted sum required.	This will be considered on a case by case basis subject to consultation with Coventry city Council Lead Local Flood Authority.	No change
OS76	Pegasus for Persimmon	Para 6.19	Paragraph 6.19 sets out the SuDS features have been mistreated in the past, particularly for the disposal of rubbish and suggests this should be addressed within asset maintenance plans. This could be addressed through open space management and maintenance plans which can be secured via an appropriately worded condition	It is considered that this paragraph provides sufficient flexibility.	No change
OS77	Pegasus for Persimmon	Para 6.20	Paragraph 6.20 considers development contributions related to greenspaces and water – specifically contributions to reduce flood risk, improve the water environment and safeguard against the future impacts of climate change and development creep. This is beyond the scope of an Open Space SPD and would instead need to be addressed through a Local Plan Review in line with the Planning Obligations PPG which is clear that policies for planning obligations should be set out in plans and examined in public (Paragraph 004). Furthermore, these	Comment noted. All s106 requests will be compliant with reg 122 of the CIL regulations 2010. This is set out in para 6.22 which references the NPPF.	Amend para 6.22 to reference the correct version of the NPPF

			contributions are technical in nature and would need to be assessed and requested by the lead local flood authority rather than through open space. This paragraph should be removed from the SPD.	The NPPF paragraph reference will be updated to reflect the July 2021 version.	
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Strategic Environmental Assessment

Comment Reference	Respondent	Page/Para reference	Consultation Response (Summary)	Officer Response	Proposed Change
OS SEA 1	Historic England	SEA	Document unlikely to result in significant environmental effects, as it will provide additional guidance on existing adopted policies. Agree no requirement to undertake an SEA.	Comments noted	No change
OS SEA 2	Natural England	SEA	It is our advice, on the basis of the material supplied with the consultations, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plans. Natural England therefore agrees with your conclusions that an SEA is not required for the separate SPD's.	Comments noted.	No change

Equality Impact Assessment

Comment Reference	Respondent	Page/Para reference	Consultation Response (Summary)	Officer Response	Proposed Change
OS EIA 1	Jos Bigham	EIA	Within the EIA, the section on 'Sex' needs to be looked at again in terms of women's perception of personal safety in public places. There have been several high-profile	The EIA accompanying the SPD sets out the criteria by which any impact of a specific	Amend para 3.5 of the SPD in line with officer comments and include

			<p>murders of women recently in the media which have highlighted this issue e.g., Sabina Nessa, Sarah Everard, Julia James, and it has triggered the set-up of movements such as 'Reclaim the Streets'. Without putting mitigations in place, women may underuse open spaces and this could be perceived as a form of discrimination affecting their health and well-being.</p>	<p>group, the SPD may have from an equality perspective.</p> <p>In relation to the content of the SPD itself, the document provides guidance on the provision of open space as part of new developments. Paragraph 3.5 discusses the need for open spaces to be designed and located in a manner which reduces opportunity for crime. This will be strengthened adding text that reads 'Open space should be designed and located to reduce opportunities for crime in line with Secured by Design guidance and any other good practice which secures safe open spaces for all users and especially those with certain protected characteristics (footnote to the Equality Act 2010) who may be particularly vulnerable.'</p>	<p>reference to safety and good design in the EqIA.</p>
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**Strategic Environmental Assessment of the Open Space
Supplementary Planning Document**

Coventry City Council

Strategic Environmental Assessment Screening Assessment

February 2022

1. Introduction

- 1.1 This screening report has been produced to consider whether the Open Space Supplementary Planning Document (SPD) prepared by Coventry City Council should be subject to a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, as amended by The Environmental Assessments and Miscellaneous Planning (Amendment)(EU Exit) Regulations.
- 1.2 Paragraph: 008 of the Planning Guidance¹ states that supplementary planning documents may in exceptional circumstances require SEA if they are likely to have significant environmental effects that have not already been assessed during the preparation of the relevant strategic policies. This screening statement considers whether there are any impacts which have not already been assessed within the Coventry Local Plan which was adopted on 6th December 2017², and determines whether or not SEA is needed for this SPD.

2. The Open Space SPD: Context

- 2.1 The Draft Open Space SPD sets out further detail on existing policies contained within the Coventry City Council Local Plan, in particular Policy GE1: Green Infrastructure. The Local Plan is the City Council's statutory planning framework which sets out how and where new homes, jobs, services and infrastructure will be delivered and the type of places and environments that will be created, enhanced and protected.
- 2.2 Requiring developers to provide open space as part of their proposals is a key requirement of Policy GE1 (Green Infrastructure) of the adopted Coventry Local Plan.
- 2.3 The additional guidance provided within the SPD aims to provide clear information for developers about policy requirements: which developments will trigger a requirement for open space provision, how much open space should be provided, what kind of open space is needed, and clear expectations in terms of design and delivery.

3. The Screening Process

- 3.1 The screening assessment is undertaken in two parts: the first will assess whether the SPD requires screening for SEA and the second part of the assessment will consider whether the SPD is likely to have a significant effect on the environment, using criteria drawn from Schedule 1 of the SEA Regulations.

¹ Reference ID: 11-008-20140306

² <https://www.coventry.gov.uk/localplan>

Table 1: Is SEA screening required?

Environmental Regulations Paragraph detail	Comments
<p>2.(1) In these Regulations- [...] "plans and programmes" means plans and programmes, including those co-financed by the European Community, as well as any modifications to them, which— (a) are subject to preparation and adoption by an authority at national, regional or local level; (b) are prepared by an authority for adoption, through a legislative procedure by Parliament or Government; and, in either case, (c) are required by legislative, regulatory or administrative provisions</p>	<p>Yes, this applies.</p> <p>The SPD is subject to preparation and adoption at local level. Whilst the SPD is not a requirement and is optional under the provisions of the Town and Country Planning Act it will, if adopted, supplement the development plan and be a material consideration in the assessment of planning applications.</p>
<p><u>Environmental assessment for plans and programmes; first formal preparatory act on or after 21st July 2004</u> 5.(2) The description is a plan or programme which— (a) is prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, and (b) sets the framework for future development consent of projects listed in Annex I or II Directive 2011/92/EU(4) of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment.</p>	<p>Yes, this applies.</p> <p>The SPD is prepared for town and country planning purposes. It supplements the planning policy framework of the Coventry City Local Plan, by providing detailed guidance as to how these policies are interpreted for future consent of projects listed in Schedule II of Directive 2011/92/EU(4).</p>
<p>3) The description is a plan or programme which, in view of the likely effect on sites, has been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive.</p>	<p>No this does not apply.</p> <p>The SPD is not likely to affect sites and has been determined not to require an assessment pursuant to any law that implemented Article 6 or 7 of the Habitats Directive.</p>

	<p>Habitat Regulations Assessment is not required. The Habitat Regulation Assessment undertaken in 2016 for the Coventry City Local Plan concluded that the plan would not cause a negative effect alone or in combination with other plans. The SPD does not provide any guidance which alters the impact of the policy on designated sites.</p>
<p>6) An environmental assessment need not be carried out— (a)for a plan or programme of the description set out in paragraph (2) or (3) which determines the use of a small area at local level, or (b)for a minor modification to a plan or programme of the description set out in either of those paragraphs,</p>	<p>Yes, this applies.</p> <p>The SPD provides further detail on the implementation of green infrastructure policy within the adopted Local Plan. This applies to the whole administrative area of Coventry City Council.</p>
<p><u>Determinations of the responsible authority³</u> 9.—(1) The responsible authority shall determine whether or not a plan, programme or modification of a description referred to in— (a)paragraph (4)(a) and (b) of regulation 5; (b)paragraph (6)(a) of that regulation; or (c)paragraph (6)(b) of that regulation, is likely to have significant environmental effects. (2) Before making a determination under paragraph (1) the responsible authority shall— (a)take into account the criteria specified in Schedule 1 to these Regulations; and (b)consult the consultation bodies.</p>	<p>This screening opinion has been prepared using the criteria specified in Schedule 1 as presented in Table 2.</p> <p>The statutory bodies (Natural England, Historic England and the Environment Agency) are to be consulted as required.</p>

³ “Responsible authority”, in relation to a plan or programme, means the authority by which or on whose behalf it is prepared (Regulation 2(1)(a))

Table 2: will the SPD have a significant effect on the environment⁴

SEA requirement	Comments
1: The characteristics of plans and programmes, having regard, in particular, to	
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The SPD has a minor role in setting the framework for projects. While the SPD forms a material consideration in decisions on planning applications, it has no influence on the location or volume of projects nor does it allocate resources.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The SPD does not create new policies but will support the policies in the adopted Local Plan. Other plans and programmes may outlive the SPD and during their preparation will be steered by national legislation and policy.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The purpose of the SPD is to provide guidance to support the green infrastructure policy of the adopted Local Plan. The Local Plan SA/SEA assessed this. The purpose of the SPD is to ensure these beneficial impacts of that policy are delivered and maintained which contributes to promoting sustainable development.
(d) environmental problems relevant to the plan or programme; and	There are no environmental problems relevant to this SPD: it elaborates adopted Local Plan policy.
(e) the relevance of the plan or programme for the implementation of retained EU law on the environment (for example, plans and programmes linked to waste management or water protection).	The SPD has no relevance to the implementation of retained EU law.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—	
(a) the probability, duration, frequency and reversibility of the effects;	The SPD is not allocating sites for development. The SPD is to provide guidance for the application and implementation of the policies in

⁴ As set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004

	the adopted Local Plan and is not expected to give rise to any significant environmental effects.
(b) the cumulative nature of the effects;	The SPD is not considered to have any significant cumulative effects. As the document provides further guidance to adopted local plan policies, but does not set policies itself, it cannot contribute to cumulative impacts in combination with the Local Plan.
(c) the transboundary nature of the effects;	There are no transboundary effects as this SPD relates to the Coventry City Council area only. Any potential significant transboundary environmental effects have already been assessed as part of the local plan's sustainability appraisal, the Habitat Regulations Assessment and the plan's examination process.
d) the risks to human health or the environment (for example, due to accidents);	The SPD poses no risk to human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The SPD relates to Coventry City Council's administrative area only.
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use;	The SPD relates to the Coventry City Council area only; as no development is proposed via the SPD, which elaborates on existing policy, none of these are likely to be affected by the SPD. Any site-specific matters would be addressed through a planning application specific to an individual proposal.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	The SPD relates to the Coventry City Council area only; as no development is proposed via the SPD, which elaborates on existing policy, none of these matters are likely to be affected by the SPD. Any site-specific matters would be addressed through a planning application specific to an individual proposal.

4. Conclusion and Screening Recommendation

4.1 This screening assessment identifies that the SPD will provide guidance to support the green infrastructure policy of the Coventry City Council adopted Local Plan. It is concluded that the SPD is unlikely to have significant environmental effects and therefore that Strategic Environmental Assessment is not required. The three statutory bodies (Natural England, Historic England and the Environment Agency) were consulted between 30th November 2021 and 18th January 2022. Natural England and Historic England confirmed that SEA is not required. No response was received from the Environment Agency.

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Title of EIA		EIA Open Space SPD
EIA Author	Name	Clare Eggington
	Position	Principal Town Planner (Planning Policy)
	Date of completion	01/09/2021
Head of Service	Name	David Butler
	Position	Head of Planning Policy and Environment
Cabinet Member	Name	Councillor David Welsh
	Portfolio	Housing and Communities

EIA	<ul style="list-style-type: none"> • Having identified an EIA is required, ensure that the EIA form is completed as early as possible. • Any advice or guidance can be obtained by contacting Jaspal Mann (Equalities) or Hannah Watts (Health Inequalities)
Sign Off	<ul style="list-style-type: none"> • Brief the relevant Head of Service/Director/Elected Member for sign off • Have the EIA Form ready for consultation if it is required • Amend according to consultation feedback and brief decision makers of any changes
Action	<ul style="list-style-type: none"> • Implement project / changes or finalise policy/strategy/contract • Monitor equalities impact and mitigations as evidence of duty of care

PLEASE REFER TO [EIA GUIDANCE](#) FOR ADVICE ON COMPLETING THIS FORM

SECTION 1 – Context & Background

1.1 Please tick one of the following options:

This EIA is being carried out on:

New policy / strategy

New service

Review of policy / strategy

Review of service

Commissioning

Other project (please give details) *Supplementary Planning Document for Open Space*



1.2 In summary, what is the background to this EIA?

The Open Space Planning Document (SPD) adds further details to the Local Plan which was adopted on 6th December 2017 and for which EIA was undertaken. SPDs do not introduce new policy, but provide further detail and guidance to enable the delivery of adopted policies.

The purpose of the Open Space SPD is to set out the Council’s approach towards the provision of public open space in new residential development. It supplements Policy GE1 of the adopted Local Plan, which states that: “new development proposals should make provision for green infrastructure to ensure that such development is integrated into the landscape and contributes to improvements in connectivity and public access, biodiversity, landscape conservation, design, archaeology and recreation”.

The additional guidance provided within the SPD aims to provide clear information for applicants about policy requirements: which developments will trigger a requirement for open space provision, how much open space should be provided, what kind of open space is needed, and clear expectations in terms of design and delivery.

1.3 Who are the main stakeholders involved? Who will be affected?

Developers who are required to deliver open spaces as part of their proposals, those who deliver and maintain the open space, and those members of the community who will use the open space.

1.4 Who will be responsible for implementing the findings of this EIA?

Coventry City Council Planning Policy Service

SECTION 2 – Consideration of Impact

Refer to guidance note for more detailed advice on completing this section.

In order to ensure that we do not discriminate in the way our activities are designed, developed and delivered, we must look at our duty to:

- Eliminate discrimination, harassment, victimisation and any other conflict that is prohibited by the Equality Act 2010
- Advance equality of opportunity between two persons who share a relevant protected characteristic and those who do not
- Foster good relations between persons who share a relevant protected characteristic and those who do not



2.1 Baseline data and information

Please include a summary of data analysis below, using both your own service level management information and also drawing comparisons with local data where necessary (go to <https://www.coventry.gov.uk/factsaboutcoventry>)

The Local Plan was formulated using detailed evidence including the Green Infrastructure Study and Green Space Strategy. The Local Plan was independently examined by a Planning Inspector to ensure that its policies were robust and formulated using appropriate evidence before it could be found sound and capable of adoption. Further detail on the Local Plan and the evidence base can be found here <https://www.coventry.gov.uk/localplan>
 This SPD details how the policy will be delivered, providing clear information for developers about policy requirements: which developments will trigger a requirement for open space provision, how much open space should be provided, what kind of open space is needed, and clear expectations in terms of design and delivery

2.2 On the basis of evidence, complete the table below to show what the potential impact is for each of the protected groups.

- Positive impact (P),
- Negative impact (N)
- Both positive and negative impacts (PN)
- No impact (NI)
- Insufficient data (ID)

**Any impact on the Council workforce should be included under question 2.6 – not below*

Protected Characteristic	Impact type P, N, PN, NI or ID	Nature of impact and any mitigations required
Age 0-18	P	Almost a fifth of Coventry City Council’s residents are aged 0-15. Access to open space, including suitable play facilities, is a fundamental need for development, health and wellbeing. 22.5% of children live in low income families which is above the regional and national average (20.2% and 17% respectively) ¹ . Ensuring that developments provide appropriate, safe, accessible, well designed and good quality play and recreation facilities is essential.

¹ <https://www.gov.uk/government/statistics/children-in-low-income-families-local-area-statistics-201415-to-201819>



Age 19-64	P	Access to a network of both formal and informal open space is an essential part of any sustainable community, encouraging exercise and social activity and sustainable travel such as walking and cycling. 67% of Coventry City Council’s residents are aged between 16 and 64. Being of working age, these are the largest group likely to be accessing homes on new developments and will directly benefit from the provision of safe and well designed open space in relation to that development.
Age 65+	P	Access to a network of both formal and informal open space is an essential part of any sustainable community, encouraging exercise and social activity and sustainable travel such as walking and cycling. 13.5% of Coventry City Council’s residents are aged 65 and over and will benefit from a range of good quality, safe and well designed accessible open spaces including those relating to new developments.
Disability	P	Access to a network of both formal and informal open space is an essential part of any sustainable community, encouraging exercise and social activity and sustainable travel such as walking and cycling. Safe and well designed open spaces can positively contribute to mental and physical wellbeing. 17.7% of Coventry City Council’s residents have a limiting long term health problem or disability and appropriate open space provision may have a positive impact.
Gender reassignment	P	No direct impact although individuals may still benefit from safe and well designed open space provision
Marriage and Civil Partnership	P	No direct impact although individuals may still benefit from safe and well designed open space provision
Pregnancy and maternity	P	No direct impact although individuals may still benefit from safe and well designed open space provision
Race (Including: colour, nationality, citizenship ethnic or national origins)	P	No direct impact although individuals may still benefit from safe and well designed open space provision
Religion and belief	P	No direct impact although individuals may still benefit from safe and well designed open space provision
Sex	P	No direct impact although individuals may still benefit from safe and well designed open space provision
Sexual orientation	P	No direct impact although individuals may still benefit from safe and well designed open space provision



HEALTH INEQUALITIES

2.3 Health inequalities (HI) are unjust differences in health and wellbeing between different groups of people which arise because of the conditions in which we are born, grow, live, work and age. These conditions influence our opportunities for good health, and result in stark differences in how long we live and how many years we live in good health.

Many issues can have an impact: income, unemployment, work conditions, education and skills, our living situation, individual characteristics and experiences, such as age, gender, disability and ethnicity

A wide range of services can make a difference to reducing health inequalities. Whether you work with children and young people, design roads or infrastructure, support people into employment or deal with welfare benefits – policy decisions and strategies can help to reduce health inequalities

Please answer the questions below to help identify if the area of work will have any impact on health inequalities, positive or negative.

If you need assistance in completing this section please contact: Hannah Watts (hannah.watts@coventry.gov.uk) in Public Health for more information. More details and worked examples can be found at [https://coventrycc.sharepoint.com/Info/Pages/What-is-an-Equality-Impact-Assessment-\(EIA\).aspx](https://coventrycc.sharepoint.com/Info/Pages/What-is-an-Equality-Impact-Assessment-(EIA).aspx)

Question	Issues to consider	
2.3a What HIs exist in relation to your work / plan / strategy	<ul style="list-style-type: none"> ● Explore existing data sources on the distribution of health across different population groups (<i>examples of where to find data to be included in support materials</i>) ● Consider protected characteristics and different dimensions of HI such as socio-economic status or geographical deprivation 	
	<p>Response:</p> <p>The Open Space SPD supplements the policies of the adopted Local Plan which was subject to Health Impact Assessment. The Health and Wellbeing chapter of the plan, which includes Policy HW1, requires Health Impact Assessments for particular types and scale of development where there could be significant impacts. See https://www.coventry.gov.uk/localplan This was supplemented by a Health Impact Assessment SPD which provided further detail and guidance including that in relation to open space. See https://www.coventry.gov.uk/downloads/file/28900/health_impact_assessment_spd</p>	



2.3b How might your work affect HI (positively or negatively).

How might your work address the needs of different groups that share protected characteristics

Consider and answer below:

- Think about whether outcomes vary across groups and who benefits the most and least, for example, the outcome for a woman on a low income may be different to the outcome for a woman a high income
- Consider what the unintended consequences of your work might be

Response:

- Potential outcomes including impact based on socio-economic status or geographical deprivation

The Health Impact Assessment SPD referred to above includes the following:

Category 3: Access to open space and nature

Providing secure, convenient and attractive open/green space can lead to more physical activity and reduce levels of heart disease, strokes and other ill-health problems that are associated with both sedentary occupations and stressful lifestyles. There is growing evidence that access to parks and open spaces and nature can help to maintain or improve mental health.

The patterns of physical activity established in childhood are perceived to be a key determinant of adult behaviour; a growing number of children are missing out on regular exercise, and an increasing number of children are being diagnosed as overweight and obese. Access to play spaces, community or sport facilities such as sport pitches can encourage physical activity. There is a strong correlation between the quality of open space and the frequency of use for physical activity, social interaction or relaxation.

