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Reference:

Date: 16th December 2015

Dear Ms Ford,

Please accept these comments in response to the recent consultation on a range of Local Plan documents relating to Nuneaton and Bedworth Borough Council. For the avoidance of doubt these include:

- The Nuneaton and Bedworth Borough Council Statement of Community Involvement (SCI);
- The Submission draft of the Borough Plan;
- Gypsy and Traveller and Travelling Show People Site Allocations DPD;
- Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule;
- Updated Local Development Scheme (LDS).

The Statement of Community Involvement

We note the reference in paragraph 2.3 of the SCI which refers to neighbouring authorities as key stakeholders in discharging the Duty to Cooperate. For the avoidance of doubt however, we would request that such a reference is added to Appendix A.

The Submission Draft of the Borough Plan

Duty to Cooperate and Housing Needs

We recognise that over the last few years the Borough Council has taken part in a host of Duty to Cooperate activity with a view to engaging on an active, constructive and on-going basis with the other authorities in the Coventry and Warwickshire HMA. Above all else this has related to the development of a Joint Strategic Housing Market Assessment (SHMA) as well as a number of additional evidence documents and attendance at monthly Duty to Cooperate meetings across the sub-region. As such, we are of the view that the Borough Council have sought to satisfy the legal responsibilities under the Duty to Cooperate.

In this context we welcome the use of the most up to date SHMA work that has been developed for the HMA to help inform the Boroughs Objectively Assessed Need for Housing. Furthermore we support Para 5.8 of the Borough Plan (alongside other references in the plan and supporting information) that recognises that Coventry “are unlikely to be able to meet the objectively

assessed need for the city within their boundaries and so some redistribution within the HMA is likely to ensure housing needs are met". We would clarify however, that this is not a case of such an event being "unlikely", it is an accepted fact that has been communicated by the city for some time, and indeed recognised by the Borough Council on a number of occasions:

- Coventry City Council was a signatory to the 'Strategic Policy Framework for the West Midlands Metropolitan Area' published March 2012 – which highlighted that the Cities of Coventry and Birmingham would not be able to meet their full needs within their own boundaries.
- The city further communicated this fact in response to the Borough Council's Preferred Options consultation (August 2013).
- Recommendation 2 of a report presented to the Shadow Economic Prosperity Board (sEPB) (21st November 2014) made specific "recognition that Coventry City will not be able to accommodate the housing levels indicated in the Joint SHMA". This report was endorsed by Nuneaton and Bedworth at this meeting.
- The sEPB report was subsequently endorsed by Nuneaton and Bedworth Borough Council at the meeting of its Cabinet on the 4th February 2015.

It is clear therefore that the Borough Council have been aware of the housing need issues originating from the city for some time; however this plan does not make any positive attempts to help meet that need or justify that it cannot be accommodated. Instead it suggests a further round of "focused consultation" may be required subject to the completion of further work on the Borough's Strategic Housing Land Availability Assessment (SHLAA).

In this context, the Borough Council will be aware of recent recommendations and issues raised by the Inspectors of the Warwick and Stratford Local Plans:

- a. Warwick made bold attempts to contribute towards some of the unmet need arising from the City. Their Inspector highlighted however the importance of the current round of plans to fully meet the needs of the HMA. As such, he recommended the plan be withdrawn in order to fully deal with the needs across the whole HMA now and not as part of a review. The implications of this recommendation are considered relevant to all authorities within the HMA and provided the basis for developing the Memorandum of Understanding on housing numbers over the summer of 2015, which NBBC were part of developing.
- b. Stratford's Core Strategy did not make initial proposals to deal with unmet need arising from other areas; however their Inspector has requested the development of a Reserved Sites policy to be tested through consultation and further examination and which is to be developed through a site allocations plan. This examination remains open and it is unclear at this time how such proposals will be received.

The way the plan is presented therefore fails to recognise recent issues which have arisen within the HMA whilst also explicitly recognising (at Para 5.8 for example) that the evidence base which informs the plan is incomplete and out of date. This relates most importantly to the SHLAA and the housing capacity of the Borough. Other than an initial redistribution of housing need to support the alignment of housing and economic growth in the Borough, it has not attempted to meet any of the city's unmet need now, attempt to justify a lack of capacity, or give consideration to a reserved sites option similar to Stratford. As such, the plan has not been positively prepared. This creates real risks for other strategic aspects of the plan, most notably around infrastructure

and potentially the Duty to Cooperate. It also creates issues around the testing of reasonable alternatives in terms of housing capacity and strategic sites. It cannot be confirmed with any degree of confidence therefore that the Sustainability Appraisal is complete and robust.

