



North Warwickshire
Borough Council

Core Strategy
Main Modifications
Representation Form

Ref:

CSMM11

(for official use)

Please return to North Warwickshire Borough Council by **21st August 2014**

PLEASE USE THIS FORM TO RESPOND TO THE MAIN MODIFICATIONS ON THE CORE STRATEGY ONLY

The Council are seeking comments on the Modifications to the Core Strategy, following the Examination in Public (January 2014). The changes are proposed by the Inspector to address issues of legal compliance and soundness and we are only able to accept representation on these matters.

Please send us your comments no later than 5:00pm by the **21st August 2014** to the following address: Forward Planning Team, Chief Executives Division, Council Offices, South Street, Atherstone, Warwickshire, CV9 1DE or email planningpolicy@northwarks.gov.uk

Any representation received will be a public document, all details of which will be stored on a database, and made available for inspection at the council's offices and on the council's website

Please provide your details below.

(If you are an agent please provide both your details as well as your clients.)

Name: Mark Harrison

Organisation (if applicable): The Coal Authority

Address: 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire NG18 4RG

Email: planningconsultation@coal.gov.uk

Q1. Please give the Main Modification reference number that your representation relates to
(use a separate sheet for each representation and each modification)

Modification Reference

MM3

Q2. Do you consider the Main Modifications to be Legally Compliant?

YES

NO

Q3. If you consider the Proposed Main Modifications to be Unsound, please identify which test of soundness your comments relate to?

Positively prepared

Effective

Justified

Consistent with National Policy

- Q4. Please give details of why you consider the Main Modifications not to be legally compliant or unsound. Please be as precise as possible. If you wish to support Modifications please also use the box below to set out your comments.

The Coal Authority is pleased to note the inclusion of MM3, which amends the final sentence of paragraph 1.8 of the Core Strategy to bring clarity to the fact that the Borough Council is not the Mineral Planning Authority. This change reflects the discussions at the Examination, at which the Coal Authority sought the removal of a number of references from the Core Strategy to the Borough Council not supporting surface coal mining activities within North Warwickshire. The Inspector's view at Examination appeared to be that the Borough Council was entitled to set the scene with regard to local political objection to any further mining activity, but that the final sentence of paragraph 1.8 did misleadingly give the impression that the Borough Council determined mineral planning applications. The proposed amendment helps to clarify that, whilst the Borough Council may not support planning applications for surface coal mining, Warwickshire County Council would be the decision maker.

Whilst not directly part of this Main Modifications consultation, The Coal Authority is disappointed to note that a similar modification does not appear to have been proposed to paragraph 2.14. The wording of the final sentence is unreasonable and contrary to paragraph 143 of the NPPF, which requires all LPAs (not just MPAs) to encourage the prior extraction of minerals. The Coal Authority originally sought deletion of this sentence on the basis that the Borough Council is not the MPA, but as the Inspector indicated at Examination that the Borough Council is entitled to set the scene within the Core Strategy regarding its view on mineral planning, we instead propose the following minor modification below to help address our concerns.

(Continue on a separate sheet/expand box if necessary. Mark any additional pages with your name and address)

- Q5 Please set out what change(s) you consider necessary to make the Main Modifications legally compliant or sound, having regard to the test you have identified above. You will need to say why this change will make the Main Modifications legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Whilst the Coal Authority is broadly satisfied with the proposed modification MM3, in isolation this modification will not be effective without the following complementary change to the final sentence of paragraph 2.14:

"In terms of the coal reserves from the Northern Warwickshire Coalfield the Council will not support surface mining operations ~~especially where it will have a direct effect on~~ that would have an adverse effect on local residents and an adverse environmental impact."

Without the above change, the Coal Authority considers that the Core Strategy sets out an unreasonable position, indicating that the Borough Council would oppose all surface coal mining applications to the MPA, which would apply even in such circumstances where the proposal accords with all national and local policy. Such an approach would be contrary to paragraph 143 of the NPPF, which requires all LPAs to encourage the prior extraction of minerals. The Coal Authority considers that the above change would strike an appropriate balance in setting out the local political opposition to surface coal mining without being unreasonable and contrary to national planning policy.

(Continue on a separate sheet/expand box if necessary. Mark any additional pages with your name and address)



North Warwickshire
Borough Council

Core Strategy
Main Modifications
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Ref:

CSMM12

(for official use)

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Please provide your details below.

(If you are an agent please provide both your details as well as your clients.)