Considerations	Negative effects	Positive Effects	Relevant Local Plan Policies and Supplementary Planning Documents
<ul style="list-style-type: none"> • Opportunities for physical activity • Access to open and natural space, including water fronts • Formal and informal outdoor play spaces • Maintenance of open space and sports facilities • Integration with other outdoor uses such as growing food 	Failing to protect local green spaces and playing fields near to communities can limit opportunities for physical activity.	The provision of publicly accessible blue space, green spaces and play spaces can encourage physical activity and maintain or improve mental health	<ul style="list-style-type: none"> • DE1: Ensuring High Quality Design • DS3: Sustainable Development Policy • EM4: Flood Risk Management • EM5: Sustainable Drainage Systems (SuDS) • H3: Provision of New Housing • GE1: Green Infrastructure • GE2: Green Space • IM1: Developer Contributions for Infrastructure
	Green spaces that are of poor quality, feel unsafe, or are inaccessible will discourage physical activity and social interaction	A growing population, particularly an increase in children will require a range of formal and informal play spaces and equipment	
	Failing to provide a range of different types of open and play spaces may place pressure on	Natural spaces and tree cover provide areas of shade and can improve air quality in urban areas	



<ul style="list-style-type: none"> Maximising green infrastructure in urban environments (including green roof systems and gardens and green walls) 	existing spaces where formal and informal activities may conflict with each other	There may be opportunities to integrate play spaces with other related health and environmental programmes such as food growing and increasing biodiversity Green walls can also provide insulation or shading and cooling Green infrastructure can reduce flood risk	<ul style="list-style-type: none"> R2: Coventry City Centre – Development Strategy Community Infrastructure Levy
<p>b. Potential outcomes impact on specific socially excluded or vulnerable groups eg. people experiencing homelessness, prison leavers, young people leaving care, members of the armed forces community.</p> <p>Ensuring access to a range of suitable open spaces in relation to new developments will meet a range of needs and circumstances: this is a key aim of the Local Plan housing and green infrastructure policies and the SPD provides the further detail to ensure that those policies can be delivered.</p>			

2.4 Next steps - What specific actions will you take to address the potential equality impacts and health inequalities identified above?

This was considered through the Local Plan (the ‘parent document’), this document provides the detail to ensure the Local Plan policies can be delivered effectively

2.5 How will you monitor and evaluate the effect of this work?

The Local Plan includes monitoring indicators which includes monitoring new green infrastructure in line with the Green Space Strategy

2.6 Will there be any potential impacts on Council staff from protected groups?

No

You should only include the following data if this area of work will potentially have an impact on Council staff. This can be obtained from: lucille.buckley@coventry.gov.uk

Headcount:



Sex:

Female	
Male	

Age:

16-24	
25-34	
35-44	
45-54	
55-64	
65+	

Disability:

Disabled	
Not Disabled	
Prefer not to state	
Unknown	

Ethnicity:

White	
Black, Asian, Minority Ethnic	
Prefer not to state	
Unknown	

Religion:

Any other	
Buddhist	
Christian	
Hindu	
Jewish	
Muslim	
No religion	
Sikh	
Prefer not to state	
Unknown	

Sexual Orientation:

Heterosexual	
LGBT+	
Prefer not to state	
Unknown	

3.0 Completion Statement

As the appropriate Head of Service for this area, I confirm that the potential equality impact is as follows:

- No impact has been identified for one or more protected groups
- Positive impact has been identified for one or more protected groups
- Negative impact has been identified for one or more protected groups
- Both positive and negative impact has been identified for one or more protected groups



4.0 Approval

Signed: Head of Service:	Date:
Name of Director:	Date sent to Director:
Name of Lead Elected Member:	Date sent to Councillor:

Email completed EIA to equality@coventry.gov.uk

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Public report
Cabinet

Cabinet

15th March 2022

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor D Welsh

Director Approving Submission of the report:

Director of Streetscene and Regulatory Services

Ward(s) affected:

All

Title:

Energy Supplementary Planning Document - Adoption

Is this a key decision?

Yes – The proposals in the report will significantly affect residents and businesses in all wards of the city

Executive Summary:

This report seeks to adopt the Energy Supplementary Planning Document (SPD) following public consultation which was undertaken between 30th November 2021 and 18th January 2022.

SPDs add further detail to the policies in the development plan but cannot introduce new policy. SPDs provide additional guidance for development and are capable of being a material consideration when making decisions on planning applications.

Providing further guidance on building standards as they relate to carbon reduction and climate change over the Plan period to 2031 is a key commitment set out in Policy EM2 (Building Standards) of the adopted Coventry Local Plan. The aim of this SPD is to provide technical guidance on energy standards and requirements to improve the environmental sustainability of new development in the city.

The additional guidance provided within the SPD aims to provide clear information for applicants about policy requirements and expectations, clearly set out what detail the council expects developers to provide to assist the decision – making process and to encourage developers to promote excellence and best practice in sustainable development.

Responses to the consultation have been analysed and taken account of when amending the SPD. The proposed final version is attached at Appendix 1 to the report, and a summary of representations along with responses and proposed amendments can be seen at Appendix 2 to the report.

Once adopted, this SPD will replace the Delivering a More Sustainable City SPD which was adopted in January 2009.

Recommendations:

Cabinet is recommended to:

- 1) Adopt the Energy Supplementary Planning Document (SPD).
- 2) Delegate to the Strategic Lead (Planning), following consultation with the Cabinet Member for Housing and Communities, any necessary further non-substantive (minor) changes to the document.

List of Appendices included:

Appendix 1 - Energy Supplementary Planning Document.
Appendix 2 - Consultation: summary of representations and responses
Appendix 3 - Strategic Environmental Assessment Screening Report
Appendix 4 - Equalities Impact Assessment

Background papers:

None

Other useful documents:

Local Plan: adopted December 2017
National Planning Policy Framework July 2021

Has it been or will it be considered by Scrutiny?

No, however the draft SPD was considered by the Communities and Neighbourhoods Scrutiny Board (4) on 15th December 2021 as part of the consultation process.

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Energy Supplementary Planning Document

1. Context (or background)

- 1.1 The National Planning Policy Framework (NPPF) defines Supplementary Planning Documents (SPDs) as *'documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues.... Supplementary Planning Documents are capable of being a material consideration in planning decisions but are not part of the development plan'*.
- 1.2 Providing further guidance on building standards as they relate to carbon reduction and climate change over the Plan period to 2031 is a key commitment set out in Policy EM2 (Building Standards) of the adopted Coventry Local Plan. The aim of this SPD is to provide technical guidance on energy standards and requirements to improve the environmental sustainability of new development in the city.
- 1.3 The additional guidance provided within the SPD aims to provide clear information for applicants about policy requirements and expectations, clearly set out what detail the council expects developers to provide to assist the decision – making process and to encourage developers to promote excellence and best practice in sustainable development.
- 1.4 Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing SPDs. This includes a minimum statutory public consultation period of four weeks: the Council's recently adopted Statement of Community Involvement however sets out a local standard that SPDs should be consulted on for six weeks. Because of the Christmas period consultation was undertaken over seven weeks between 30th November 2021 and 18th December 2022. Further detail is set out in section 3 of this report.
- 1.5 It is also a legal requirement, as set out in the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations), to consider whether or not Strategic Environmental Assessment (SEA) of the SPD should be undertaken. The process for determining whether or not an SEA is required is called screening. This is to determine whether a plan will have significant environmental effects. The screening opinion undertaken is attached at Appendix 3 to the report. This concludes that no SEA is needed as the SPD elaborates on existing policy. This screening report must be consulted on so that three statutory bodies (Historic England, Natural England and the Environment Agency) can respond. The screening report was made publicly available for comment at the same time as the SPD was being consulted on.
- 1.6 Finally, an Equalities Impact Assessment (EIA) been undertaken, this is attached at Appendix 4 and was publicly consulted on.
- 1.7 Responses have been analysed and the SPD amended accordingly. In line with the legislation, this Cabinet report will include a statement setting out the details of the consultation, a summary of the main issues raised and how they have been addressed. This is contained at section 3 and Appendix 2 to the report

2. Options considered and recommended proposal

- 2.1 Cabinet may wish for the Council to rely upon the current Local Plan policies along with the National Planning Policy Framework and the 2009 Supplementary Planning Document. However, this would not honour the commitment of the adopted Local Plan

to replace the outdated guidance and would mean the council is primarily reliant upon Local Plan and national policy without any further clarification which also reflects the local context. Therefore, this option is not recommended

- 2.2 The recommendation is to adopt a new Energy SPD, as per Appendix 1 to the report, this approach is recommended in order to respond to the commitment in the adopted Local Plan to replace the outdated 2009 Supplementary Planning Document on Delivering a More Sustainable City with an up to date Supplementary Planning Document on Energy. This will accurately reflect the adopted Local Plan and subsequent changes to national policy and ensure delivery in accordance with local need.

3 Results of consultation undertaken

- 3.1 Public consultation was undertaken between 30th November 2021 and 18th January 2022. The minimum statutory period for SPD consultations is four weeks, the council's Statement of Community Involvement recommends six weeks however in this instance a seven-week consultation period was undertaken to allow for the Christmas holidays.
- 3.2 The council made all consultation documentation available on its website and in hard copy at the Council House and all libraries. A notification email was sent to all consultees on the planning policy consultation database, statutory consultees and Duty to Co-operate bodies (as set out in the regulations) which provided background to the SPD consultation and explained where people could view the documents and the various ways in which they could provide comments. The council also used its social media platforms and local press to publicise the consultation.
- 3.3 Regulation 12 of the Local Planning Town and Country Planning (Local Planning) (England) Regulations 2012 states that, before a local planning authority can adopt an SPD it must first prepare a statement setting out the persons consulted during the preparation of the document, with a summary of the main issues raised and how they have been addressed in the SPD. This report addresses these requirements, and details of the comments submitted, the officer response and changes made to the SPD as a result can be viewed at Appendix 2 to the report.
- 3.4 The Communities and Neighbourhoods Scrutiny Board (4) considered the draft SPD and supporting documents on 15 December 2021 as part of the consultation process. There was a discussion around encouraging good design and incorporating energy efficiency measures. The Scrutiny Board agreed with the content of the draft SPD's in principle.
- 3.5 Alongside the SPD, the SEA screening opinion and Equality Impact Assessment were made available for public comment as set out in section 1 of this report. In terms of the SEA screening, the statutory consultation bodies Natural England and Historic England concurred with the council's view that Strategic Environmental Assessment is not required. The Environment Agency did not respond. The screening assessment at Appendix 3 to the report has been updated to reflect this conclusion. The Equality Impact Assessment at Appendix 4 to the report has been updated as a result of internal guidance although no external responses were received on the matter.

4 Timetable for implementing this decision

- 4.1 The SPD can be adopted immediately.

5 Comments from the Chief Operating Officer (Section 151 Officer) and the Director of Law and Governance

5.1 Financial implications

There are no financial implications associated with this report.

5.2 Legal implications

There are no direct implications as a result of this report. Regulations 11 to 16 of The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing SPDs. The Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) also require the Council to consider whether or not Strategic Environmental Assessment (SEA) of the SPD should be undertaken.

6 Other implications

6.1 How will this contribute to achievement of the Council's Plan?

Planning policy documents and planning applications help deliver the aims and objectives of the One Coventry Corporate Plan by determining the type and quantum of development needed, where this should be located, areas which should be protected, enhanced or improved and the infrastructure which should be provided. In line with the Corporate Plan, this document focuses upon supporting local communities creating an attractive, clearer and greener city.

6.2 How is risk being managed?

There are no risks associated with this report.

6.3 What is the impact on the organisation?

No direct impact.

6.4 Equalities Impact Assessment/EIA

A full Equality and Impact Assessment (EIA) was undertaken as part of developing the Local Plan. As part of that analysis, the Council had due regard to its public sector equality duty under section 149 of the Equality Act (2010). The Supplementary Planning Document elaborates on Local Plan policy and so a further EIA has been undertaken (Appendix 4 to the report)

6.5 Implications for (or impact on) climate change and the environment

This is an elaboration of Local Plan policy relating to the delivery of sustainable development and, whilst it does not introduce new policy it will assist in ensuring that developers have due regard to climate change and energy matters through their planning applications.

6.6 Implications for partner organisations?

The Supplementary Planning Document will provide further detail to the adopted Local Plan policy which will assist those organisations involved in the delivery of sustainable development

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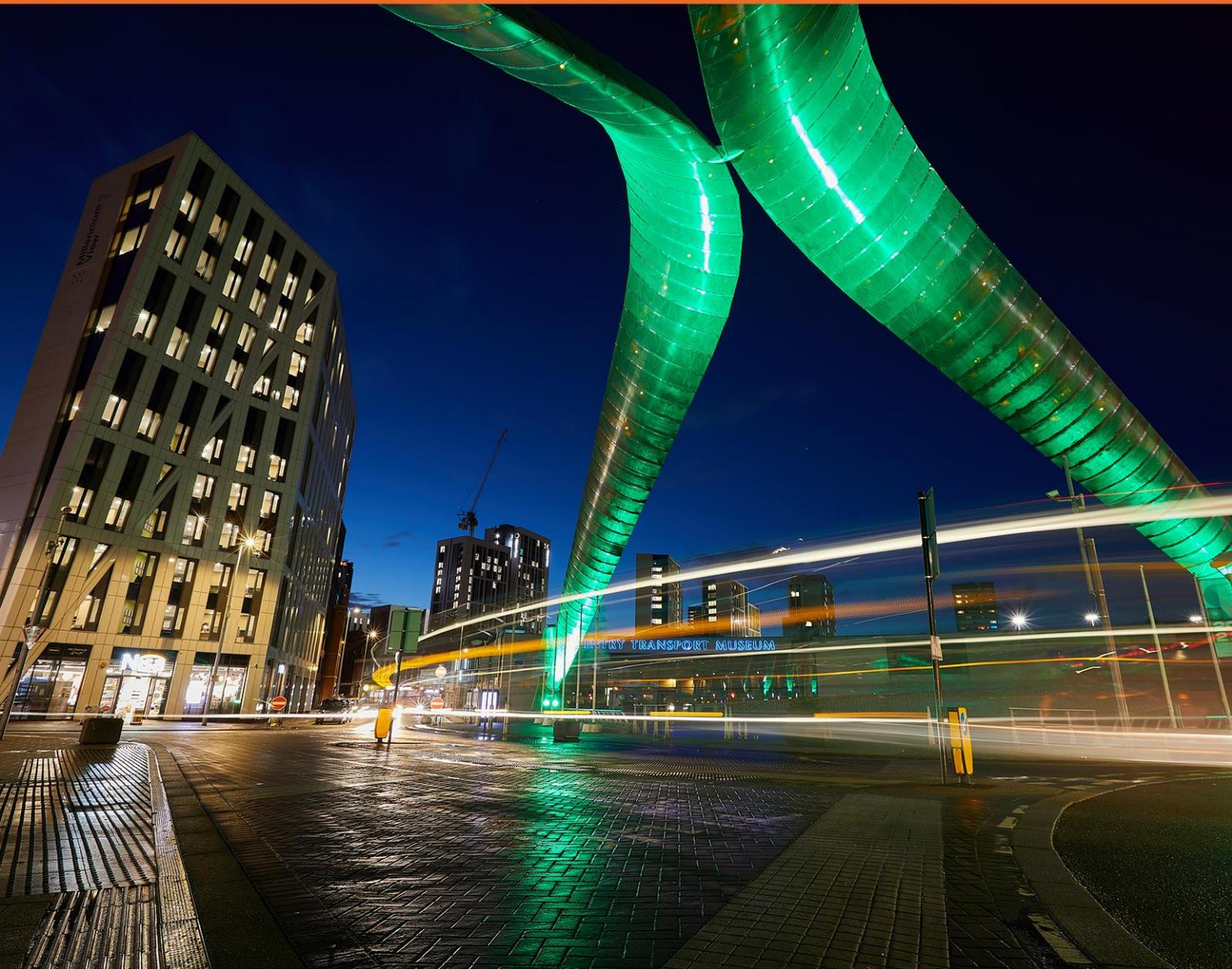
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Coventry City Council

Energy

Supplementary Planning Document (SPD)

March 2022

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1 Glossary

BER	Building Emission Rate - the CO ₂ emission rate of a non-residential building based on its design specification. The BER is a metric used to assess compliance with the Building Regulations.
BREEAM	The Building Research Establishment Environmental Assessment Method for assessing, rating and certifying the sustainability of buildings the highest standards of which are 'Outstanding' (≥85% score) and 'Excellent' (≥70% score)
CCHP	Combined Cooling Heating and Power: A power plant that generates electricity and useful heating and cooling simultaneously for distribution through a network providing power and heat to buildings. The lack of energy lost means the system is highly efficient. CCHP plants and distribution networks can work at a number of scales and can be powered by fossil fuels, like oil and gas, or renewable fuels, like wood pellets. CCHP is often referred to as trigeneration and CCHP networks that serve multiple buildings may be referred to as district heating and cooling networks.
CHP	Combined Heating and Power - A power plant that generates electricity and useful heat simultaneously for distribution through a network providing power and heat to buildings. The lack of energy lost as heat results in high efficiency. CHP plants and distribution networks can work at a number of scales and can be powered by carbon-based fuels, like oil and gas, or renewable fuels, like wood pellets. CHP is often referred to as cogeneration and CHP networks that serve multiple buildings may be referred to as district heating networks.
Climate Change Adaptation	Adaptations to buildings, places or environments that make them more resilient to, and potentially benefit from, expected changes in climate and weather patterns.
Climate Change Mitigation	Action to reduce the impact of human activity on the climate system, mainly through reducing greenhouse gas emissions.
DER	Dwelling Emission Rate - the CO ₂ emission rate of a dwelling based on its design specification. The DER is a metric used to assess compliance with the Building Regulations.
Direct carbon emissions	The direct or operational carbon emissions are emissions that result from the use of a building (e.g. space and water heating, lighting, mechanical ventilation)
District heating	See heat network.
Embodied carbon	The carbon footprint of a material or building that results from the embodied energy used to create it.
Embodied energy	The energy consumed by all of the processes associated with the production of a material or building including mining and processing of natural resources, manufacturing, transport and product delivery.
EPC	Energy Performance Certificate is a report that assesses the energy efficiency of a property with recommendations of the requirements
EV	Electric vehicle - a vehicle powered by electricity.

Fabric First	Maximising the performance of the components and materials that make up the building fabric itself, before considering the use of mechanical or electrical building services systems.
FSC	Forest Stewardship Council - a body that promotes responsible management of the world's forests. It provides sustainability certification for timber products by setting specific standards that timber supplier must meet.
Heat Distribution Network	See heat network.
Heat Network	A system of insulated pipes which transports heat from a source (or multiple sources) to more than one end user.
Heat Pump	A heating system that absorbs heat from the air, ground or water and uses it to heat a building. Some heat pumps can also cool buildings by transporting heat outside for both residential and commercial development. There are wide variety of technologies and further information can be found here: www.renewableenergyhub.co.uk/main/heat-pumps-information/
MMC	Modern Methods of Construction - methods of construction that are typically quicker, cheaper and more sustainable than traditional construction methods. MMC include offsite prefabrication, modular construction, precast panels and insulated concrete forms.
Offsite construction	The construction of buildings or building elements away from a development site.
Modular construction/modular buildings	Modular buildings are assembled on site from components manufactured in factories.
Operational carbon emissions	See direct carbon emissions.
PEFC	Programme for the Endorsement of Forest Certification - an umbrella brand incorporating national timber certification schemes (see FSC).
SuDS	Sustainable Drainage Systems (previously known as Sustainable Urban Drainage Systems) - drainage systems designed to reduce surface water flooding impacts from development through the use of natural systems e.g. by creating ponds and swales and using permeable materials for hard surfaces.
Sun tunnel/sun tube	A pipe or tube that transports sunlight from the exterior to the interior of a building, reducing the need for electric lighting in areas where windows would not provide enough natural light.
TER	Target Emission Rate - the target CO2 emission rate for a new building set by the Building Regulations. The TER differs depending on the detail of the building.