We would however welcome the opportunity to continue working positively and proactively with the Borough Council to rectify the issues with the plan as it is currently presented. We welcome the recognition of a need to utilise the joint SHLAA methodology which was approved across the sub-region in March 2015 to provide the most up to date and robust assessment of housing land capacity.

We also highlight the recent Memorandum of Understanding which was presented to the Shadow Economic Prosperity Board in September 2015, which proposed a robust and justified methodology for redistributing the City's unmet housing need. We note that NBBC appear to have accepted the first element of this methodology in so far as it relates to the alignment of economic growth, demographic projections and objectively assessed housing needs, but have not yet signed the MoU. This MoU was agreed by the 5 other authorities and we would encourage NBBC to review their decision not to sign up to this agreement once the SHLAA update is complete. We append a copy of the MoU to this letter for ease of reference.

Employment Allocations and Settlement Hierarchy

In relation to policy NB3, we are of the view that land within Nuneaton and Bedworth Borough, but which adjoins the city's urban boundaries, should be identified within the settlement hierarchy. We welcome the reference in the supporting text, however believe this is not strong enough and should be included in the policy. This would reflect the urban relationships that exist between Coventry City and Nuneaton and Bedworth Borough, the need to consider additional capacity that originates from the city and the wider proposals in the Borough Plan.

In this context we welcome in principle the proposed employment allocations at Pro-Logis Park Keresley and the land east of the A444 (south of the M6) identified in policy NB2. Given these proposals sit on the city's administrative boundary and would reflect a planned extension to its urban area however we would welcome some dialogue to help understand the potential impacts and benefits that may exist to the city as a result of these. This is particularly in relation to infrastructure implications, especially along the A444. These allocations also amplify why the edge of Coventry should be included within the settlement hierarchy set out in policy NB3. Failure to do so risks conflict between policies NB2 and the NB3.

Summary in relation to the emerging Borough Plan

For the reasons set out above, it is with regret that the City Council is unable to support this version of the Borough Plan as it is currently presented. There are simply too many known unknowns that remain with the plan and we expect significant changes to be proposed in order for the plan to be found sound and robust. We therefore retain our right to provide further comments on specific policies and supporting text before the plan is submitted to the Secretary of State for examination. As such, we welcome the suggestion of further consultation and look forward to continuing to work with the Borough Council to secure a plan which meets the soundness tests set out in national guidance.

Gypsy and Traveller and Travelling Show People Site Allocations DPD.

The City Council notes the proposed allocation at site GB3 – Land at Burbages Lane, Ash Green for 15 pitches. The City Council does not object in principle to the proposed allocation and recognises the importance of meeting the needs of the community in the most appropriate and sustainable way.

We would however seek clarity around the extent of the allocation as the text appears to suggest that a bigger site to the one shown on the map could be considered subject to LWS designation and Green Belt policy. As the wider area is not shown it is unclear what impact this could have on the city. In this context we would welcome dialogue with the Borough Council given the site sits just 75m from the city boundary and could potentially impact on the strategic area of Green Belt that prevents the full coalescence of Ash Green with northern Coventry.

We would also draw attention to a settled Gypsy and Traveller site situated within Coventry's boundary and approximately 125m south of the proposed allocation on Burbages Lane. We would request that the Borough Council engage with the occupants of this site in relation to this proposal.

CIL Preliminary Draft Charging Schedule

We provide no detailed comments at this stage, but would recommend that the Borough Council continue to engage fully with neighbouring authorities and the C&WLEP in relation to CIL charging and strategic infrastructure. This may be particularly pertinent for the Borough's Infrastructure Delivery Plan and the delivery of sites that sit adjacent to the City Boundary.

Updated Local Development Scheme

For the reasons set out in the response to the Borough Plan, we welcome the recognition in the proposed Borough Plan timetable for further consultation in February and March 2016.

Conclusions

The City Council hopes that these comments are useful in helping the Borough Council continue the development of its Borough Plan and other documents. The City Council looks forward to working with the Borough Council to continue discharging the Duty to Cooperate and move towards the positive adoption of Local Plans for both authorities.

Yours sincerely



Mark Andrews
Planning Policy Manager

Appended – MOU for Housing Requirements across Coventry and Warwickshire