Name: Justin Milward

Organisation (if applicable): Woodland Trust

Address: Jayrise, Butcombe, Bristol BS40 7UT

Email: justinmilward@woodlandtrust.org.uk

Q1. Please give the Main Modification reference number that your representation relates to (use a separate sheet for each representation and each modification)

Modification Reference

MM62 (first objection)

Q2. Do you consider the Main Modifications to be Legally Compliant?

YES YES

NO

Q3. If you consider the Proposed Main Modifications to be Unsound, please identify which test of soundness your comments relate to?

Positively prepared

Effective

No

Justified

Consistent with National Policy

No

- Q4. Please give details of why you consider the Main Modifications not to be legally compliant or unsound. Please be as precise as possible. If you wish to support Modifications please also use the box below to set out your comments.

We consider Policy NW12 (first paragraph) to be unsound because it still does not conform to national planning policy. Ancient woodland, together with ancient/veteran trees, represents an irreplaceable semi natural habitat that still does not benefit from absolute statutory protection.

With only 2.4% of the land area in Great Britain and, for instance, an above average 2.89% of North Warwickshire BC, covered by ancient woodland, we cannot afford any more of this finite resource to be lost forever in the locality.

North Warwickshire also contains a number of ancient trees, of which many may not yet be formally recorded, and the Woodland Trust and Ancient Tree Forum are running a national project – the Ancient Tree Hunt - to identify and map ancient trees (<http://www.ancientreehunt.org.uk/>) so they can be protected and enhanced for the benefit of all. This has already revealed a number of ancient trees, such as, for instance, the ancient Hornbeam near Caldicote Church.

[CONTINUATION – SEE ATTACHMENT c].

- Q5 Please set out what change(s) you consider necessary to make the Main Modifications legally compliant or sound, having regard to the test you have identified above. You will need to say why this change will make the Main Modifications legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

We would therefore like to see the last sentence of the 1st paragraph of Policy NW12 amended to remove the caveat wording – “*Development will be resisted where it leads to the loss of irreplaceable habitats and features, such as ancient woodland or veteran trees*”.

This absolute protection for ancient woodland would then reflect national planning policy and make the policy sound.



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Name: Justin Milward

Organisation (if applicable): Woodland Trust

Address: Jayrise, Butcombe, Bristol BS40 7UT

Email: justinmilward@woodlandtrust.org.uk

Q1. Please give the Main Modification reference number that your representation relates to
(use a separate sheet for each representation and each modification)

Modification Reference

MM62 (second objection)

Q2. Do you consider the Main Modifications to be Legally Compliant?

YES **YES** **NO**

Q3. If you consider the Proposed Main Modifications to be Unsound, please identify which test of soundness your comments relate to?

Positively prepared

Effective

 NO

Justified

 NO

Consistent with National Policy

 NO

- Q4. Please give details of why you consider the Main Modifications not to be legally compliant or unsound. Please be as precise as possible. If you wish to support Modifications please also use the box below to set out your comments.

We are objecting to the proposed insertion to the fourth paragraph of Policy NW12 of the words "*and finally seeking positive enhancement wherever possible*". Whilst we support positive enhancement, we consider that it does not reflect national policy, and we would therefore like to see this sentence refer to HABITAT EXPANSION like woodland creation.

[CONTINUATION – SEE ATTACHMENT c].

- Q5 Please set out what change(s) you consider necessary to make the Main Modifications legally compliant or sound, having regard to the test you have identified above. You will need to say why this change will make the Main Modifications legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

In order to make the Policy NW12 of the Core Strategy sound, we would suggest that the proposed insertion to the fourth paragraph of Policy NW12 is amended to read: "*and finally seeking opportunities for priority habitat expansion, such as woodland creation, wherever possible.*"

North Warwickshire Borough Council - MAIN MODIFICATIONS ON THE CORE STRATEGY June 2014

Modification NO. MM 62 (first objection)/Q4 cont'd

Every ancient wood is a unique habitat that has evolved over centuries, with a complex interdependency of geology, soils, hydrology, flora and fauna. This requires absolute protection in accordance with national policy as set out below.

The National Policy Planning Framework clearly states: "...planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland..." (DCLG, March 2012, para 118).