2 Executive Summary

What is a SPD?

2.1 A Supplementary Planning Document (SPD) is a document which contains additional detail on how the Council will interpret and apply specific policies in its Local Plan. A SPD cannot include any new policies that do not currently form part of the Local Plan and a SPD also does not form part of the Local Plan. SPDs are an important material consideration in the determination of planning applications and applicants are advised to refer to the contents of a SPD, as this will provide guidance on how the Council will carry out its decision making functions.

Aims and Objectives

2.2 The purpose of the SPD is to support the implementation of Policy EM2 – (Building Standards) of the Coventry Local Plan by providing technical guidance on energy standards and requirements to improve the environmental sustainability of new development in the city. Whilst the SPD cannot introduce new targets or standards, it will add value in a number of ways by:

- providing transparent guidance for applicants with more detail about specific policy requirements and expectations;
- requiring applicants to consistently submit information to demonstrate compliance with policy;
- helping officers and councillors assess the environmental credentials of developments to make decisions; and
- encouraging developers to go further than current policy to demonstrate excellence in sustainable development.

Applying the SPD

2.3 The requirements for this SPD apply to developments that require planning permission within Coventry. Homeowners are strongly encouraged to use the SPD to help consider what measures could be taken to improve the energy efficiency measures for their property even where planning permission is not required.

2.4 Although planning permission may not be required for certain developments, Building Regulations apply to most new buildings and many alterations to existing buildings, whether domestic, commercial or industrial. It is therefore recommended that applicants for planning permission seek early advice and guidance on Building Regulations, and opportunities to reduce carbon emissions from the Council.

2.5 The Government and other bodies are expected to prepare or amend their policies, advice and guidance in a number of areas referred to or relevant to this SPD. Where this occurs, new or changed documents could also be material planning considerations which may need to be considered alongside this SPD.

3 Introduction

3.1 The purpose of this Supplementary Planning Document (SPD) is to provide guidance for the application and implementation of Policy EM2: Building Standards, as set out in the Coventry Local Plan¹. This SPD:

- summarises the policy within the Local Plan that is relevant, along with key aspects of national policy;
- sets out the information that should be included within energy statements and sustainability statements for major developments;
- sets out the information that should be included within energy and sustainability information for non-major development;
- provides a questionnaire that non-major developments can use instead of drafting energy and sustainability information; and
- provides guidance on good practice in sustainable design, construction and energy and climate change adaptation.

3.2 This SPD is intended principally for applicants for planning permission and their agents, and for planning decision makers. It has been produced to ensure that applicants provide the right information so that planning decision makers can assess whether development proposals comply with Local Plan policy EM2 – Building Standards.

3.3 This SPD is a material consideration in planning decisions and decision makers will use it to help determine planning applications. This SPD supersedes the 2009 Delivering a More Sustainable City Supplementary Planning Document.

Structure

Section 4 sets out the national, regional and local policy context for climate change and sustainable design, construction and low energy. It also summarises the requirements set out in the relevant policies and identifies the information that consequently must be submitted by applicants.

Section 5 applies to major developments and sets out the information that must be included in energy statements and sustainability statements submitted for major developments. It also

¹ www.coventry.gov.uk/localplan

provides general guidance on sustainable design and construction that should be referred to by developments of all scales.

Section 6 sets out the energy and sustainability information that must be submitted by non-major developments (minor and householder applications).

Appendix 1 contains a questionnaire that can be submitted for non-major development as an alternative to preparing sustainability and energy information.

4 Policy Context

National Policy Context

National Planning Policy Framework

4.1 The NPPF, revised in 2021, sets out the Government's planning policies for England and how these should be applied. Its main purpose is to protect the environment, promote healthy communities and sustainable growth.

4.2 Chapter 14 of the NPPF is dedicated to meeting the challenge of climate change and states that; *"The planning system should support the transition to a low carbon future in a changing climate"*, and *"should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions"*, and *"support renewable and low carbon energy and associated infrastructure."* (152).

4.3 The policy ambitions are reinforced in paragraph 155; *"To help increase the use and supply of renewable and low carbon energy and heat, plans should: a) provide a positive strategy for energy from these sources.."* Furthermore, paragraph 157 states that; *"In determining planning applications, local planning authorities should expect new development to: a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable"*

National Planning Practice Guidance (NPPG)

4.4 The NPPG sets out the government's planning policies for England and how these are expected to be applied and features two key categories - Renewable and Low Carbon Energy and Climate Change.

4.5 The chapter for **Renewable and Low Carbon Energy** states that; *"Increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable."* (001).

4.6 This is supported by the chapter for **Climate Change** which states that; *“taking planning decisions local planning authorities should pay particular attention to integrating adaptation and mitigation approaches and looking for ‘win-win’ solutions that will support sustainable development. This could be achieved in a variety of ways, for example:*

- *by maximising summer cooling through natural ventilation in buildings and avoiding solar gain;*
- *through district heating networks that include tri-generation (combined cooling, heat and power); or*
- *through the provision of multi-functional green infrastructure, which can reduce urban heat islands, manage flooding and help species adapt to climate change – as well as contributing to a pleasant environment which encourages people to walk and cycle.”*
(004)

“The impact of climate change needs to be taken into account in a realistic way. In doing so, local planning authorities will want to consider:

- *identifying no or low-cost responses to climate risks that also deliver other benefits, such as green infrastructure that improves adaptation, biodiversity and amenity*
- *building in flexibility to allow future adaptation if it is needed, such as setting back new development from rivers so that it does not make it harder to improve flood defences in future*
- *the potential vulnerability of a development to climate change risk over its whole lifetime.”* (005).

Future Homes Standard

4.7 The Future Homes Standard will come into effect in England in 2025 and ensure that new homes are futureproofed with low-carbon heating systems and high levels of energy efficiency. Existing homes will also be subject to higher standards, although homeowners will only be affected if they are planning on building an extension or making thermal upgrades, subject to local viability.

4.8 The Future Homes Standard was announced in the government’s spring statement in 2019. Currently, a second government consultation into the standard is underway, so the full details of the standard are yet to be mapped out. A full technical specification for the Future Homes Standard will be consulted in 2023, with the necessary legislation introduced in 2024, ahead of implementation in 2025.

Building Regulations

4.9 Part L of Building Regulations (2018) contains requirements relating to the conservation of fuel and power. Builds must meet these requirements to be compliant with Building Regulations. The majority of local authorities in England have made their planning policies more ambitious by requiring a 19% improvement beyond Part L 2013 through their Development Plan Document (DPD) process. However, this cannot be achieved through a SPD as it involves the introduction of a specific policy approach.

4.10 Achieving this level of energy efficiency can be done solely through either a fabric and design first approach (maximising solar gain through appropriate location and design, enhanced insulation, glazing, airtightness and high efficiency heating and hot water heat recovery), a renewable energy approach (the use of solar photovoltaics (PV) or other renewables), or a combination of both.

4.11 The national mandatory standards for construction are set out in the building regulations. They cover all aspects of construction and set minimum Target Fabric Energy Efficiency (TFEE) rates as well as overall maximum carbon emissions rates for new buildings. The maximum carbon emissions rate for a building is referred to as the Target Emission Rate (TER). The TER differs for different types buildings (e.g. flats, detached dwellings, offices) and is expressed in annual kilograms of carbon dioxide per square metre.

4.12 The emission rate of a proposed building is based on its design specification and is expressed as:

- Dwelling Emission Rate (DER) for self-contained dwellings and individual flats (excluding common areas). The DER is the annual carbon dioxide emissions of the proposed dwelling expressed in kilograms per square meter.
- Building Emission Rate (BER) for buildings other than dwellings. The BER is the annual carbon dioxide emissions of the proposed building expressed in kilograms per square metre.

4.13 Under current building regulations, the DER or BER for the proposed building must not exceed the TER. The DER or BER of a proposed building is established through modelling. The approved national calculation methods used in the building control system are the Standard Assessment Procedure (SAP) for dwellings and the Simplified Building Energy Model (SBEM) for commercial buildings. Other models are sometimes used to give more detailed and accurate information. The models make assumptions about the embodied

carbon in different energy sources like grid electricity and mains gas, referred to as emission factors.

Emission factors:

4.14 When undertaking modelling, applicants are strongly encouraged to use the national guidance SAP 2012 emission factors (or any future replacement equivalent). The energy statement should state clearly which emission factors have been used.

4.15 The key impact of the introduction of SAP 10 emissions factors will be a dramatic reduction in the carbon emissions rate for grid electricity, which reflects the continuing decarbonisation of the national grid through the increasing use of renewable energy. The electricity emission factor is proposed to change from 0.519 kg of CO₂ per kWh to 0.136 CO₂ per kWh¹⁰. As a result, electric technologies, such as heat pumps, will be considered to perform far better on carbon emissions under SAP 10 than under SAP 2012 in the Building Control system.

4.16 In addition to Building Regulations, there are a number of voluntary standards that can also be adopted to ensure a more sustainable built environment. Table 1 summarises the main codes used in England and it is worth noting that many local authorities are now including Building Research Establishment Environmental Assessment Method (BREEAM) targets for non-residential developments in their planning policies. The Future Homes Standard and Building Regulations are covered by a separate regulatory regime and the planning system should not seek to duplicate matters already addressed by separate regimes¹.

Table 1 - Current codes and standards applicable in England

Code, standard or regulation	Description
BREEAM	BREEAM is a method of assessment developed by the Building Research Establishment (BRE) to determine the environmental performance of both new and existing buildings. The standard applies to industrial, retail, offices and health.
Home Quality Mark (HQM)	Developed by BRE, HQM is a voluntary, national standard for new homes, which uses a simple 5-star rating on a new home's design, construction quality and running costs. HQM will enable housing developers to showcase the quality of their new homes and identify them as having the added benefits of being likely to need less

	maintenance, cheaper to run, better located, and more able to cope with the demands of a changing climate.
Passivhaus	A voluntary certification developed by the Passivhaus Institute in Germany, Passivhaus buildings are designed to be highly efficient in reducing energy use and carbon emissions as well as providing high levels of comfort.
Standard Assessment Procedure (SAP)	Developed by BRE, SAP is used to assess and compare the energy and environmental performance of dwellings and is a tool for delivering energy efficiency policies. SAP is measured on a scale of one to 120, with one being very poor and 120 being excellent. A typical SAP for an average house in England is 45, for a new build it should be around 80.

Regional Policy Context

Zero Carbon Homes Strategy (Draft 2021)

4.17 The West Midlands Combined Authority (WMCA) will set clear policies supporting the delivery of zero carbon homes within the region through the evolving Zero Carbon Homes Strategy. This will clarify the Net Zero Carbon targets for the region and will support low-carbon aspirations across various sectors.

4.18 An enabling policy environment is required to build certainty amongst partners, the industry and the supply chain. Clear policies will allow for improved monitoring processes, improving compliance and quality of delivery. WMCA will look to implement requirements that encourage a fabric-first approach and passive design, in line with recommendations from industry experts such as LETI² and RIBA³.

4.19 WMCA will also promote circular design and construction approaches, aiming to reduce embodied carbon and promote sustainable resource and waste management⁴. In this regard, the Green Building Handbook produced by ACTAC and Queens University Belfast is particularly relevant⁵.

#WM2041- Actions to meet the climate crisis with inclusivity, prosperity and fairness: a discussion document

² [252d09_3b0f2acf2bb24c019f5ed9173fc5d9f4.pdf \(filesusr.com\)](#)

³ [RIBA-2030-Climate-Challenge.pdf \(architecture.com\)](#)

⁴ [BuildingGreen](#)

⁵ [Green Building Handbook Volumes 1 and 2: Green... \[PDF\] \(pdfroom.com\)](#)

4.20 This document is a framework outlined in this paper is the storyboard: it outlines why we need to address climate breakdown and to adapt to climate change the opportunity it provides to create a highly productive, low carbon economy; it reflects on what we might need to do (and when we need to do it) it suggests who needs to take a lead, and how it must be done if we are do it in a way which is thoughtful and inclusive. It also suggests – based on the estimates in the July 2019 carbon budget – that an investment programme substantial enough to meet this challenge will be in the order of £40bn over 21 years (2020-2041). The actions proposed are things that individuals, communities, businesses and government at all levels can lead.

WM2041 Five Year Plan 2021-2026

4.21 In 2019 the West Midlands Combined Authority (WMCA) set the region a target to be net zero by 2041 and meet the ambitions set out by the Paris Agreement. This is the first Five Year Plan (FYP) to demonstrate how the region could deliver the 2041 target and it shows:

- Under a highly ambitious ‘Accelerated’ scenario, goals in domestic, commercial, industrial, transport and land use sectors could deliver a 33% reduction by 2026 (against 2016 baseline) and net zero by 2041. The “Accelerated” scenario is recommended to be used as the standard to set the delivery goal ambitions.
- When considering current efforts and actions and the scale and pace required, the region is currently not on target.
- The change in delivery pace required is huge and unprecedented. It requires collaboration and delivery across all sectors well beyond current efforts.
- Delivery of this FYP to move the region to a net zero carbon society will represent an investment in the region’s future and create a better West Midlands.
- Although action and investment within the region and by WMCA is crucial, the goals will require devolution of powers, additional government investment and action by the public.
- Gross extra investment required under the ‘Accelerated’ scenario is £4.3bn by 2026. However, net investment will be much lower due to operational savings.
- 41% of delivery is related to technology, 16% requires behaviour changes and 43% is a combination of both. (Taken from Committee on Climate Change, Sixth Carbon Budget)

- Delivering the ‘Accelerated’ scenario could create 21,000 jobs by 2026 and 72,000 by 2041.

Local Policy Context

4.20 Key objectives of the Local Plan include creating an attractive cleaner and greener city, to provide housing that meets the needs of all people, and to improve the health and wellbeing of all residents. Linking these objectives together is Policy EM2 which refers to the need to achieve the highest possible standards of design and construction in new developments by creating high quality developments that are economically cheaper to operate, minimise their environmental impact, contribute to the local economy and community and provide healthy living and working conditions. Policy EM2 (see figure 1) crucially provides the statutory mandate for producing this SPD. As a signatory to the Global Covenant of Mayors for Climate and Energy back in 2008, the Council has made its position clear that the highest standards of energy efficiency will need to be achieved

Figure 1: Coventry Local Plan, Policy EM2

Policy EM2: Building Standards

1. New development should be designed and constructed to meet the relevant Building Regulations, as a minimum, with a view to:
 - Maximising energy efficiency and the use of low carbon energy;
 - Conserving water and minimising flood risk including flood resilient construction;
 - Considering the type and source of the materials used;
 - Minimising waste and maximising recycling during construction and operation;
 - Being flexible and adaptable to future occupier needs; and
 - Incorporating measures to enhance biodiversity value.
2. In meeting the carbon reduction targets set out in Building Regulations, the Council will expect development to be designed in accordance with the following energy hierarchy:
 - a) Reduce energy demand through energy efficiency measures.
 - b) Supply energy through efficient means (i.e. low carbon technologies).
 - c) Utilise renewable energy generation.
3. A Sustainable Buildings Statement should demonstrate how the requirements of Climate Change policies in this Plan and any other relevant local climate change strategies have been met and consider any potential coal mining legacy issues including land stability.

4. A comprehensive update of the Delivering a More Sustainable City SPD incorporating the approach to Building Sustainability Standards will be developed.

5 Energy requirements in Coventry

5.1 This section sets out the information that applicants must provide in order for planning decision makers to assess whether the requirements of policy EM2 have been considered and, where applicable, met. The requirements as set out in this section have been informed by existing local requirements and independent evidence to help clarify and expand how policy EM2 should be implemented. The Council will expect new development to be planned in ways that mitigates and adapts to climate change thus helping to reduce greenhouse gas emissions through location orientation and design.

Energy Statements

5.2 Energy statements must be provided for **major developments** in accordance with the Councils approved local validation requirements -

[www.coventry.gov.uk/downloads/file/34970/validation_checklist_version_4 -
7 january 2021](http://www.coventry.gov.uk/downloads/file/34970/validation_checklist_version_4_-_7_january_2021)

5.3 When preparing and submitting proposals, applicants must show:

- how reductions in carbon emissions will be achieved;
- quantify how each action/proposal will contribute to the total reduction in carbon emissions target per dwelling;
- the approach to energy complies with the energy hierarchy, and that any energy measures proposed are appropriate and will be effective;
- the name and position/job title of the person producing the statement should be included within the submission;
- large-scale residential developments details and calculations will be provided for each proposed house type rather than on a per dwelling basis; and
- the Statement structure will not be suitable for outline applications as these proposals are high-level in nature and set out an overall energy strategy for the site with further details, such as carbon reduction calculations by house type, to be provided at detailed approval stage (usually reserved matters).

5.4 **Non-major developments** do not need to submit an energy statement but are instead required to submit “adequate information” that shows the energy requirements of policy EM2 have been met – see section 6 for more information about non-major development and appendix 1.

5.5 Applicants are expected to consider the following information when preparing their energy statement in order for decision makers to assess whether proposals are compliant with Local Plan policy:

- A non-technical summary;
- Heat networks and/or Combined Cooling Heating and Power (C)CHP appraisal or connection strategy, where appropriate;
- An appraisal of energy technologies (if the scheme does not propose the provision of low or zero carbon energy); and
- A carbon reduction calculation for each building or type of building supported by modelling outputs.

The Non-technical Summary

5.6 A non-technical summary should be included at the front of the energy statement to provide key information for planning decision makers. The summary must include the following information.

1. A description of the scheme including:
 - the number of each different type of residential unit (i.e. number of flats, number of terraced houses, number of detached houses etc. and number of bedrooms in each unit or type),
 - a summary of the floor area (m²) proposed for each type of non-residential use.
2. A summary of the heat network appraisal (see below) or connection strategy; and
3. A summary of the low and zero carbon energy appraisal (if the scheme proposes provision of low or zero carbon energy).

Heat networks and Combined Cooling Heating and Power ((C)CHP) appraisal

5.7 Policy EM2 and supporting text encourages new development to connect to existing decentralised energy networks including (C)CHP distribution networks which is strongly supported and encouraged.

5.8 Policy EM2 was developed during a period when heat networks specifically powered by (C)CHP enjoyed strong support through national policy and energy strategies produced by the then Department of Energy and Climate Change (DECC). In recent years, national policy and guidance has broadened that support to include low carbon heat networks in general. The use of renewable energy technologies to power heat networks has become more

common and, at the same time, the decarbonisation of the national electricity grid means that the carbon savings that result from using electrically powered heat-producing technologies, such as heat pumps, have increased dramatically while the carbon savings that result from the use of highly efficient gas CHP engines remain largely the same. The government is proposing to change the emission factors that are applied to mains gas and grid electricity for Building Regulations purposes, which will mean that the reality of the decarbonising electricity grid and the benefit of electric technologies will be reflected in the technical assessments that are used to assess different forms of energy in the Building Control process.

5.9 Policy support for (C)CHP heat networks should be interpreted as support for low carbon heat networks in general. The heat networks that result in the lowest carbon emissions will receive the strongest support in line with this principle, whether driven by (C)CHP or other low or zero carbon technologies.

5.10 In order to show that the requirements of policy EM2 have been met, the energy statement should include an appraisal of the feasibility of provision or connection to low carbon heat networks. The content of the appraisal depends on the characteristics of the development and/or where it is located, as set out below.

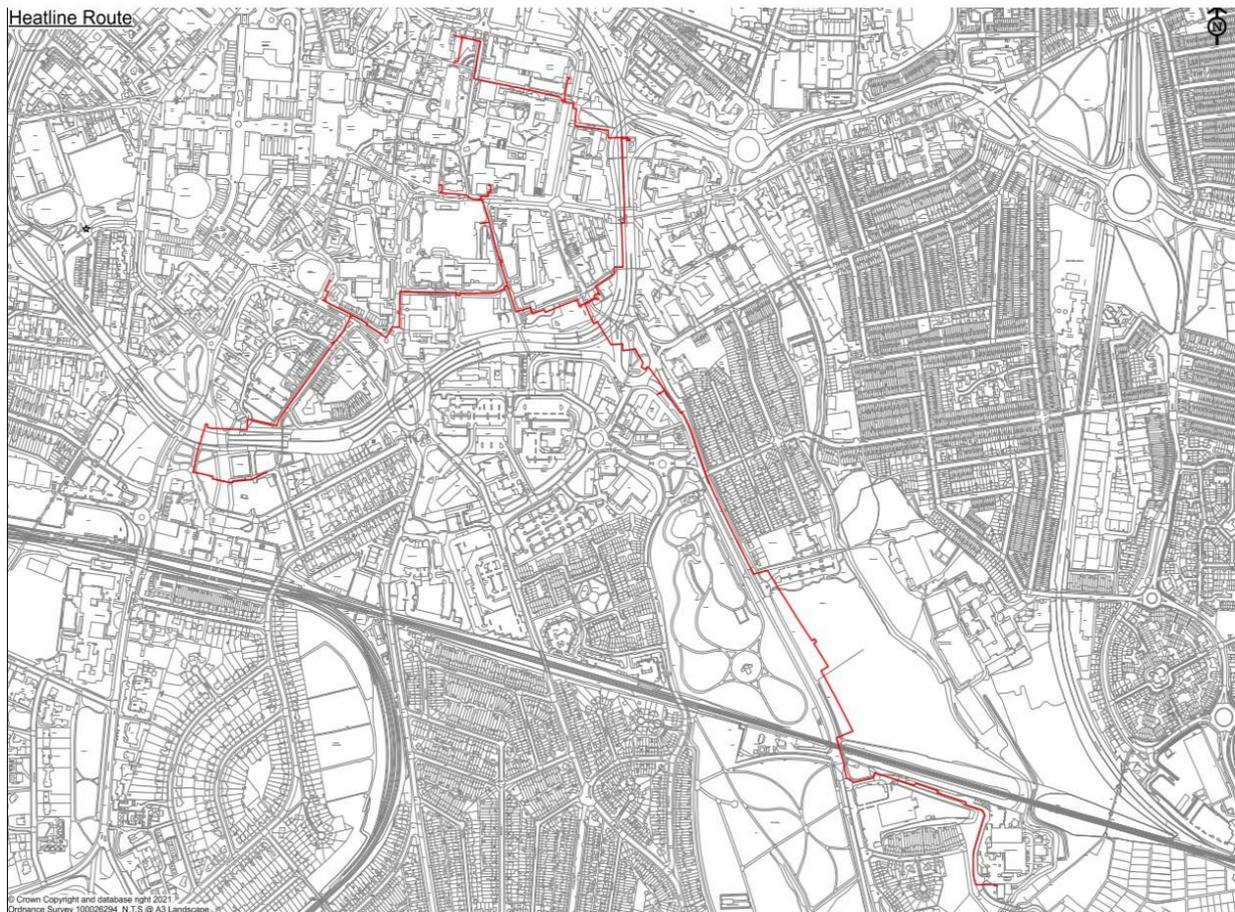
Figure 2: Coventry's combined heat and power network infrastructure



Developments within the vicinity of existing heat networks

5.11 Local Plan policies EM2 and EM3 both encourage all new developments to connect to Coventry's existing decentralised heat network (see figure 3 below), wherever practicably possible, or demonstrate how the objectives of the policies have been met through alternative equivalent carbon solution in the Sustainable Buildings Statement.

Figure 3: Coventry's existing heatline network



5.12 The energy statement must set out the actions taken in order to investigate whether heat networks exist within the vicinity of the site and document the results. The investigation of opportunities should cover all scales and should not be limited to district heating systems⁶.

5.13 Where such networks exist and developments propose to connect to them, the energy statement should set out details showing how connection will occur (a connection strategy). Where such networks exist, and developments do not propose to connect to them, the energy statement must set out clear reasons as to why the connection is not feasible, or why

⁶ It is expected such matters to be determined by the applicants in discussion with the Council on a case by case basis.

an alternative source of energy would be more sustainable.

5.14 Where a development proposes not to connect to an existing network that is within the vicinity, it must still be connection-ready and the energy statement must set out how this is could be achieved⁷.

5.15 Developments will be considered to be connection-ready if they use a centralised communal wet heating system and comply with the minimum requirements outlined in the Chartered Institute of Building Services Engineers (CIBSE) Heat Networks Code of Practice, and this should be reflected in the evidence provided in the energy statement.

Scale and design of heat networks – CHP/(C) CHP networks:

5.16 For CHP based heat networks, such as the example in Coventry's city centre based heat infrastructure network, carbon and financial savings will only be generated when it is running so it will be more energy efficient and cost-effective the more it runs. As a result, a new CHP system will likely only be appropriate where there is a high and constant demand for heat.

5.17 A recommendation of at least 4,500 – 5,000 hours per year, depending on the application. The scale of the system should be determined by the heat load and demand profile. If there is a high demand for cooling then (C)CHP, which also provides cooling, may also be environmentally and economically viable. (C)CHP systems should be designed and operated to be energy efficient, with the selection of optimum operating temperatures and measures to minimise heat losses. The energy statement should set out consideration of these issues in order to demonstrate that the scaling and operation maximises carbon reduction.

5.18 In order to facilitate connection from other developments, new heat networks, including building level systems, should be designed to be able to expand to connect with future systems. The energy statement should set out how this will be facilitated. New heat networks should be smart, incorporating data collection, monitoring and performance management into the design. Proposals for new heat networks should show that the chosen technology, or mix of technologies, will deliver the greatest carbon saving.

⁷ It is expected such matters to be determined by the applicants in discussion with the Council on a case by case basis.

5.19 CHP engines can be powered by a number of fuels. When a CHP engine is powered by natural gas, it can be considered a low carbon technology because it operates at very high efficiency resulting in low carbon heat and power. The efficiency is increased if the system also provides cooling (CCHP). National emission factors are likely to be updated in 2021 and this change will mean that gas technologies will compare less favourably with electric technologies than at present, and consequently the benefits of gas CHP in the assessment will reduce. This change should be taken into account when selecting a CHP technology alongside the continuing decarbonisation of grid electricity.

5.20 Zero carbon fuels should be favoured, taking into account potential impacts on air quality. Where gas engines are proposed, the distribution network should be designed to facilitate the replacement of the gas engine with a zero-carbon alternative once the gas engine reaches the end of its life⁸. Where biomass engines are proposed, the Council will take into account the short to medium term impact on carbon emissions that results from burning wood.

5.21 It can be expensive and difficult to convert high temperature heat networks powered by gas boilers or gas (C)CHP engines to low carbon/renewable sources such as heat pumps and waste heat because heat networks that use these sources typically operate at lower temperatures than those fuelled by gas. Therefore, in order to facilitate a future shift to zero carbon energy, the system should be designed to be able to operate at lower temperatures suitable to very low carbon heat sources (fifth generation networks run at a temperature close to ambient ground temperature). This should not compromise the ability of the system to run at the optimal temperature for the energy source used at the outset.

5.22 Heat networks based on natural gas CHP systems should be supplemented by heat from renewable sources wherever feasible, and consideration must be given to future heat source(s) when natural gas is no longer an option without carbon capture. Integrating heat pumps into district heating can deliver large CO₂ emissions reductions⁹. CHP heat networks run at higher temperatures than heat networks powered by renewable heat technologies and can present an overheating risk for the building in which it is installed. Industry and regulation is fast moving to accept that heat pumps will be the source of low temperature heat for buildings, including the Climate Change Committee. Most pertinently, from 2025 the

⁸ Zero carbon fuels for CHP include biomass, biomethane and, in the longer term, hydrogen.

⁹ www.gov.uk/government/publications/heat-pumps-in-district-heating

UK government has already confirmed that fossil fuels will not be allowed for new buildings. Given this, the promotion of suitable low carbon technologies, such as ground source heat pumps, air source heat pumps and increased thermal storage will be encouraged wherever possible. Overheating is a key consideration in climate change adaptation. Heat networks should be designed to prevent overheating, including through the choice of heat technology.

Low and zero carbon energy appraisal

5.23 There are several low and zero carbon energy technologies available on the market that can supply electricity and/or heat to residential and commercial buildings. These include (but are not limited to):

- ground, air and water source heat pumps,
- solar photovoltaic (electricity),
- solar thermal (heat),
- biomass power and heat,
- small scale hydro power,
- geothermal energy,
- ground source heat pumps
- micro CHP, and
- Combined Heat and Power (CHP) systems.

5.24 Where new development is designed and constructed to meet the relevant Building Regulations in accordance with policy EM2, the sustainable buildings statement should demonstrate that the most effective technology or mix of technologies has been selected. The energy statement should quantify the carbon reduction that will be achieved, supporting the figure with calculations.

5.25 In order to be sure that proposed energy technologies will be effective, decision makers will need to be sure that the building occupants will use them to meet all or most of their energy needs. As a result, technologies that may be used sporadically (including fireplaces and log burners) will not be accepted as low carbon energy technologies.

5.26 This is not the case for biomass heating technologies, which are usually primary sources of heat and/or power for the building in which they are installed. The appraisal should consider all reasonable options for renewable and low carbon energy, assessing the

feasibility and benefits of each in turn. Decision makers will need this information in order to confirm that the most effective and appropriate energy technology has been selected.

5.27 The appraisal should reflect current costs and up-to-date technology specifications alongside local factors. In particular, where the Energy Statement assesses the carbon saving potential of energy technologies, it should use real-world performance and take into account the future decarbonisation of the national grid, rather than relying on the emission factors used in the Building Control system which are updated infrequently.

5.28 Where schemes propose a mix of renewable energy technologies, it will be important to demonstrate how they will work in tandem and, where applicable, how they will be integrated into a heat network (for heat generating technologies) and, again where applicable, also how they will integrate with a cooling system/strategy.

Heat pumps:

5.29 The government envisages heat pumps (alongside heat distribution networks) will be the principal means of providing heat for buildings once the new “Future Homes” standard is fully implemented¹⁰, and expects the supply chain for these technologies to develop rapidly in the next few years, subject to local viability. When appraising heat pump technologies, at least two heat sources (from air, water and ground) should be considered and a separate appraisal of each presented.

5.30 Appraisals of heat pumps should take account of the high efficiencies (expressed as the Coefficient of Performance, or COP) at which heat pumps provide useful heat when calculating the carbon emissions, they would produce when running on grid electricity. The carbon intensity per kWh of energy output should be the prime concern, as opposed to the carbon intensity of the energy input which, although important, is not the decisive factor in energy appraisals. The reason for this is that while gas has a lower carbon intensity than electricity under SAP 2012 emission factors¹¹, domestic heat pumps are typically over three times more efficient than gas boilers (e.g. a COP of around 300% or higher), so the projected amount of carbon per unit of heat produced will be lower than with a domestic gas boiler that has an efficiency of c.90%, even if SAP 2012 emission factors for grid electricity and mains gas are used. The calculated carbon emissions for heat pumps running on grid

¹⁰ www.gov.uk/government/consultations/the-future-homes-standard-changes-to-part-l-and-part-f-of-the-building-regulations-for-new-dwellings

¹¹ The SAP 2012 carbon emission factors are 519g CO₂ per kWh for grid electricity and 216 for mains gas.

electricity will be considerably lower than gas boilers if up-to-date emission factors are used¹².

5.31 Heat pumps work best when producing heat at a lower temperature than traditional boilers. As a result, it is essential that buildings that rely on heat pumps are built to high levels of energy efficiency (well insulated and draught-proof) in order for the heating system to be efficient, both in terms of cost and energy use. They generally perform better with underfloor heating systems, but if radiators are used, they should be larger than with traditional gas-fed or electric systems to increase the area of heat emitting surfaces. There is an expectation that heating systems need to operate at lower flow temperatures, no higher than 55 degrees to help ensure an improved heat pump performance, as it is recognised the need to improve the thermal performance of building stock and adapting passive measures for energy reduction.

Biomass:

5.32 Energy and heating systems that are powered by biomass (such as wood chips, wood pellets and organically derived fuels like biomethane) are usually considered to be zero carbon in operation in the long term because while burning the biomass (or digesting it in the case of biomethane) releases carbon dioxide, this carbon dioxide was originally extracted from the atmosphere when the energy crop grew, and will be removed again when the crop is replaced, adding no new carbon to the carbon cycle. This analysis does not take into account the energy required to harvest/extract, process and transport the fuel, as well as carbon that may be released from the soil in the process of planting.

5.33 Additionally, biomass sourced from forestry results in a negative impact on the climate in the short and medium term because burning wood releases carbon quickly but growing trees to a size at which they can be harvested can take several decades. As a result, burning wood results in a sharp spike in atmospheric carbon that takes decades to fall. This is not the case for quick-growing energy crops; for example, any carbon released when burning annual crops like straw will be removed from the atmosphere within a year as the next crop grows. Additionally, wood chips and wood pellets are often sourced abroad and imported over long distances resulting in large transport emissions. Where wood fuelled energy systems are proposed, the energy statement should take into account both the impact of burning on atmospheric carbon levels in the short to medium term and the

¹² The proposed changes to SAP emission factors (SAP 10.1) would reduce emissions from grid electricity to 136g CO₂ per kWh and mains gas to 210g CO₂ per kWh.

potential embodied carbon emissions that result from harvesting, extraction, processing transport of the fuel.

5.34 Biomass energy can have negative impacts on local air quality which should also be taken into account – please refer to the Councils adopted Air Quality SPD¹³.

¹³ www.coventry.gov.uk/downloads/file/30877/air_quality_supplementary_planning_document_spd

Sustainability Statements

5.35 Policy EM2 sets out the requirement for a sustainable buildings statement together with the Councils approved local validation requirements:

[www.coventry.gov.uk/downloads/file/34970/validation_checklist_version_4 -
7 january 2021](http://www.coventry.gov.uk/downloads/file/34970/validation_checklist_version_4_-_7_january_2021)

This section provides guidance on those matters and sets out the information that **major developments**¹⁴ should submit so that decision makers can assess whether development proposals comply with Local Plan policy. This section does not cover compliance with the carbon emission and low and zero carbon energy requirements as compliance with these requirements is established through energy statements. In line with usual practice, the name and position/job title of the person producing the statement should be included within the submissions.

5.36 **Non-major developments**¹⁵ do not need to submit a sustainability statement, but instead should submit sustainability information that is proportionate to the size of the development – see section 6. This requirement can be met by submitting a completed Climate Change, Energy and Sustainable Development questionnaire (see Appendix 1). The guidance provided in the ‘sustainable design and construction guide’ later in this section should still be used to guide non-major development proposals and applicants should refer to it when drafting sustainability information or completing the questionnaire.

What do sustainability statements need to cover?

5.37 It is expected that developers of major developments will have access to either in-house or external expertise in sustainable development. These experts will be able to guide emerging schemes to ensure that they comply with the sustainability requirements of the Local Plan, and will be able to draft a sustainability statement setting out how compliance has been achieved.

5.38 This section sets out guidance on sustainable design and construction and climate change adaptation, but it is not intended to be exhaustive or to replace the large amount of

¹⁴ more than 10 residential dwellings or site area of more than 0.5ha/ more than 1000 sq.m of commercial floorspace or site area over 1 ha.

¹⁵ up to 10 dwellings or site area of less than 0.5ha)/ change of use to residential or less than 1000 sq.m of floor space or site area of less than 1ha)/ change of use.

guidance that is available elsewhere. However, the sustainability statement is expected to consider the following matters in order to demonstrate that the proposals comply with Local Plan policy and other Coventry City Council adopted SPDs such as Green Spaces and SuDS technical guidance:

1. Natural resources:
 - a. Efficient use of mineral resources and incorporation of a proportion of recycled and/or secondary aggregates.
 - b. Minimisation of waste and reuse of excavation and demolition waste.
2. Sustainable design:
 - c. The Council's strong support for zero carbon development.
 - d. Reduction of energy demand in line with the energy hierarchy, including through landform, layout, orientation, massing and landscaping, with regard to the efficient use of natural resources and to maximise the use of the sun's energy for heating and cooling.
 - e. Performing positively against Building for Life guidance.
 - f. Incorporation of measures that enable sustainable lifestyles for building occupants.
 - g. Compliance with the highest national standards of water efficiency, which for residential developments of one or more gross units means achieving a water efficiency standard of a maximum of 110 litres per occupant per day.
3. Climate change adaptation:
 - h. Adaptation that provides resilience and reduces vulnerability to a changing climate and changing weather patterns and the full range of expected impacts.
 - i. Prioritisation of SuDS to manage surface water drainage
 - j. Mitigation measures to reduce overheating/urban heat island effect.
 - k. the use of the Good Homes Alliance's Overheating tool as a simple way to assess risk for new residential development
4. Heritage assets:
 - l. can be a valuable aid to achieving sustainable development, in both climate change mitigation and adaptation, rather than a constraint. Further information can be found through the following link: <https://historicengland.org.uk/>

5.39 Information and guidance on these matters are set out in the following 'sustainable design and construction guide. This SPD is a material consideration in planning decisions and the guidance in the guide will help decision makers to decide whether schemes comply with the sustainability requirements set out in Local Plan policy.

Sustainable design and construction

5.40 This section highlights the key sustainable design and construction and climate change adaptation principles and matters that development proposals should take into account (alongside good design, place-making and other considerations). The guidance should not be considered exhaustive; bodies such as the Building Research Establishment and the UK Green Building Council provide extensive guidance covering a range of matters and issues related to sustainable development. The guidance that follows sets out approaches that are generally considered to be good practice. However, there may be instances where local circumstances mean that a greater sustainability benefit can be achieved by taking a different approach.

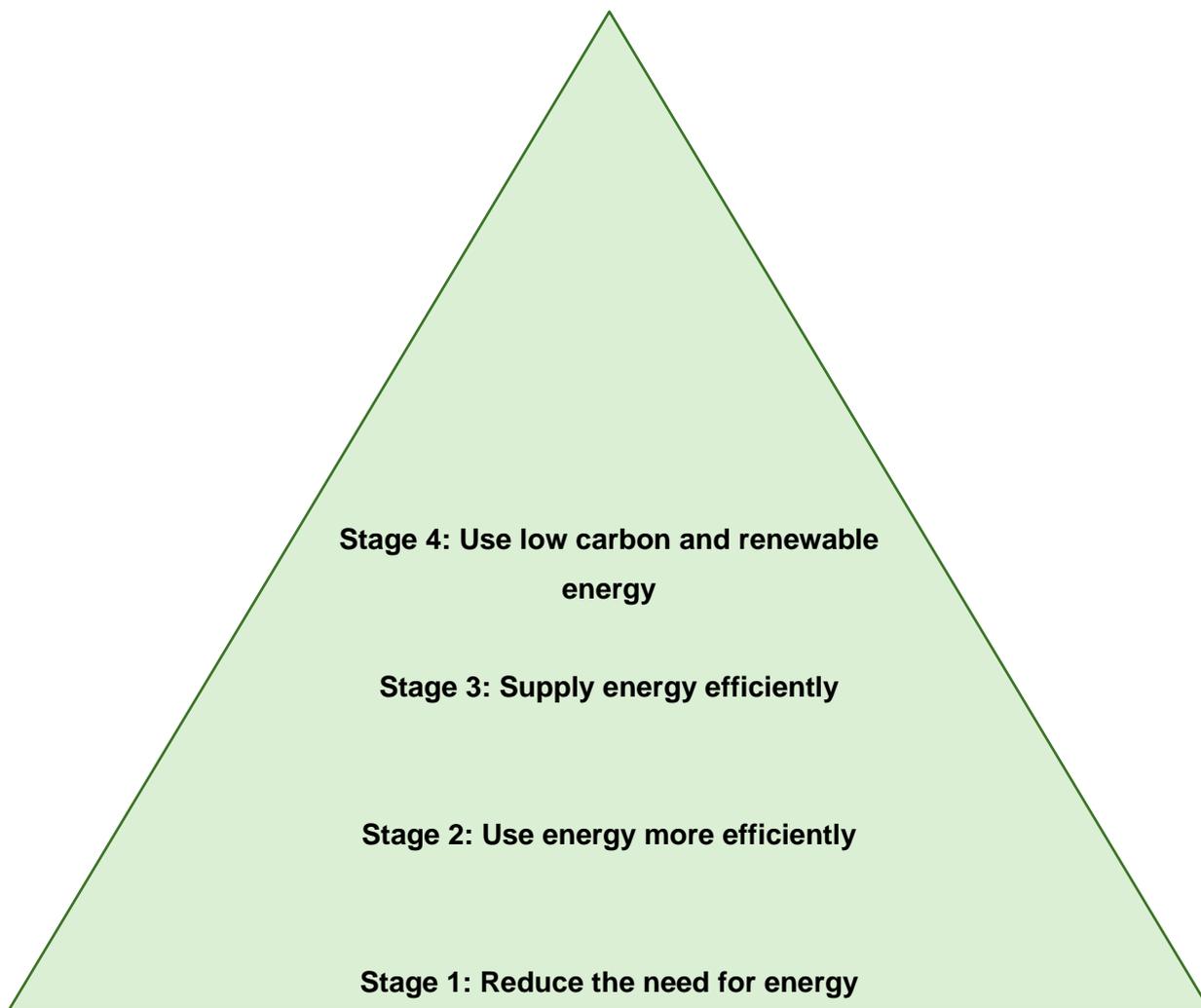
The energy hierarchy

5.41 The energy hierarchy (see Figure 4 below) is a fundamental principle of sustainable development. It shows the sequence of steps that should be taken in order to reduce operational carbon emissions from new developments. Energy demand should be eliminated in the first instance wherever possible. Where energy demand cannot be eliminated, energy use should be reduced as much as possible through efficiency. After these steps, the remaining energy demand should be met from renewable and low carbon energy sources. This approach is often summarised as “**be lean, be clean, be green**”.