However this NPPF wording should now be considered in conjunction with other - stronger - national policies on ancient woodland -

- The Government's policy document 'Keepers of Time – A statement of Policy for England's Ancient & Native Woodland' (Defra/Forestry Commission, 2005, p.10) states: 'The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland'.
- The Government's Independent Panel on Forestry states: 'Government should reconfirm the policy approach set out in the Open Habitats Policy and Ancient Woodland Policy (Keepers of Time – A statement of policy for England's ancient and native woodland).....Reflect the value of ancient woodlands, trees of special interest, for example veteran trees, and other priority habitats in Local Plans, and refuse planning permission for developments that would have an adverse impact on them.' (Defra, Final Report, July 2012). This has been endorsed by the response in the recent Government Forestry Policy Statement (Defra Jan 2013): 'We recognise the value of our native and ancient woodland and the importance of restoring open habitats as well as the need to restore plantations on ancient woodland sites. We, therefore, confirm our commitment to the policies set out in both the Open Habitats Policy and Keepers of Time, our statement of policy for England's ancient and native woodland'.
- The Government's Natural Environment White Paper – The Natural Choice: securing the value of nature (HM Government, July 2011, para 2.56) states that: 'The Government is committed to providing appropriate protection to ancient woodlands....'.
- The Biodiversity Strategy for England (Biodiversity 2020: A Strategy for England's Wildlife & Ecosystem Services, Defra 2011, see 'Forestry' para 2.16) states that – 'We are committed to providing appropriate protection to ancient woodlands and to more restoration of plantations on ancient woodland site'.

A good example of good Local Authority policy on ancient woodland is provided by North Somerset Council Core Strategy Adopted April 2012 -

'Policy CS4: Nature conservation

North Somerset contains outstanding wildlife habitats and species. These include limestone grasslands, traditional orchards, wetlands, rhynes, commons, hedgerows, ancient woodlands and the Severn Estuary. Key species include rare horseshoe bats, otters, wildfowl and wading birds, slow-worms and water voles.

The biodiversity of North Somerset will be maintained and enhanced by:...

3) seeking to protect, connect and enhance important habitats, particularly designated sites, ancient woodlands and veteran trees'.

The Plan for Stafford Borough - Pre-submission publication: Jan 2013 states in Policy N5 that: 'New developments will be required to include appropriate tree planting, to retain and integrate healthy, mature trees and hedgerows, and replace any trees that need to be removed. Development will not be permitted that would directly or indirectly damage existing mature or ancient woodland, veteran trees or ancient or species-rich hedgerows'.

The Swindon Borough Local Plan 2026 (Pre-Submission Draft - Dec 2012) states in Policy EN1 Green Infrastructure Network that: 'New developments will be required to include appropriate tree planting, to retain and integrate healthy, mature trees and hedgerows, and replace any trees that need to be removed. Development will not be permitted that would directly or indirectly damage existing mature or ancient woodland, veteran trees or ancient or species-rich hedgerows'.

Modification NO. MM 62 (second objection)/Q4 cont'd

The **National Planning Policy Framework (NPPF)** supports the need for more habitat creation by stating that: '*Local planning authorities should: set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure*', (DCLG, March 2012, para 114). Also para 117 states that: '*To minimise impacts on biodiversity and geodiversity, planning policies should:....promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan*'.

The **England Biodiversity Strategy** which makes it clear that expansion of priority habitats like native woodland remains a key aim – '*Priority action: Bring a greater proportion of our existing woodlands into sustainable management and expand the area of woodland in England*', (*Biodiversity 2020: A strategy for England's wildlife and ecosystems services*, DEFRA 2011, p.26).

A reading of these new policies in the National Planning Policy Framework together with the England Biodiversity Strategy indicates that habitat expansion, like native woodland creation, should form a high priority for this Strategic Policies document.

Woodland creation also forms a significant element in the conclusions of the Government's **Independent Panel on Forestry**, which states: *'Ensure woodland creation, tree planting and maintenance is part of the green space plan for new commercial and housing development'* (Defra, Final Report, July 2012). This has now been endorsed by the response in the recent **Government Forestry Policy Statement** (Defra Jan 2013): *'We believe that there is scope for increasing England's woodland cover significantly to deliver economic, social and environmental benefits. We want to see significantly more woodland in England. We believe that in many, although not all, landscapes more trees will deliver increased environmental, social and economic benefits. We particularly want to see more trees and woodlands in and around our towns and cities and wherethey can safeguard clean water, help manage flood risk or improve biodiversity'*.

-

The Woodland Trust believes that woodland creation is especially important because of the unique ability of woodland to deliver across a wide range of benefits – see our publication **Woodland Creation – why it matters**

<http://centrallobby.politicshome.com/fileadmin/epolitix/stakeholders/4117WoodandCreationbro.pdf>.

These include for both landscape and biodiversity (helping habitats become more robust to adapt to climate change, buffering and extending fragmented ancient woodland), for quality of life and climate change (amenity & recreation, public health, flood amelioration, urban cooling) and for the local economy (timber and woodfuel markets).