5.42 The Council fully supports the development industry term “**fabric first**”. This means that energy demand should be reduced by maximising the performance of the components and materials that make up the building fabric and designing the building to make best use of the surrounding environment, before improving efficiency further through the use of efficient building services or lowering carbon emissions further through low carbon energy.

5.43 The Council does not, in general, support carbon offsetting as a means to deliver zero carbon projects. However, if all other emissions have been minimised and there is no technological means (or this can be proven to be cost prohibitive to the development going ahead, by means of a specialist/recognised third-party assessment) to achieve zero carbon on a development, relevant Council officers can discuss options that may be available to assist.

Figure 4: The energy hierarchy



Zero carbon development

5.44 Proposals for zero carbon development are strongly encouraged wherever possible. Zero carbon means that emissions from all regulated energy use are eliminated or offset^{16 17}.

5.45 Regulated energy refers to energy from building systems (e.g. heating, lighting, hot water) as opposed to unregulated emissions that refers to energy from other sources, like appliances. Fully zero carbon and carbon negative developments, that eliminate emissions from all regulated and unregulated sources, are also strongly encouraged.

¹⁶ www.leti.london/

¹⁷ www.ukgbc.org/

5.46 Where schemes have been designed to achieve zero carbon, the information submitted with the application should show the measures employed and the stages at which carbon reductions have been achieved (e.g. demand reduction, low and zero carbon energy and offsetting). This information must be consistent with the submitted energy calculations.

Site layout, landscaping and urban form

5.47 To maximise solar receipts and reduce shading, taller buildings in a development should be located to the north of the site. Locating parking and garages to the north of a building will allow solar receipts to be maximised in southerly orientated living spaces. Pitched roofs are a common feature in the local vernacular and care should be taken to ensure that roof heights do not overshadow neighbouring buildings unnecessarily.

Figure 5: maximising site layout, landscaping and urban form



5.48 The relationship between buildings and open spaces is important to create a quality public realm and a comfortable microclimate for people using outdoor spaces. Placing buildings too close to each other can result in excessive shading and little solar gain on external surfaces – (see figure 5). Well positioned buildings will create spaces that maximise receipts of natural light and heat. Some building designs have inherently different energy requirements to others. For example, flats and terraces are generally more energy efficient

than detached or semi-detached dwellings because they have fewer external walls relative to living space from which heat can escape.

5.49 All placed deciduous trees can increase the shading and natural cooling of buildings and spaces during the summer months and allow more natural light and heat to be received during the winter months after the leaves have fallen and when demand for heating and lighting is highest. Tree planting can also be used to shelter buildings from the wind and minimise unwanted cooling (see figure 6 below).

5.50 The slope or topography of a site should be considered. Partially or fully building into a slope or setting a building into the ground will enhance thermal buffering. A compact urban form is generally more energy efficient as there is less opportunity for heat to escape. However, this needs to be balanced with the need to avoid the Urban Heat Island effect (see 'Climate change adaptation' later in this section). A compact form can sometimes lead to deeper floor plans which then can lead to poor natural lighting and ventilation: where this is the case it can be offset by including central atriums or sun tunnels.

5.51 Planting can be used to create a more favourable microclimate and help to manage flood risk; strategically sited tree belts can provide shelter from prevailing winds and shade in the summer without blocking light in the winter. Use of native, non-invasive plant species are often most valuable to local wildlife and have the further benefit of being able to thrive and sustain the local soil and climate conditions.

Figure 6: Strategic planting



5.52 The prevailing wind should be a consideration in site design as exposure to cold winds will increase heat loss and energy use. Conversely in the summer, gentle breezes can be used positively within design to enhance natural ventilation improving comfort levels and reducing energy use on mechanical cooling systems. Shelter belts (wind breaks) may be used to protect buildings from excessive winds. Shelter belts should be set out in a convex layout against the prevailing wind direction, rather than concave, to deflect the wind instead of blocking it. They should be dense enough to reduce wind speeds by allowing some wind to pass through but not block the wind in its entirety as this can result in an airflow accelerating over the top of the trees and descending in a turbulent fashion on the building.

Building design

Flexibility and adaptation

5.53 Where possible, buildings should be designed from the outset to be flexible to accommodate changing needs (including family size, home working, old age and disability). This will reduce the need for refurbishment and extensions and will prolong the life of the building. This is particularly the case where buildings are designed to occupy a specific niche, such as student housing. Alongside this, buildings built today will need to become zero carbon in the future. Buildings should be designed to enable, and not impede, future retrofit measures that improve energy efficiency or allow the use of zero carbon energy.

Figure 7: flexibility and adaptation



Passive solar gain, passive cooling and overheating

5.54 Passive solar gain refers to the process whereby a building is heated by the sun, either directly from sunlight passing through a window and heating the inside of the building, or indirectly as sunlight warms the external fabric of the building and the heat travels to the interior. The level of passive solar gain can significantly impact upon the quality of a building, how it is used and the energy needed for it to be inhabited comfortably. Passive solar gain can reduce the need for mechanical heating, which in turn reduces energy use and carbon emissions.

5.55 Key factors that influence passive solar gain include the physical characteristics of the site, immediate surroundings, orientation of buildings, external design, internal layout and the construction materials used. Whilst passive solar gain can reduce the carbon emissions associated with heating, if used incorrectly it can lead to overheating, which in turn can lead to the installation of mechanical cooling equipment (e.g. air conditioning). Mechanical cooling increases energy consumption and requires maintenance, resulting in costs and carbon emissions. Mechanical cooling units also produce heat that requires dissipation. The need for mechanical cooling can be avoided or lessened by designing-in passive ventilation and passive cooling measures.

Figure 8: Solar gain



5.56 Developments should not incorporate mechanical cooling unless passive measures have been fully explored and appraised and proposals that include mechanical cooling should clearly demonstrate that passive measures would not be adequate. The following list includes some of the key considerations in the design of new schemes:

- Orientation and layout of habitable rooms, and window size and orientation, should be carefully considered in relation to the path of the sun.
- Rooms that are most frequently occupied should benefit from a southerly aspect, but with appropriate measures to avoid overheating.
- Rooms that include a concentration of heat generating appliances (e.g. kitchens) or are less frequently occupied (e.g. bathrooms) should be located in the cooler part of the building, generally the northern side.
- Conservatories and atria can be used to assist natural ventilation in the summer by drawing warm air upward to roof vents, and to collect heat during the spring and autumn.
- Deep projections that overshadow windows should be avoided, particularly on south facing elevations. Projections should be sized appropriately so that they provide shading from the sun during the hottest part of the year but allow solar gain in the colder months.

- Where there is a chance that overheating can occur (e.g. due to large expanses of glazing on roofs and south facing elevations), design measures such as roof overhangs, external shuttering, photochromatic and thermochromic glass and a lighter colour palette can help.
- Zonal heating and ventilation systems and controls can be used allowing areas subject to high solar gain to occupy their own temperature control zone. Dynamic controls reduce energy waste.
- Use of materials to build in thermal mass to absorb excess heat during warmer periods and release it slowly during cooler periods (e.g. day/night, summer/winter).
- Buildings should be designed for passive ventilation, where possible:
 - o cross ventilation with windows located on opposite walls and/or roof mounted turbines or wind cowls that assist with circulation of air by drawing air through windows or top floor openings and
 - o passive stack ventilation (PSV) that uses pressure differences to draw in fresh air from outside to replace rising warm air which is released from the top of the building. A heat exchanger can be placed where the air escapes the building to reduce heat loss.

Natural light

5.57 Natural lighting reduces the energy used for artificial lighting and creates a healthier internal environment. Issues to consider include how much of the sky is visible through a window (the more, the better), the dimensions of the interior living/working space and distance from the window, and the proportion of glazed surfaces. The depth of the room is an important factor in determining the amount of natural light received. Naturally dark rooms may be lit naturally through measures such as sun tubes which 'pipe' sunlight from sunny areas to internal areas (see figure 9 below).

5.58 Non-residential buildings should be designed to best meet their intended use. Natural light is beneficial to a good working environment, but care is needed to avoid creating spaces with excessive heat gain. This could occur if solar gain is combined with the heat associated with internal lighting, high occupancy and operating equipment such as machinery and computers.

Figure 9: Natural light



5.59 A higher proportion of glazing on north facing surfaces can increase natural lighting without significantly increasing solar gain, thereby minimising excessive heat gain. Glare created by natural or artificial light can be uncomfortable for people both inside and outside a building. This can be minimised if considered early in the design process through building layout (e.g. low eaves height) or building design. If considered together with a lighting strategy this can reduce energy consumption.

Energy demand reduction

5.60 Where dwellings or commercial units are sold or leased fully fitted/furnished, low energy appliances should be provided in order to reduce the energy used by building occupants, where possible. An energy calculation showing the consequent reduction in unregulated carbon emissions should be included to quantify the improvement. However, this should not form part of the carbon reduction calculation included in the energy statement as that calculation should only address regulated emissions.

5.61 Buildings can be designed to remove the need for appliances. For example, by providing space to dry clothes naturally, the need for a dryer is removed. Adequately sized and well-located windows reduce the need for artificial lighting during the day and daylight systems (e.g. sun tunnels, fibre optics) can deliver natural light to areas that are too deep

within a building for windows to be effective. Self-regulating smart meters and smart controls on heating, lighting and appliances can reduce energy waste. These devices measure, control and optimise the use of energy, delivering benefits including:

- maximising consumption of locally generated energy,
- reduce energy costs by responding to time-of-use tariffs,
- enable and optimise the use of smart energy grids by providing demand response services to grid and network operators, and
- provide useful feedback to the building occupant that helps them to improve efficiency.

Figure 10: Optimising smart energy grids



Building for a healthy life

5.62 Building for a healthy life sets out design guidance for new housing developments and includes criteria that relate to environmental and social sustainability, as well as promoting design that generally creates good places. The most recent version of the standard is Building for a healthy life (2020), sets out questions to assess how well proposals provide attractive, functional and sustainable places. The questions are designed to help structure discussions between local communities, the local planning authority, the developer of a

proposed scheme and other stakeholders.

5.63 Applicants for planning permission should include a checklist against the questions set out in the latest Building for a healthy Life guidance. The Council will engage positively with applicants to assist in achieving 'Built for life' status.

5.64 Policy EM2, via Building Regulations, encourages new development to perform positively against the recommendations in Building for a healthy Life guidance. What this means in practice is that each of the recommendations should be followed, unless there are genuine reasons for not doing so, which should be explained in the submitted sustainability information. The Building for a healthy Life guidance can be found here:

www.udg.org.uk/publications/othermanuals/building-healthy-life

The performance gap

5.65 It is generally accepted that the carbon and energy performance of buildings as-built falls short of the performance anticipated at the design stage. Studies have shown that this 'performance gap' can be extreme, with some new buildings emitting many times more carbon than expected from both regulated and unregulated sources¹⁸. Most new homes do not achieve the levels of energy efficiency predicted by their SAP assessments.

5.66 The Building Control system does not require new buildings to be tested against their design specifications after construction. The exception to this is airtightness, which is tested after construction and where buildings generally perform much better than Building Regulation standards. The Government may change the method for assessing the performance of new buildings through a change to Building Regulations (see the 'Future Homes' consultation for details of the proposed changes)¹⁹.

5.67 One of the reasons for the performance gap may be a lack of post-construction testing and post-occupancy monitoring and feedback, which means that problems in construction are not identified, occupant behaviour is not corrected, and future projects do not benefit from changes that correct problems in the construction process. The Council strongly

¹⁸ www.gov.uk/government/publications/low-carbon-buildings-bestpractices-and-what-to-avoid and www.gov.uk/government/publications/low-carbon-homes-best-strategies-and-pitfalls

¹⁹ www.gov.uk/government/consultations/the-future-homes-standard-changes-to-part-l-and-part-f-of-the-buildingregulations-for-new-dwellings

supports the use of measures that would act to close the performance gap. Where such measures will be employed, the Sustainability Statement should provide details. Such information could include:

- detailed information setting out the site developer's robust internal processes and quality controls,
- the implementation of a third-party process or system that focuses on ensuring that standards are met during construction e.g. the BEPIT Better Building Tool Kit or NEF's Assured Performance Toolkit, and
- the use of a post construction testing regime for the proposed development and/or for previous developments undertaken by the same developer, with details of the outcome on previous developments.

Smart Energy

5.68 Many organisations across the city are currently electrifying their transport and heat requirements. This is happening in parallel with an electrical supply system increasingly dependent on intermittent or inflexible wind, solar and nuclear power. This has made the flexible use of electricity crucial in our transition to a zero-carbon country. By switching demands, such as chillers, hot water and EV charging, on and off a building can reduce CO2 emissions, peak demand and energy bills, whilst allowing more renewable energy to be deployed and less fossil fuel power. Energy storage is an important part of this, in the form of hot water, building fabric and electro-chemical storage. These examples of smart energy practices are encouraged to be considered, wherever possible.

Electric Vehicles

5.69 As vehicles electrify they will increasingly play a role in building energy systems. This is because the charging infrastructure often comes from the buildings, but also vehicle to grid and vehicle to building technology will mean that they will act as large energy storage devices, reducing energy bills and balancing supply and demand on the network. This approach to electrification is encouraged to be considered, wherever possible.

6 Non-major development requirements

6.1 Policy EM2 stipulates that new development should be designed and constructed to meet the relevant Building Regulations, as a minimum. This section sets out the approach to **non-major developments** and in this regard, proposals must provide the following information:

- “adequate information” showing how the energy and carbon requirements have been met, and
- “information proportionate to the size of the development” covering the other sustainability matters set out in the policy.

6.2 Applicants for non- major development may also submit energy and sustainability information statements instead of a completed questionnaire. If this route is taken, applicants must ensure that the submitted information complies with the requirements of Local Plan policy, and that energy information complies with the carbon reduction calculation methodology set out later in this section. Sustainability information should refer to the Sustainable Design and Construction Guide in section 4.

6.3 The questionnaire or statements should be produced at an early stage in the initial design work as they should inform the scheme as it emerges. Where schemes are not subject to a full plans application, a partially completed questionnaire or partial information statements may be submitted at the outline stage covering the matters covered by the outline application. A fully completed questionnaire or final information statements may then be provided at a later stage.

6.4 The remainder of this section sets out guidance on how to complete the questionnaire. Additionally, there are signposts throughout the questionnaire back to the sections of this SPD that provide relevant guidance on sustainability matters.

Questionnaire Part 1: Sustainable design and construction

6.5 Part 1 of the questionnaire deals with sustainable design and construction matters and asks a series of questions that link to specific requirements in Local Plan policy. The matters it covers are:

- minerals and waste,

- low energy site and building design,
- water efficiency,
- measures that enable sustainable lifestyles, and
- climate change adaptation.

6.6 There is a large amount of guidance covering sustainable design and construction available nationally and some guidance on the key points is provided in the sustainable design and construction guide in section 5 of this SPD.

Self-build and custom-build homes

6.7 Self-build and custom-build homes are types of housing (defined nationally)²⁰ for people who want to play a role in developing their own homes, either by directly organising the design and construction (self-build) or by hiring a specialist to deliver the home (custom-build).

6.8 In order to qualify as self-build or custom-build, the owner of the home must have primary input into its final design and layout, which means that the end user of the home is able to balance the benefits of building an energy efficient and climate adapted home against the long-term costs that result from energy bills and adaptative retrofitting.

6.9 Self and custom housebuilders are encouraged to exceed the minimum requirements of Policy EM2 and achieve very high levels of sustainability. Small projects such as custom and self-build are likely to be suitable for offsite and modular construction methods (small schemes do not benefit from the traditional build economies of scale that volume housebuilders enjoy), which can offer a range of benefits.

6.10 Many modular and pre-fabrication systems use timber in place of other materials and in doing so sequester carbon that is removed from the air during the growth of the trees from which the timber is sourced. This benefit will be recognised during the planning process.

Questionnaire Part 2: Energy

6.11 Part 2a of the questionnaire deals with low and zero carbon energy provision. It covers Combined (Cooling) Heating and Power ((C)CHP) and other low and zero carbon energy

²⁰ www.gov.uk/guidance/self-build-and-custom-housebuilding

technologies.

(C)CHP Distribution Networks

6.12 When completing question 7, the reference to (C)CHP distribution networks should be taken to cover a broad range of scales from small scale systems that distribute cooling and/or heating to a number of dwellings or units within one building up to district scale systems that serve entire neighbourhoods (district heating systems). It should also be interpreted as a reference to all types of heat network and not just CHP based systems (see paragraphs 5.7 -5.10 for more information).

6.13 In order to answer the questions, applicants will need to have undertaken investigation work to establish whether such systems exist in the vicinity of the proposed development, taking account of this broad definition.

Low and zero carbon energy technologies

6.14 Question 8 asks for details of any proposed low and zero carbon energy technologies. There are a number of low and zero carbon energy technologies available on the market that can supply electricity and/or heat to residential and commercial buildings. These include (but are not limited to):

- solar photovoltaic (electricity),
- solar thermal (heat),
- ground, air and water source heat pumps,
- biomass power and heat,
- small scale hydro power, geothermal energy,
- micro CHP, and
- Combined Heat and Power (CHP) systems.

6.15 In order to be sure that proposed energy technologies will be effective, decision makers will need to be sure that the building occupants will use them to meet a significant portion of their energy needs. As a result, heat sources such as log burners, which may be used sporadically, will not be accepted as low carbon energy technologies. The section “Low and zero carbon energy appraisal” in section 5 sets out information about low and zero carbon energy technologies.

Building regulations and emission rates

6.16 The national mandatory standards for construction are set out in the Building Regulations 2010 (as amended). They cover all aspects of construction and set minimum Target Fabric Energy Efficiency (TFEE) rates as well as overall maximum carbon emissions rates for new buildings, referred to as the Target Emission Rate (TER). The TER differs for different types buildings (e.g. flats, detached dwellings, offices) and is expressed in annual kilograms of carbon dioxide per square metre.

6.17 The emission rate of a proposed building is based on its specification and is expressed as:

- Dwelling Emission Rate (DER) for self-contained dwellings and individual flats (excluding common areas). This is the annual carbon dioxide emissions of the proposed dwelling expressed in kilograms per square meter.
- Building Emission Rate (BER) for building types other than dwellings. This is the annual CO₂ emissions of the proposed building expressed in kilograms per square metre.

6.18 Under the building regulations, the DER or BER for the proposed building must not exceed the TER. The DER or BER of a proposed building is established through modelling. The approved national calculation methods used in the building control system are the Standard Assessment Procedure (SAP) for dwellings and the Simplified Building Energy Model (SBEM) for commercial buildings. Other models are sometimes used to give more detailed and accurate information. The models make assumptions about the carbon emissions from different energy sources (like electricity and gas), referred to as emission factors (see 'Emission factors' in section 5 for more information).

Appendix 1 – Climate Change and Energy Questionnaire

When should this questionnaire be used?

This questionnaire is for minor developments (developments from one to nine residential units and one to 1000 square meters of non-residential floor space) and householder developments. Developments of a scale above these thresholds (major developments) should not use the questionnaire, but should instead submit a Sustainability Statement and an Energy Statement as detailed in this SPD.

What is the purpose of this questionnaire?

Policy EM2 requires developments to be designed and constructed to meet the relevant Building Regulations. These requirements for information will be deemed to have been met if a correctly completed questionnaire is submitted.

The questions in the questionnaire are based on requirements set out in Local Plan policies and you should refer to these to make full use of the questionnaire. The Energy SPD sets out guidance on the matters covered within the questionnaire. The questionnaire is not an exhaustive list of sustainability matters and additions to the questionnaire are welcome.

The questionnaire is intended to guide development towards sustainable outcomes through compliance with Local Plan policy, from the initial proposal and site layout through to detailed design proposals, the construction process and finally the operation of the completed building. As a result, it is important that the questionnaire is first considered at the outset of planning and at the earliest stage of design. It should be updated as plans evolve. If planning permission is granted, a condition will be applied requiring work to be carried out in accordance with the information provided in the questionnaire. It is important that the questionnaire is completed in good faith and any works identified within it are deliverable.

Applicant's name:	
Agent's name:	
Site Address:	
Application reference (if known):	
Description of proposal: (e.g. total and types of units/floorspace)	
Questionnaire prepared by: (name and qualification/job title)	
Energy information prepared by: (name and qualification/job title):	

Please note: If the answer is 'no' to any of the following questions, please provide justification.

Part 1: Sustainable design, construction and climate change adaptation

1. Efficient use of minerals, use of secondary aggregates, waste minimisation and reuse of material from excavation and demolition.

1.a Will the use of primary minerals be minimised through e.g. the use of renewable materials, recycled and secondary aggregates, and other recycled and reused materials? Please provide details.

1b. Will demolition/excavation material from the proposed works be reused on site? Please provide details of where material will be derived and where it will be used.

1c. Will unused mineral waste be sent for reuse or recycling? Please provide details.

1d. Will non-mineral construction waste (e.g. packaging, timber, plastics) be minimised? Please provide details.

1e. Will locally sourced materials be used? Please provide details.

1f. Will materials be sustainably sourced (e.g. FSC certified timber)? Please provide details.

2. Low energy design: landform, layout, building orientation, massing and landscaping (Policy EM2). See 'Site layout, landscaping and urban form' and 'Building design' in the sustainable design and construction guide in section 5 of the SPD.

2a. Will operational energy demand be minimised through low energy design and the use of energy efficient fabric? Please provide details. This information should align with the energy data provided in parts 2a and 2b of this questionnaire.

2b. Has the layout of the site, landscaping and orientation of buildings taken account of solar receipts and other environmental factors to reduce the need for mechanical heating and artificial lighting in the development? Please provide details.

2c. Will the internal layout of buildings make best use of solar gain and natural light? Please provide details.

2d. Will passive cooling/ventilation measures be incorporated into the scheme? Please provide details.

2e. Will the scheme include mechanical cooling (e.g. air conditioning)? If so, explain why passive measures would not be adequate.

3. Water efficiency (Policy EM2). See 'Water efficiency' in the sustainable design and construction guide in section 5 of the SPD.

3a. If the scheme includes new dwellings, will these be designed to the national optional building regulation water efficiency standard of 110 litres per person per day (regulation 36(2b))? The relevant Water Efficiency Calculation(s) (Part G) for the new dwellings should be submitted to the Council prior to occupation.

3b. For all developments, will water efficiency measures be incorporated into the scheme to reduce the demand for water? Please provide details.

3c. For all developments, will water harvesting measures be incorporated into the scheme? Please provide details.

4. Measures that enable sustainable lifestyles for building occupants (Policy EM2).

4a. Will measures that enable sustainable lifestyles for building occupants be incorporated into the scheme? Please provide details.

5. Climate change adaptation.

5a. Will the scheme incorporate adaptations for the full range of expected climate impacts including: hotter/drier summers, warmer/wetter winters, more frequent and severe heatwaves and overheating, and more frequent and severe heavy rainfall events and flooding? Please provide details.

5b. Will the use of soft landscaping and permeable surfaces be maximised (as opposed to hard surfacing)? Please provide details.

5c. Will surface water be managed by Sustainable Drainage Systems (SuDS)? Please provide details.

6. Any further information

6a. Please provide information about any other sustainable design, construction and climate change measures that will be incorporated into the scheme.

Part 2: Energy

7. Combined (Cooling) Heating and Power ((C)CHP) networks (Policy EM2).

7a. Will the development fall within the vicinity of a (C)CHP/heat distribution network (of any scale from single building to district heat)? If so, please list the identified networks.

7b. If the development will fall within the vicinity of a (C)CHP/heat distribution network, will the proposed development connect to it or be connection-ready? If not, please set out a clear justification.

7c. Is the development within a Heat Priority Area? If so, is a (C)CHP or heat distribution network proposed as the primary source of energy for the development? If not, please set out a clear justification.

7d. If a new (C)CHP or heat distribution network is proposed, is it designed in accordance with the CIBSE Heat Networks Code of Practice? If not, please provide a clear justification.

8. Low and zero carbon energy

8a. If the scheme includes the provision of low and zero carbon technologies, provide details of the proposed energy systems here including: type of technology, location of installation and predicted energy yield.

9. New buildings: Carbon reduction calculation

9a. Will the proposed scheme deliver any new buildings (net or gross)?

9b. If the answer to 9a is yes, please complete the following carbon reduction calculation template in part 2b.

If you need this information in another format or language
please contact us

Telephone: (024) 7683 1109

e-mail: planningpolicy@coventry.gov.uk

Comment reference	Respondent / agent	Page / para reference	Consultation response (summary)	Officer response	Proposed change to SPD
	Barratt West Midlands - Savills		At numerous points within the SPD, the document makes reference to the Government’s emerging Future Homes Standards. However, as the standards have not been implemented, the document does not require future developments to accord with the proposed standards that have previously been consulted on. Barratt support this and request that where the SPD makes reference to developments complying with the Future Homes Standard in the future, this will be subject to viability.	Agreed.	Where references have been made to developments complying with the Future Homes Standard in the future, insert the words ‘subject to viability’.
	Barratt West Midlands - Savills	Para 4.9	This para sets out that new builds must meet the requirements of Building Regulations Part L. The paragraph goes on to state that <i>“the majority of local authorities in England have made their planning policies more ambitious by requiring a 19% improvement beyond Part L 2013”</i> . These requirements are considered to be over and above the requirements of the Planning Practice Guidance (‘PPG’) which states that Local Plans <i>“can set energy performance standards for new housing or the adaptation of buildings to provide dwellings, that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes”</i> (Reference ID: 6-012-20190315). The PPG also states that if a Council is <i>“considering policies on local requirements for the sustainability of other buildings, local planning authorities will wish to consider if there are nationally described standards and the impact on viability of development”</i> (Reference ID: 6- 009-20150327)	The figures quoted in this para are known facts and it is for individual LPAs to pursue an appropriate policy approach. The references merely illustrate that policy options exist and this para sets the context for what can be achieved through DPDs.	Insert the following words at the end of last sentence to para 4.9 to read: ‘through their Development Plan Document (DPD) process. However, this cannot be achieved through a SPD as it involves the introduction of a specific policy approach’.
	Barratt West Midlands - Savills	Para 4.10	Paragraph 4.10 goes on to state estimated costs for a ‘fabric first approach’ to energy efficiency. No viability	The figures quoted in this para are suggested	Delete the second sentence from para 4.10.

			appraisal is being consulted on to support the proposed SPD requirements or figures stated in paragraph 4.10. The PPG states that SPDs should build upon policies in a local plan but “ <i>they should not add unnecessarily to financial burdens on development</i> ” (Reference ID: 61-008-20190315). The SPD has not provided justification as to why the standards above national requirements are being sought and its impact on the viability of sites.	approximate costs based on the figures quoted by the UKGBC. They are not SPD requirements, however, it is recognised that these figures are not up-to-date.	
	Barratt West Midlands - Savills	Para 4.14	Paragraph 4.14 states that when undertaking modelling, applicants are strongly encouraged to use the SAP 10 emission factors as these reflect current, real-world emissions much more closely than the SAP 2012 emission factors. The SAP 10 have not be adopted nationally as of yet. We therefore consider that the national guidance should be followed to ensure consistency across sites.	Agreed.	Reword para 4.14 as follows: ‘When undertaking modelling, applicants are strongly encouraged to use the national guidance SAP 2012 emission factors (or any future replacement equivalent). The energy statement should state clearly which emission factors have been used.
	Barratt West Midlands - Savills	Para’s 4.17-4.21	Paragraphs 4.17 – 4.21 sets out the West Midlands Combined Authority (‘WMCA’) support for zero carbon homes and their objectives to assist in meeting their target for the region to be net zero by 2041. The SPD does not state that future development needs to accord with this standard. However, it is considered that the SPD should specifically state that the WMCA’s objectives are not planning policy so no weight will be given to them in the decision-making process.	These para’s merely aim to provide a regional policy context through the work of the WMCA. It is not the aim of the SPD to express a view regarding the way in which said policy documents can be given weight or otherwise.	No change.
	Barratt West Midlands - Savills	Para’s 5.53 – 5.60	There are a few paragraphs within the SPD where Barratt consider that ‘where possible’ should be added in order to provide further flexibility for developers. The	Agreed.	Paragraph 5.53 – insert the words “ <i>Where possible</i> ” before the first sentence.

			<p>paragraphs and proposed additions (underlined> are as follows:</p> <ul style="list-style-type: none"> - Paragraph 5.53 (first sentence) – <i>“Where possible, buildings should be deigned from the outset to be flexible to accommodate changing needs”</i>. - Paragraph 5.56 (9th bullet point) – <i>“Buildings should be designed for passive ventilation where possible...”</i>. - Paragraph 5.60 (first sentence) – <i>“Where dwellings or commercial units are sold or leased fully fitted/furnished, where possible, low energy appliances should be provided in order to reduce the energy used by building occupants”</i>. 		<p>Paragraph 5.56 - insert the words <i>“where possible”</i> at the end of the 9th bullet point.</p> <p>Paragraph 5.60 – insert the words ‘where possible’ at the end of the first sentence.</p>
	Barratt West Midlands - Savills	Para’s 5.12 and 5.14	<p>Paragraphs 5.12 and 5.14 reference development sites being within ‘the vicinity’ of an existing heat network. Further clarity is requested on how the Council will determine ‘the vicinity’. It may be beneficial to provide a plan in the SPD to show areas which the Council consider are within ‘the vicinity’ of a heat network.</p>	<p>It is expected such matters to be determined by prospective applicants in discussion with the Council on a case by case basis rather than the SPD providing an arbitrary distance threshold as it is considered this would represent a more pragmatic, flexible and reasonable approach for all parties.</p>	<p>Add a new footnote in para’s 5.12 and 5.14 after the word ‘vicinity’ to read ‘It is expected such matters to be determined by the applicants in discussion with the Council on a case by case basis’.</p>
	Barratt West Midlands - Savills	Para 5.44	<p>Paragraph 5.44 states that the Council has an aspiration for zero carbon development and this will be ‘strongly encouraged’. Barratt is committed towards reducing carbon emissions and it is their position that all of their new homes will be zero carbon from 2030. We therefore</p>	<p>Noted.</p>	<p>No change.</p>

			support the Council's aspiration to encourage zero carbon development where possible.		
	Barratt West Midlands - Savills	Para 5.67	Paragraph 5.67 of the SPD sets out the measures Sustainability Statements should provide details on where there is a 'performance gap' in the carbon and energy performance of buildings when built compared to anticipated at the design stage. Barratt consider that the below should only be met where possible i.e. third party processes may not be used and post construction testing on a specific development will not necessarily be undertaken unless required by legislation or planning conditions/obligations. Equally previous developments should not affect the processing/determination of current applications.	Comments noted, but the para does make clear that such suggestions and not mandatory requirements with the operative word being 'could' not 'should'.	No change.
	Barratt West Midlands - Savills	Figures 7, 8 and 9	It is considered that any figures within the SPD should represent the average house being / expected to be delivered in Coventry. Figures 7, 8 and 9 are not considered to be representative.	The Council takes an ambitious and innovative forward thinking approach to tackling energy challenges through planning and figures 7, 8 and 9 are entirely deliverable in the Coventry context.	No change.
	Historic England		Heritage assets can be a valuable aid to achieving sustainable development, in both climate change mitigation and adaptation, rather than a constraint, and we consider that the SPD should reference the retention and re-use of buildings, as at present the SPD only relates to new development. We consider that the document should recognise sustainability over the long-term. Historic	Agreed.	Insert a new numeric point after the third point in para 5.38 to read: 'Heritage assets: assets can be a valuable aid to achieving sustainable development, in both climate change mitigation and

			buildings represent a significant investment of expended energy and demolishing and replacing them requires a major reinvestment of embodied energy and other resources. The SPD should therefore encourage and recognise the benefits of sympathetic restoration, retention, refurbishment and retrofitting of historic buildings. Furthermore, we consider that policies and guidance should adopt a 'whole building' approach; looking firstly at a building's current environmental performance, then considering non-invasive measures and lastly physical interventions. Explicit reference should be made to the distinction between historic and modern fabric, as these cannot be treated in the same way; standardised methods are often inappropriate and will not only adversely affect the character and appearance of historic buildings and areas, but can easily reduce the performance of those buildings, and result in maladaptation (using more carbon to install and operate the measures than they can save). Such measures can have other unintended consequences for building use, such as poor indoor air quality, and "rebound" effects, which can make buildings less thermally efficient.		adaptation, rather than a constraint. Further information can be found through the following link: https://historicengland.org.uk/
	National Highways		Having reviewed the SPD with regards to the interests of National Highways, our network and assets, we can advise that we are supportive of the guidance and have no further comments to make.	Noted.	No change.
	Persimmon Homes – Pegasus Group	Para 2.1	The introductory paragraph (2.1) helpfully confirms that an SPD cannot include any new policies that do not currently form part of the Local Plan and that an SPD itself does not form part of the Local Plan. The paragraph continues that SPDs are a 'key' consideration in the determination of	Agreed.	Delete the words 'However, it is a key consideration' from the second sentence of para 2.1 and replace with the following:

			planning applications. This should be amended to confirm they are another ' <i>material</i> ' consideration.		'SPDs are an important material consideration.....'
	Persimmon Homes – Pegasus Group	Para 2.2	Under 'aims and objectives' it reiterates that the SPD cannot introduce new targets or standards beyond those already set out in the adopted Local Plan. The final bullet point states that the SPD may ' <i>encourage</i> ' developers to go further than current policy to demonstrate excellence in sustainable development. It should be made explicitly clear that this is not a requirement.	The fact that the final bullet point starts with the word 'encouraging' infers that it is not a requirement.	No change.
	Persimmon Homes – Pegasus Group	Section 4	Section 4 of the document sets out the policy context for the SPD, considering national, regional and local policy. The national policy context makes reference to the Future Homes Standard and Building Regulations. It should be clarified that these are covered by a separate regulatory regime and the planning system should not seek to duplicate matters already addressed by separate regimes.	Agreed.	Insert a new para after 4.16 to read: 'The Future Homes Standard and Building Regulations are covered by a separate regulatory regime and the planning system should not seek to duplicate matters already addressed by separate regimes'.
	Persimmon Homes – Pegasus Group	Table 1	Table 1 sets out current codes and standards applicable in England (BREEAM, Home Quality Mark, Passivhaus and Standard Assessment Procedure). The preceding paragraph confirms these are voluntary standard and can only be required through specific Local Plan policies rather than SPDs. Therefore, planning applications should not be assessed against these standards unless adopted policy requires it. In terms of the regional policy context, it is important that the SPD acknowledge that the West Midlands Combined Authority does not have planning powers. The documents referenced may set out aspirations and targets but in terms of delivery and how this is achieved through the planning system will be left to local councils to set out in Local Plans.	Comments noted. The said table at no point infers that these codes and standards will be applied to planning applications in Coventry. It is included to show the breadth and depth of the national context.	No change.

	Persimmon Homes – Pegasus Group	Section 5	Section five addresses energy requirements in Coventry. In terms of Energy Statements, this comes through the local validation checklist rather than the Local Plan which requires a Sustainability Statement. In practice there is likely to be a high degree of overlap between these documents, and other application documents such as Design and Access Statement. The SPD should recognise the need for flexibility in the format of these documents and that in some cases these will be best addressed by a single document.	The approach set out is to allow a consistency of approach in respect of the local validation requirements in order to ensure there is a joined up approach to the way in which local requirements and SPD standards are considered through the planning process.	No change.
	Persimmon Homes – Pegasus Group	Para 5.3	This sets out that Energy Statements should show how reductions in carbon emissions will be achieved, how each action/proposal will contribute to the total reduction in carbon emissions per dwellings, the approach to the energy hierarchy and the name and position of the person producing the Statement. Persimmon Homes' construction specification is tailored to meet customer expectations for energy efficient homes with low operating costs and user-friendly technologies. On previous schemes in the City, Persimmon Homes has provided details of energy efficiency measures and energy efficiency calculations to demonstrate that calculated fabric energy efficiency exceeds the requirements of the target fabric energy efficiency. It should be acknowledged by the SPD that on large-scale residential developments details and calculations will be provided for each proposed house type rather than on a per dwelling basis. It should also be acknowledged that the Statement structure suggested by the SPD will not be suitable for outline applications.	Agreed.	Add the following bullet points to para 5.3 to read: <ul style="list-style-type: none"> - large-scale residential developments details and calculations will be provided for each proposed house type rather than on a per dwelling basis. - the Statement structure will not be suitable for outline applications as these proposals are high-level in nature and set out an overall energy strategy for the site with further details, such as carbon reduction calculations by house type, to be provided at detailed approval stage (usually reserved matters).

			Statements for outline applications will by necessity be high-level in nature and set out an overall energy strategy for the site with further details, such as carbon reduction calculations by house type, to be provided at detailed approval stage (usually reserved matters).		
	Persimmon Homes – Pegasus Group	Para 5.5	This sets out a structure for Energy Statements. This includes consideration of heat networks and/or Combined Cooling Heating and Power, appraisal of energy technologies and carbon reduction calculations. This is not supported by the Local Plan policy EM2 and goes beyond the requirements of the Local Plan. Policy EM2 clearly states that new development should meet relevant Building Regulations as a minimum. Compliance with the Building Regulations is therefore the benchmark against which development proposals should be assessed. Where it is demonstrated that proposals can comply with these requirements through energy efficient specifications then there is no policy requirement to carry out an appraisal of energy technologies or heat networks. Indeed, the adopted Plan only makes reference to heat and power generation in supporting text (not policy) and only in relation to identified strategic sites. The SPD seeks to go beyond the adopted policy and the requirements, for example that developments within the area of an existing network must be connection-ready as a minimum. These additional points could have significant implications for the viability of proposed development and this should therefore be considered, evidenced and viability-tested through a Local Plan and not an SPD. This should be deleted from the SPD. Figure 3 sets out the existing heatline network in Coventry. The network is currently	The approach in para 5.5 makes it clear it is a 'suggested' approach for energy statements. The proceeding paragraphs of the SPD then set out what is expected to be considered against the 'suggested' structure. Importantly, the 'suggested' structure clarifies and amplifies Local Plan policy EM2 by specifically addressing point 2 of the policy by providing further detail as to what the Council would expect from developments and to be designed in accordance with the specified energy hierarchy in meeting the carbon reduction targets set out in Building	Delete the words 'must consider' and replace with 'are expected to consider' in para 5.5.

			<p>limited in extent and the majority of proposals within the City will not be able to connect to this. It would assist if this Figure were kept up-to-date and were continuously updated if the network is expanded. In terms of low and zero carbon energy, as set out above Policy EM2 is benchmarked against Building Regulations and encourages the use of energy efficiency and low carbon energy to achieve this, along with other methods such as conserving water, materials and recycling. It does not have any specific requirements regarding low carbon energy nor does it express a preference for one method over any others. It does not require that development proposals should demonstrate that the most effective technology or mix of technologies has been selected or that all methods should be considered. Requiring an appraisal of each low carbon technology is unnecessarily onerous and goes beyond demonstrating compliance with adopted policy. The SPD should not be introducing these requirements as, if a proposal can demonstrate compliance with the relevant policy, than under the plan-led system it is acceptable. This should be removed from the SPD.</p>	<p>Regulations. Therefore, it is suggested that it is for individual planning application submissions to show they meet the requirements of Policy EM2 informed by the details set out in this section of the SPD.</p>	
	Persimmon Homes – Pegasus Group	Para 5.27	<p>This para seeks for Energy Statements to assess the carbon saving potential of energy technologies using real-world performance and take into account the future decarbonisation of the national grid rather than relying on the emission factors used in the Building Control system. It is not clear that this information is available to applicants and the SPD should clarify where and how this can be obtained. This approach is not supported, and it is not clear how schemes would be assessed on a consistent</p>	<p>Para 5.27 has been included because the reliance on the emission factors used in the Building Control system are understood to be updated infrequently. The SPD can not and should not provide all the answers for</p>	No change.

			basis, as is possible when using the emission factors from the Building Control system.	prospective applicants as it is considered this could stifle innovation. Moreover, it is considered that it is for applicants to provide the necessary appraisal and each case will be considered on a case by case basis.	
		Para 5.28	This para states that where schemes propose a mix of renewable energy technologies they will need to demonstrate how they will work in tandem and, where applicable, how they will be integrated into a heat network or cooling system. The SPD should be careful not to place additional requirements on schemes proposing multiple forms of renewable energy technologies at the risk of inadvertently discouraging this approach. In terms of Sustainability Statements, this is included in Policy EM2. As set out above, this Statement will have a high degree of overlap with other submitted documents including, but not limited to the Energy Statement, Design and Access Statement and drainage information. If a separate document it to be submitted it would likely include a significant amount of cross-referencing to these other documents rather than repeating the same information. For example, the sections concerned with site layout, landscaping and urban form (paragraphs 5.47 – 5.52), building design (5.53 – 5.61) and Building for Life (5.62 – 5.64) are all likely to be addressed in a Design and Access Statement.	It is considered appropriate and reasonable for prospective applications to include all necessary information in whatever document applicants consider is appropriate. It is considered that it is not the role of an SPD to specify what type of information is included in a particular document that would be required as part of a planning application submission, rather this para provides further detail as to what could	No change.

				be considered a reasonable approach.	
	Persimmon Homes – Pegasus Group	Para 5.44	This section states that zero carbon developments are strongly encouraged wherever possible. There is no reference in the adopted Local Plan to achieving zero carbon development, there is no policy requirement to support this and this would need to be carefully viability tested through the Local Plan process. The SPD should be clear that proposals cannot be assessed against zero carbon standards as this is not a policy requirement.	The SPD makes it clear in this para that zero carbon developments are ‘encouraged’ so by its very inclusion, the reader should acknowledge it is not a requirement. The SPD therefore aims to clarify and provide further detail as to the policy approach set out in Policy EM2 by using terminology that is now universally accepted as part of the narrative surrounding building standards.	No change.
	Persimmon Homes – Pegasus Group	Para 5.65	The section regarding the ‘performance gap’ is speculative on what may cause this. Should the Building Regulations be amended to require new buildings to be tested against their design specification after construction this will be done through Building Regulations rather than the planning system which should not duplicate requirements of other regulatory systems. There is no policy requirement for measures to addresses the performance gap and as such the SPD cannot require this or assess applications against this. Any information submitted on this should be treated as exceeding policy.	This is a general point that can reasonably be made in the context of this part of the SPD given it is qualified by a third party source and so it is considered relevant and appropriate to make the point as context for the proceeding paragraph.	No change.

	Richborough Estates – Marrons Planning	Para 5.7	This para states there is a requirement for developments to connect to CHP networks where they exist, although that requirement does not appear in Policy EM2.	The approach in para 5.7 makes it clear that Local Plan policy EM2 specifically addresses the way in which heat networks can be considered as part of point 2 of the policy by providing further detail as to what the Council would expect from developments and to be designed in accordance with the specified energy hierarchy in meeting the carbon reduction targets set out in Building Regulations. Therefore, it is suggested that it is for individual planning application submissions to show they meet the requirements of Policy EM2 informed by the details set out in this section of the SPD. It is already acknowledged that there is no policy requirement to connect to existing or planned	Delete the second sentence of para 5.7.
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				decentralised energy networks.	
	Richborough Estates – Marrons Planning	Para 5.11	This para states that all new developments must demonstrate how the objectives of policies (EM2 and EM3) have been met through alternative equivalent carbon solution in the Sustainable Buildings Statement. That requirement does not appear in Policy EM2.	The SPD provides further detail and amplifies how policy EM2 and the supporting text should be interpreted. Given this, both policy EM2 and supporting text both specifically address sustainable building statements and encouragement to connect to existing and planned decentralised energy networks.	No change.
	Richborough Estates – Marrons Planning	Para 5.38	This para sets out a list of matters that the Sustainability Statement must address in order to demonstrate the proposals comply with the Local Plan, and other SPDS. However, this list sets requirements for development which go beyond Policy EM2 in so far as: <ul style="list-style-type: none"> • incorporation of a proportion of recycled and/or secondary aggregates; • the Council’s strong support for zero carbon development; • performing positively against Building for Life guidance; • compliance with the highest national standards of water efficiency, which for residential developments of one or more gross units means achieving a water efficiency standard of a maximum of 110 litres per occupant per day. 	It is considered this para provides a relevant and up-to-date approach to what a sustainability statement should consider based on policy EM2 and the Councils local validation requirements in order to provide a robust approach. Given that sustainability statements do not cover compliance with the	Delete the words ‘must address’ and replace with ‘is expected to consider’ from the second sentence of para 5.38.

			<p>It is not clear whether the above list taken from paragraph 5.38 is seeking to set standards for new development, or whether these are aspirations which developers are encouraged to achieve.</p> <p>This SPD cannot be used to update the Local Plan policies, and it is requested that paragraphs 5.7, 5.11 and 5.38 of the Draft SPD are amended before it is adopted to clarify these are not requirements on new development.</p>	carbon emission and low and zero carbon energy requirements as compliance with these requirements is established through energy statements, it is considered this para provides the necessary guidance and steer as to what is encouraged in the Coventry context.	
	Severn Trent Water	Para 5.38	We are supportive of your plan in particular paragraph 5.38 on 'What do sustainability statements need to cover?'. We are supportive of section 2g relating to water efficiency measures and section 3 relating to SuDS.	Noted.	No change.
	University of Warwick	Para 5.9	We support the change from support for CHP led heat networks to low carbon networks in general, and recognise that heat networks are a central part of the UK governments net zero strategy. We would go further to support low carbon development whether on a network or not. As heating transitions to heat pump technology we are developing flexible strategies and solutions to optimise their impact.	Noted.	No change.
		Para 5.19	There is an assertion that low carbon CHP engines are still "low carbon". This contradicts BEIS' recent work and industry standards. The new Building Regulations will show that a gas CHP, (even excluding network losses) is higher carbon than a gas-fired boiler and mains electricity. The university is committed to decommissioning its CHP plant as set out in the Net Zero Carbon strategy. There is an	Comments noted.	No change.

			assertion that as CHP engine also provides cooling the efficiency increases. A CHP engine can normally only provide cooling if heat is fed to an absorption chiller. These normally have a co-efficient of performance (CoP) of 1.2 to 1.4. This compares to an electric chiller that would typically provide cooling at a CoP of 3 to 6. Therefore, although it may be able to show that CCHP is more efficient than CHP alone, it is far more efficient to use electric chillers or heat pumps. (You suggest this in 5.30.) The university will be decommissioning its absorption chiller plant aligned with the CHP strategy, and develop low carbon technologies for cooling.		
	University of Warwick	Para 5.20	Biomass CHP is very rare, but if it is used we support the council's concerns around air pollution. We are aiming to reduce all air pollution on our campus and support wider efforts by others. The air pollution from gas and biomass CHP engines is very high compared to gas boilers. The university will continue to 'horizon scan' the opportunities for biofuels and their potential as part of its 'energy mix	Comments noted.	No change.
	University of Warwick	Para's 5.11-5.22	We suggest that the focus on CHP and heat networks is adjusted. Industry and regulation is fast moving to accept that heat pumps will be the source of low temperature heat for buildings, including the Climate Change Committee. Most pertinently, from 2025 the UK government has already confirmed that fossil fuels will not be allowed for new buildings. The university strategy set out in the Net Zero Carbon Pathway document sets out a transition path which removes the reliance on fossil fuel and promotes low carbon technologies, such as ground source heat pumps, air source heat pumps and increased	It is maintained that decentralised heat networks contribute to the mix of technologies that can provide sustainable energy going forward, particularly in the Coventry context. However, it is accepted that other sources of	Add a new para after 5.22 to read: 'Industry and regulation is fast moving to accept that heat pumps will be the source of low temperature heat for buildings, including the Climate Change Committee. Most pertinently, from 2025 the UK government has already confirmed that fossil fuels will not be allowed for new buildings. Given this, the promotion of suitable low carbon

			thermal storage. Our Environmental Sustainability and Energy Strategy gives more details.	sustainable energy can contribute to the mix.	technologies, such as ground source heat pumps, air source heat pumps and increased thermal storage will be encouraged wherever possible'.
	University of Warwick	Para 5.27	We support the requirement to consider the real-world performance of technologies and decarbonisation of the grid.	Noted.	No change.
	University of Warwick	Para 5.31	We support your point around heating systems with heat pumps operating better at lower flow temperatures. You suggest using underfloor heating or larger radiators to enable this. It would be beneficial to be explicit that you expect heating systems to operate at lower flow temperatures, no higher than 55 degrees, improving heat pump performance. The university recognises the need to improve the thermal performance of building stock, adapting passive measure for energy reduction. Improved thermal performance will improve the efficiency and suitability of low temperature, and low carbon heating technologies such as heat pumps.	Agreed.	Add new sentence at the end of para 5.31 to read: 'There is an expectation that heating systems need to operate at lower flow temperatures, no higher than 55 degrees to help ensure an improved heat pump performance, as it is recognised the need to improve the thermal performance of building stock and adapting passive measures for energy reduction'.
	University of Warwick	Para 5.38	Climate Change Adaptation – Referring to resilience to climate change, we suggest requesting the use of the Good Homes Alliance's Overheating tool as a simple way to assess risk for new residential development.	Agreed.	Add a new point after 3 j) to read: 'k. the use of the Good Homes Alliance's Overheating tool as a simple way to assess risk for new residential development'.
	University of Warwick	Para 5.43	On the offsetting subject, many local authorities are setting up funds that developers pay. The benefit of this is that it ensures activity is happening within the council area. It would also open up the opportunity for local providers to offer solutions. In regard to the creation of a local authority fund it is crucial that there is transparency as to	Comments noted. This will be explored further through the Local Plan review process as SPD can't introduce new	No change.

			the projects funded and that the results show a demonstrable carbon saving. There should also be options available for the developer to offset onsite/offsite or via a local authority fund. A mechanism could be put in place to ensure the fund demonstrates the carbon offsetting results within 3 years and in the case that this is not achieved the funds revert to the developer to use for carbon reduction projects on or off site.	policy approaches and mechanisms.	
	University of Warwick	Para 5.44	You state a preference for zero carbon development. It would be helpful to refer to standards and documents from organisations such as LETI and UKGBC.	Agreed.	Add a new footnote to the end of the second sentence of para 5.44 to the relevant website links for LETI and UKGBC.
	University of Warwick	Para 5.52	It is positive to see discussion of tree planting and microclimate principles.	Noted.	No change.
	University of Warwick	Para 5.53	We support the need for buildings to be flexible and adaptable, especially student accommodation, recognising the changing nature of our towns and cities with technology and the impact of Covid-19.	Noted.	No change.
	University of Warwick	Para 5.62	Building for Life 12 has been replaced by Building for a Healthy Life (2020 Edition). It is suggested this reference is updated.	Agreed.	Insert the words 'a healthy' after the word 'life' in the subtitle and all proceeding references in para 5.62.
	University of Warwick	Para 5.67	The performance gap is a significant issue, and we support aims to reduce it. Setting up a voluntary reporting structure for in-use performance would enable collection of data to identify the gap and how to close it.	Noted.	No change.
	University of Warwick	Comments on areas not contained in the SPD	Smart Energy - One area not addressed greatly in the SPD is that of smart energy management. We are increasingly electrifying transport and heat. This is happening in parallel with an electrical supply system increasingly dependent on intermittent or inflexible wind, solar and nuclear power.	Agreed.	Insert two new para's after para 5.67 to read: Smart Energy

			<p>This has made the flexible use of electricity crucial in our transition to a zero carbon country. By switching demands, such as chillers, hot water and EV charging, on and off a building can reduce CO2 emissions, peak demand and energy bills, whilst allowing more renewable energy to be deployed and less fossil fuel power. Energy storage is an important part of this, in the form of hot water, building fabric and electro-chemical storage. We recommend the SPD makes a specific requirement to employ measures to support smart energy management, beyond smart meters. The university recognises the need to transition towards a Smart Local Energy System, developing a fully integrated and multi-vectoral energy system. This strategy is currently in development at a campus level. The ‘Smart Campus’ will be controlled and managed to provide dynamic and real-time optimisation of its power, heating, cooling, transport, renewable energy and storage systems. This will be fully integrated into associated energy management and maintenance operational activities.</p> <p>Electric Vehicles - On a similar note, as vehicles electrify they will increasingly play a role in building energy systems. This is because the charging infrastructure often comes from the buildings, but also vehicle to grid and vehicle to building technology will mean that they will act as large energy storage devices, reducing energy bills and balancing supply and demand on the network. We recommend the SPD addresses this specifically.</p>		<p>5.68 Many organisations across the city are currently electrifying their transport and heat requirements. This is happening in parallel with an electrical supply system increasingly dependent on intermittent or inflexible wind, solar and nuclear power. This has made the flexible use of electricity crucial in our transition to a zero carbon country. By switching demands, such as chillers, hot water and EV charging, on and off a building can reduce CO2 emissions, peak demand and energy bills, whilst allowing more renewable energy to be deployed and less fossil fuel power. Energy storage is an important part of this, in the form of hot water, building fabric and electro-chemical storage. These examples of smart energy practices are encouraged to be considered, wherever possible.</p> <p>Electric Vehicles 5.69 as vehicles electrify they will increasingly play a role in building energy systems. This is because the charging infrastructure often</p>
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					comes from the buildings, but also vehicle to grid and vehicle to building technology will mean that they will act as large energy storage devices, reducing energy bills and balancing supply and demand on the network. This approach to electrification is encouraged to be considered, wherever possible.
	Birmingham Airport Ltd.	General point	<p>Aerodrome Safeguarding Considerations: Birmingham Airport is an officially safeguarded aerodrome and therefore afforded safeguarding protection by UK Government (<i>Department for Transport</i>) to ensure its operation and development is not inhibited by proposed development and development plans. Aerodrome safeguarding covers but is not limited to:</p> <ul style="list-style-type: none"> Protecting the airspace around an aerodrome to ensure no buildings or structures cause danger to aircraft, either in the air or on the ground. This is achieved through both the 'Obstacle Limitation Surfaces' (OLS) and the 'Instrument Flight Procedure' (IFP) protected surfaces. Protecting the integrity of Safety Critical Equipment used for Air Traffic Management, this is done by carrying out Physical and Spectrum Safeguarding of: radio equipment, communication and working practices including the use of portable management radio sets, Radar, instrument landing systems and other electronic aids to navigation (<i>technical safeguarding</i>). 	Comments noted.	No change.

			<ul style="list-style-type: none"> • Preventing confusion of lights with Aeronautical Lighting, such as approach and runway lighting. • Minimising bird activity which poses a serious threat to flight safety and any increased wildlife strike risk. • Continued safe aerodrome operation from interference by any planned construction or construction processes (e.g. dust/smoke, temporary lighting or construction equipment etc.). • All use of cranes or any other tall construction equipment. • Protecting aircraft from the risk of collision with obstacles. • Any potential to distract pilots and air traffic controllers e.g. lighting, pyrotechnics, lasers etc. that can be seen by pilots on take-off and landing or in view of the Air Traffic Control tower. • Impact of installation of solar farms and wind turbines. <p>Birmingham Airport should be consulted on any planned development that may impact aerodrome safeguarding.</p>		
	Coventry Society	General point	<p>The policy associated with this SPD is particularly weak, requiring nothing more than compliance with the Building Regs "as a minimum". As developments are required to meet the Building Regs anyway, it is clear that the policy lacks ambition. Having said that, the Society feels that the SPD makes a positive contribution to the aim of creating sustainable development in the city. The SPD sets out the requirement for meeting both the requirements of the policy but also, perhaps more importantly, other legislation and Government policy and it includes a very comprehensive description of current standards,</p>	<p>The policy to which this SPD is based may be subject to the Local Plan Review process.</p>	<p>No change.</p>

			certifications etc. The Society welcomes and supports this draft Supplementary Planning Document.		
	Ministry of Defence	General Point	Where development falls outside designated safeguarding zones the MOD may also have an interest, particularly where the development is of a type likely to have an impact on operational capability. Examples of this type of development are the installation of renewable energy generation systems and their associated infrastructure. The MOD has, in principle, no issue or objection to renewable energy development though some methods of renewable energy generation, for example wind turbine generators or solar photo voltaic panels can, by virtue of their physical dimensions and properties, impact upon military aviation activities, cause obstruction to protected critical airspace encompassing military aerodromes, and impede the operation of safeguarded defence technical installations. Where turbines are erected in line of sight to defence radars and other types of defence technical installations, the rotating motion of their blades can degrade and cause interference to the effective operation of these types of installations with associated impacts upon aviation safety and operational capability. Planning Practice Guidance published on the Gov.uk website acknowledges the potential effect of wind turbine generators and directs developers and Local Planning Authorities to consult the MOD where a proposed turbine has a tip height of or exceeding 11m or has a rotor diameter of 2m or more. In summary, the MOD have no concerns or suggested amendments to the current draft of Coventry City Council's Energy Supplementary Planning	Comments noted.	No change.

			Document that forms the subject of the current consultation.		
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SEA Screening Opinion responses

Comment reference	Respondent / agent	Page / para reference	Consultation response (summary)	Officer response	Proposed change to SPD
	Historic England	SEA Screening Opinion	With regard to the Energy SPD SEA Screening Opinion, in terms of Historic England's area of interest, given the nature of the SPD, we would concur with your assessment that the document is unlikely to result in any significant environmental effects and will simply provide additional guidance on existing Policies contained within the adopted Coventry City Council Local Plan which has already been subject to a Sustainability Appraisal/SEA. As a result, we would endorse the Authority's conclusions that it is not necessary to undertake a Strategic Environmental Assessment of this particular SPD. However, the views of the other three statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made.	Agreed.	No change.

	Natural England	SEA Screening Opinion	It is our advice, on the basis of the material supplied with the consultations, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plans. Natural England therefore agrees with your conclusions that an SEA is not required for the separate SPD's.	Agreed.	No change.
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**Strategic Environmental Assessment of the Energy
Supplementary Planning Document**

Coventry City Council

Strategic Environmental Assessment Screening Assessment

February 2022

1. Introduction

- 1.1 This screening report has been produced to consider whether the Energy Supplementary Planning Document (SPD) prepared by Coventry City Council should be subject to a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, as amended by The Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations.
- 1.2 Paragraph: 008 of the Planning Guidance¹ states that supplementary planning documents may in exceptional circumstances require SEA if they are likely to have significant environmental effects that have not already been assessed during the preparation of the relevant strategic policies. This screening statement considers whether there are any impacts which have not already been assessed within the Coventry Local Plan which was adopted on 6th December 2017², and determines whether or not SEA is needed for this SPD.

2. The Energy SPD: Context

- 2.1 The Draft Energy SPD sets out further detail on existing policies contained within the Coventry City Council Local Plan. The Local Plan is the City Council's statutory planning framework which sets out how and where new homes, jobs, services and infrastructure will be delivered and the type of places and environments that will be created, enhanced and protected.
- 2.2 Providing further guidance on building standards as they relate to carbon reduction and climate change over the Plan period to 2031 is a key commitment set out in Policy EM2 (Building Standards) of the adopted Coventry Local Plan. The aim of this SPD is to provide technical guidance on energy standards and requirements to improve the environmental sustainability of new development in the city.
- 2.3 The additional guidance provided within the SPD aims to provide clear information for applicants about policy requirements and expectations, clearly set out what detail the council expects developers to provide to assist the decision – making process and to encourage developers to promote excellence and best practice in sustainable development.

3. The Screening Process

- 3.1 The screening assessment is undertaken in two parts: the first will assess whether the SPD requires screening for SEA and the second part of the assessment will consider

¹ Reference ID: 11-008-20140306

² <https://www.coventry.gov.uk/localplan>

whether the SPD is likely to have a significant effect on the environment, using criteria drawn from Schedule 1 of the SEA Regulations.

Table 1: Is SEA screening required?

Environmental Regulations Paragraph detail	Comments
<p>2.(1) In these Regulations- [...] "plans and programmes" means plans and programmes, including those co-financed by the European Community, as well as any modifications to them, which— (a) are subject to preparation and adoption by an authority at national, regional or local level; (b) are prepared by an authority for adoption, through a legislative procedure by Parliament or Government; and, in either case, (c) are required by legislative, regulatory or administrative provisions</p>	<p>Yes, this applies.</p> <p>The SPD is subject to preparation and adoption at local level. Whilst the SPD is not a requirement and is optional under the provisions of the Town and Country Planning Act it will, if adopted, supplement the development plan and be a material consideration in the assessment of planning applications.</p>
<p><u>Environmental assessment for plans and programmes; first formal preparatory act on or after 21st July 2004</u> 5.(2) The description is a plan or programme which— (a) is prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, and (b) sets the framework for future development consent of projects listed in Annex I or II Directive 2011/92/EU(4) of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment.</p>	<p>Yes, this applies.</p> <p>The SPD is prepared for town and country planning purposes. It supplements the planning policy framework of the Coventry City Local Plan, by providing detailed guidance as to how these policies are interpreted for future consent of projects listed in Schedule II of Directive 2011/92/EU(4).</p>
<p>3) The description is a plan or programme which, in view of the likely effect on sites, has been determined to</p>	<p>No this does not apply.</p> <p>The SPD is not likely to affect sites and has been determined not to require an</p>

<p>require an assessment pursuant to Article 6 or 7 of the Habitats Directive.</p>	<p>assessment pursuant to any law that implemented Article 6 or 7 of the Habitats Directive.</p> <p>Habitat Regulations Assessment is not required. The Habitat Regulation Assessment undertaken in 2016 for the Coventry City Local Plan concluded that the plan would not cause a negative effect alone or in combination with other plans. The SPD does not provide any guidance which alters the impact of the policy on designated sites.</p>
<p>6) An environmental assessment need not be carried out— (a)for a plan or programme of the description set out in paragraph (2) or (3) which determines the use of a small area at local level, or (b)for a minor modification to a plan or programme of the description set out in either of those paragraphs,</p>	<p>Yes, this applies.</p> <p>The SPD provides further detail on the implementation of energy policy within the adopted Local Plan. This applies to the whole administrative area of Coventry City Council.</p>
<p><u>Determinations of the responsible authority³</u> 9.—(1) The responsible authority shall determine whether or not a plan, programme or modification of a description referred to in— (a)paragraph (4)(a) and (b) of regulation 5; (b)paragraph (6)(a) of that regulation; or (c)paragraph (6)(b) of that regulation, is likely to have significant environmental effects. (2) Before making a determination under paragraph (1) the responsible authority shall— (a)take into account the criteria specified in Schedule 1 to these Regulations; and (b)consult the consultation bodies.</p>	<p>This screening opinion has been prepared using the criteria specified in Schedule 1 as presented in Table 2.</p> <p>The statutory bodies (Natural England, Historic England and the Environment Agency) are to be consulted as required.</p>

³ “Responsible authority”, in relation to a plan or programme, means the authority by which or on whose behalf it is prepared (Regulation 2(1)(a))

Table 2: will the SPD have a significant effect on the environment⁴

SEA requirement	Comments
1: The characteristics of plans and programmes, having regard, in particular, to	
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The SPD has a minor role in setting the framework for projects. While the SPD forms a material consideration in decisions on planning applications, it has no influence on the location or volume of projects nor does it allocate resources.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The SPD does not create new policies but will support the policies in the adopted Local Plan. Other plans and programmes may outlive the SPD and during their preparation will be steered by national legislation and policy.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The purpose of the SPD is to provide guidance to support the affordable housing policy of the adopted Local Plan. The Local Plan SA/SEA assessed this. The purpose of the SPD is to ensure these beneficial impacts of that policy are delivered and maintained which contributes to promoting sustainable development.
(d) environmental problems relevant to the plan or programme; and	There are no environmental problems relevant to this SPD: it elaborates adopted Local Plan policy.
(e) the relevance of the plan or programme for the implementation of retained EU law on the environment (for example, plans and programmes linked to waste management or water protection).	The SPD has no relevance to the implementation of retained EU law.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—	
(a) the probability, duration, frequency and reversibility of the effects;	The SPD is not allocating sites for development. The SPD is to provide guidance for the application and implementation of the policies in

⁴ As set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004

	the adopted Local Plan and is not expected to give rise to any significant environmental effects.
(b) the cumulative nature of the effects;	The SPD is not considered to have any significant cumulative effects. As the document provides further guidance to adopted local plan policies, but does not set policies itself, it cannot contribute to cumulative impacts in combination with the Local Plan.
(c) the transboundary nature of the effects;	There are no transboundary effects as this SPD relates to the Coventry City Council area only. Any potential significant transboundary environmental effects have already been assessed as part of the local plan's sustainability appraisal, the Habitat Regulations Assessment and the plan's examination process.
d) the risks to human health or the environment (for example, due to accidents);	The SPD poses no risk to human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The SPD relates to Coventry City Council's administrative area only.
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use;	The SPD relates to the Coventry City Council area only; as no development is proposed via the SPD, which elaborates on existing policy, none of these are likely to be affected by the SPD. Any site-specific matters would be addressed through a planning application specific to an individual proposal.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	The SPD relates to the Coventry City Council area only; as no development is proposed via the SPD, which elaborates on existing policy, none of these matters are likely to be affected by the SPD. Any site-specific matters would be addressed through a planning application specific to an individual proposal.

4. Conclusion and Screening Recommendation

4.1 This screening assessment identifies that the SPD will provide guidance to support the Policy EM2 (building standards) of the Coventry City Council adopted Local Plan. It is concluded that the SPD is unlikely to have significant environmental effects and therefore that Strategic Environmental Assessment is not required. The three statutory bodies (Natural England, Historic England and the Environment Agency) were consulted between 30th November 2021 and 18th January 2022. Natural England and Historic England confirmed that SEA is not required. No response was received from the Environment Agency.

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+Title of EIA		EIA Energy SPD
EIA Author	Name	Clare Eggington
	Position	Principal Town Planner (Planning Policy)
	Date of completion	04/02/2022
Head of Service	Name	David Butler
	Position	Head of Planning Policy and Environment
Cabinet Member	Name	Councillor David Welsh
	Portfolio	Housing and Communities

EIA	<ul style="list-style-type: none"> • Having identified an EIA is required, ensure that the EIA form is completed as early as possible. • Any advice or guidance can be obtained by contacting Jaspal Mann (Equalities) or Hannah Watts (Health Inequalities)
Sign Off	<ul style="list-style-type: none"> • Brief the relevant Head of Service/Director/Elected Member for sign off • Have the EIA Form ready for consultation if it is required • Amend according to consultation feedback and brief decision makers of any changes
Action	<ul style="list-style-type: none"> • Implement project / changes or finalise policy/strategy/contract • Monitor equalities impact and mitigations as evidence of duty of care

PLEASE REFER TO [EIA GUIDANCE](#) FOR ADVICE ON COMPLETING THIS FORM

SECTION 1 – Context & Background

1.1 Please tick one of the following options:

This EIA is being carried out on:

New policy / strategy

New service

Review of policy / strategy

Review of service

Commissioning

Other project (please give details) *Supplementary Planning Document for Energy*



1.2 In summary, what is the background to this EIA?

The Energy Supplementary Planning Document (SPD) adds further details to the Local Plan which was adopted on 6th December 2017 and for which EIA was undertaken. SPDs do not introduce new policy, but provide further detail and guidance to enable the delivery of adopted policies.

Providing further guidance on building standards as they relate to carbon reduction and climate change over the Plan period to 2031 is a key commitment set out in Policy EM2 (Building Standards) of the adopted Coventry Local Plan. The aim of this SPD is to provide technical guidance on energy standards and requirements to improve the environmental sustainability of new development in the city.

The additional guidance provided within the SPD aims to provide clear information for applicants about policy requirements and expectations, clearly set out what detail the council expects developers to provide to assist the decision – making process and to encourage developers to promote excellence and best practice in sustainable development.

1.3 Who are the main stakeholders involved? Who will be affected?

Developers of proposed schemes which require planning applications, local communities including people who will live or work in the proposed developments, other stakeholders including those developing technologies to address climate change and those organisation involved in dealing with matters of climate change and sustainability.

1.4 Who will be responsible for implementing the findings of this EIA?

Coventry City Council Planning Policy Service

SECTION 2 – Consideration of Impact

Refer to guidance note for more detailed advice on completing this section.

In order to ensure that we do not discriminate in the way our activities are designed, developed and delivered, we must look at our duty to:

- Eliminate discrimination, harassment, victimisation and any other conflict that is prohibited by the Equality Act 2010
- Advance equality of opportunity between two persons who share a relevant protected characteristic and those who do not



- Foster good relations between persons who share a relevant protected characteristic and those who do not

2.1 Baseline data and information

Please include a summary of data analysis below, using both your own service level management information and also drawing comparisons with local data where necessary (go to

<https://www.coventry.gov.uk/factsaboutcoventry>)

The Local Plan was formulated using detailed evidence and information including the Building Regulations and Building for Life standards. The Local Plan was independently examined by a Planning Inspector to ensure that its policies were robust and formulated using appropriate evidence before it could be found sound and capable of adoption. Further detail on the Local Plan and the evidence base can be found here <https://www.coventry.gov.uk/localplan>

The additional guidance provided within the SPD aims to provide clear information for applicants about policy requirements and expectations, clearly set out what detail the council expects developers to provide to assist the decision – making process and to encourage developers to promote excellence and best practice in sustainable development

2.2 On the basis of evidence, complete the table below to show what the potential impact is for each of the protected groups.

- Positive impact (P),
- Negative impact (N)
- Both positive and negative impacts (PN)
- No impact (NI)
- Insufficient data (ID)

**Any impact on the Council workforce should be included under question 2.6 – not below*

Protected Characteristic	Impact type P, N, PN, NI or ID	Nature of impact and any mitigations required
Age 0-18	P	More efficient use of energy contributes to reduction in carbon emissions and addressing the impacts of climate change. The SPD is legally only allowed to provide further guidance to adopted policy, and is only able to encourage developers to follow its recommendations in terms of good practice so it is not possible to quality what the direct impact will be on this group. 19.5% of Coventry City Council residents are aged 15 and under and children and young people stand to gain the most benefit from the policies dealing with the implementation of sustainable energy practices over the long term.



Age 19-64	P	More efficient use of energy contributes to reduction in carbon emissions and addressing the impacts of climate change. The SPD is legally only allowed to provide further guidance to adopted policy, and is only able to encourage developers to follow its recommendations in terms of good practice so it is not possible to quality what the direct impact will be on this group. Coventry has a higher than average number of residents of working age (67% compared to 61.7% for the West Midlands and 62.4% for England) however so it stands to reason that a significant portion of the population will positively benefit from the implementation of policies which encourage sustainable energy practices. This is especially pertinent for those households currently identified as being in fuel poverty: 2019 figures show that at 18.8% overall this is significantly above the regional average of 17.5 % and 13.4% for England.
Age 65+	P	13.5% of Coventry’s population are aged 65+ (compared to 18.6% and 18.4% for the West Midlands and England respectively). As above, all sectors of the population will benefit from more sustainable energy practices although because of the scope of the SPD it is not possible to quantify this. See above regarding comments on fuel poverty which also applies here.
Disability	ID	Whilst individuals and households are likely to benefit from more sustainable energy practices the scope of the SPD is limited and it is not possible to quantify direct impacts with regard to this protected characteristic.
Gender reassignment	ID	Whilst individuals and households are likely to benefit from more sustainable energy practices the scope of the SPD is limited and it is not possible to quantify direct impacts with regard to this protected characteristic.
Marriage and Civil Partnership	ID	Whilst individuals and households are likely to benefit from more sustainable energy practices the scope of the SPD is limited and it is not possible to quantify direct impacts with regard to this protected characteristic.
Pregnancy and maternity	ID	Whilst individuals and households are likely to benefit from more sustainable energy practices the scope of the SPD is limited and it is not possible to quantify direct impacts with regard to this protected characteristic.
Race (Including: colour, nationality, citizenship ethnic or national origins)	ID	Whilst individuals and households are likely to benefit from more sustainable energy practices the scope of the SPD is limited and it is not possible to quantify direct impacts with regard to this protected characteristic.



Religion and belief	ID	Whilst individuals and households are likely to benefit from more sustainable energy practices the scope of the SPD is limited and it is not possible to quantify direct impacts with regard to this protected characteristic.
Sex	ID	Whilst individuals and households are likely to benefit from more sustainable energy practices the scope of the SPD is limited and it is not possible to quantify direct impacts with regard to this protected characteristic.
Sexual orientation	ID	Whilst individuals and households are likely to benefit from more sustainable energy practices the scope of the SPD is limited and it is not possible to quantify direct impacts with regard to this protected characteristic.

HEALTH INEQUALITIES

2.3	<p>Health inequalities (HI) are unjust differences in health and wellbeing between different groups of people which arise because of the conditions in which we are born, grow, live, work and age. These conditions influence our opportunities for good health, and result in stark differences in how long we live and how many years we live in good health.</p> <p>Many issues can have an impact: income, unemployment, work conditions, education and skills, our living situation, individual characteristics and experiences, such as age, gender, disability and ethnicity</p> <p>A wide range of services can make a difference to reducing health inequalities. Whether you work with children and young people, design roads or infrastructure, support people into employment or deal with welfare benefits – policy decisions and strategies can help to reduce health inequalities</p> <p>Please answer the questions below to help identify if the area of work will have any impact on health inequalities, positive or negative.</p> <p>If you need assistance in completing this section please contact: Hannah Watts (hannah.watts@coventry.gov.uk) in Public Health for more information. More details and worked examples can be found at https://coventrycc.sharepoint.com/Info/Pages/What-is-an-Equality-Impact-Assessment-(EIA).aspx</p>	
Question	Issues to consider	
2.3a What HIs exist in relation to your work / plan / strategy	<ul style="list-style-type: none"> Explore existing data sources on the distribution of health across different population groups (<i>examples of where to find data to be included in support materials</i>) 	



	<ul style="list-style-type: none"> • Consider protected characteristics and different dimensions of HI such as socio-economic status or geographical deprivation
	<p>Response:</p> <p>The Energy SPD supplements the policies of the adopted Local Plan which was subject to Health Impact Assessment. The Health and Wellbeing chapter of the plan, which includes Policy HW1, requires Health Impact Assessments for particular types and scale of development where there could be significant impacts. See https://www.coventry.gov.uk/localplan This was supplemented by a Health Impact Assessment SPD which provided further detail and guidance including that in relation to climate change. See https://www.coventry.gov.uk/downloads/file/28900/health_impact_assessment_spd</p>
<p>2.3b How might your work affect HI (positively or negatively).</p> <p>How might your work address the needs of different groups that share protected characteristics</p>	<p>Consider and answer below:</p> <ul style="list-style-type: none"> • Think about whether outcomes vary across groups and who benefits the most and least, for example, the outcome for a woman on a low income may be different to the outcome for a woman a high income • Consider what the unintended consequences of your work might be
	<p>Response:</p> <p>a. Potential outcomes including impact based on socio-economic status or geographical deprivation</p> <p>The Health Impact Assessment SPD referred to above states (pages 18 / 19):</p> <p>‘There is a clear link between climate change and health. Coventry is a Marmot City and the Marmot Review is clear that local areas should prioritise policies and interventions that ‘reduce health inequalities and mitigate climate change’ because of the likelihood that people with the poorest health would be hit hardest by the impacts of climate change.</p> <p>The planning system is at the forefront of both trying to reduce carbon emissions and to adapt urban environments to cope with higher temperatures, more uncertain rainfall, and more extreme weather events and their impacts such as flooding. Poorly</p>



designed homes can lead to fuel poverty in winter and overheating in summer, contributing to excess winter and summer deaths. Developments that take advantage of sunlight, tree planting and accessible green/brown roofs have the potential to contribute towards the mental wellbeing of residents, as well as their physical wellbeing.

Proposed developments can exacerbate the impacts of climate change by failing to consider relevant influences such as location, materials, designs or technologies that could help to reduce energy consumption or reduce the environmental impact of energy generation.

Proposed developments can help to reduce greenhouse gas emissions by requiring lower energy use in buildings and transport, and by encouraging renewable energy sources’.

The Energy SPD provides further guidance on how to practically address these matters.

b. Potential outcomes impact on specific socially excluded or vulnerable groups eg. people experiencing homelessness, prison leavers, young people leaving care, members of the armed forces community.

Please see above: the environmental impact of energy generation affects all groups.

2.4 Next steps - What specific actions will you take to address the potential equality impacts and health inequalities identified above?

This was considered through the Local Plan (the ‘parent document’), this document provides the detail to ensure the Local Plan policies can be delivered effectively

2.5 How will you monitor and evaluate the effect of this work?

The Local Plan already includes monitoring indicators.

2.6 Will there be any potential impacts on Council staff from protected groups?



No

You should only include the following data if this area of work will potentially have an impact on Council staff. This can be obtained from: lucille.buckley@coventry.gov.uk

Headcount:

Sex:

Female	
Male	

Age:

16-24	
25-34	
35-44	
45-54	
55-64	
65+	

Disability:

Disabled	
Not Disabled	
Prefer not to state	
Unknown	

Ethnicity:

White	
Black, Asian, Minority Ethnic	
Prefer not to state	
Unknown	

Religion:

Any other	
Buddhist	
Christian	
Hindu	
Jewish	
Muslim	
No religion	
Sikh	
Prefer not to state	
Unknown	

Sexual Orientation:

Heterosexual	
LGBT+	
Prefer not to state	
Unknown	

3.0 Completion Statement

As the appropriate Head of Service for this area, I confirm that the potential equality impact is as follows:

No impact has been identified for one or more protected groups



- Positive impact has been identified for one or more protected groups
- Negative impact has been identified for one or more protected groups
- Both positive and negative impact has been identified for one or more protected groups

4.0 Approval

Signed: Head of Service: David Butler	Date: 02/09/2021
Name of Director: Andrew Walster	Date sent to Director: 02/09/2021
Name of Lead Elected Member: Councillor David Welsh	Date sent to Councillor: 02/09/2021

Email completed EIA to equality@coventry.gov.uk

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