As a good example of other Local Plan policy, the **Adopted Teignbridge Local Plan 2013-2033** (May 2013) states in Policy **EN12 Woodlands, Trees and Hedgerows** (previously Trees and Hedgerows) that -

'Development should contribute to the protection and enhancement of

woodlands, trees and hedgerows in the area. The loss of woodland, healthy

trees and hedgerows with visual, historic or wildlife importance will be resisted.

Development proposals should:


a) incorporate important woodlands, trees and hedgerows into the overall design and landscape scheme wherever possible;

b) prevent damage to root systems and ensure a satisfactory spatial relationship between trees and hedgerows and new development, taking account of expected future growth;

c) where possible incorporate retained trees and hedgerows within public open space rather than private space to safeguard their long-term management;

d) *ensure protection measures before and during the development process and appropriate management and protection thereafter; and*

e) *take opportunities for new planting consistent with landscape, wildlife and historic interests'*

 <p>North Warwickshire Borough Council</p>	<p>Core Strategy Main Modifications Representation Form</p>	<p>Ref: CSmm13 (for official use)</p>
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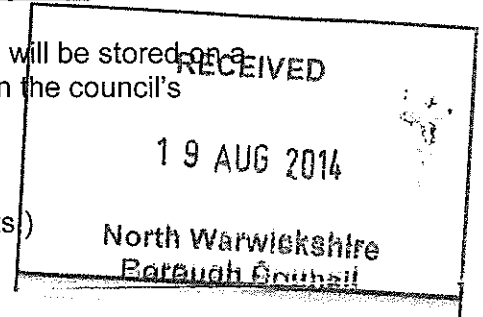
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Please provide your details below.
(If you are an agent please provide both your details as well as your clients)

Name: Mr A.M. Lloyd + Ms J. Djendic

Organisation (if applicable): A

Address: 106 Castle Road
Hartshill Nuneaton CV10 0SG

Email:

Q1. Please give the Main Modification reference number that your representation relates to (use a separate sheet for each representation and each modification)

Modification Reference Public notification

Q2. Do you consider the Main Modifications to be Legally Compliant?

YES NO

Q3. If you consider the Proposed Main Modifications to be Unsound, please identify which test of soundness your comments relate to?

Positively prepared Effective
Justified Consistent with National Policy

- Q4. Please give details of why you consider the Main Modifications not to be legally compliant or unsound. Please be as precise as possible. If you wish to support Modifications please also use the box below to set out your comments.


The lack of public notification on such an important issue, i.e. A letter to every household in the borough, not every body has access to the internet, or free papers, or moth talk.

(Continue on a separate sheet/expand box if necessary. Mark any additional pages with your name and address)

- Q5 Please set out what change(s) you consider necessary to make the Main Modifications legally compliant or sound, having regard to the text you have identified above. You will need to say why this change will make the Main Modifications legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

Public notification is not correct?

(Continue on a separate sheet/expand box if necessary. Mark any additional pages with your name and address)

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Please provide your details below.
(If you are an agent please provide both your details as well as your clients.)

Name: Mrs Sarah DeRenzy-Tomson on behalf of Wingfield Digby Settled Estate

Organisation (if applicable): Fisher German LLP

Address: St Helens Court, North Street, Ashby de la Zouch, Leicestershire LE65 1HS

Email: sarah.derenzy-tomson@fishergerman.co.uk

Q1. Please give the Main Modification reference number that your representation relates to
(use a separate sheet for each representation and each modification)

Modification Reference

MM15

Q2. Do you consider the Main Modifications to be Legally Compliant?

YES X **NO**

Q3. If you consider the Proposed Main Modifications to be Unsound, please identify which test of soundness your comments relate to?

Positively prepared	<input type="checkbox"/>	Effective	<input type="checkbox"/>
Justified	<input type="checkbox"/>	Consistent with National Policy	<input checked="" type="checkbox"/>

Our Ref: W99.4/Core Strategy Main Modifications

Your Ref:

19 August 2014

North Warwickshire Borough Council
Forward Planning Team
Chief Executives Division
Council Offices
South Street
Atherstone
Warwickshire
CV9 1DE



FISHER GERMAN LLP
ST HELENS COURT
NORTH STREET
AS-HBY DE LA ZOUCH
LEICESTERSHIRE
LE65 1HS

www.fishergerman.co.uk

Dear Sir/Madam

REPRESENTATIONS TO CORE STRATEGY MAIN MODIFICATIONS

Further to the publication of the main modifications to the Core Strategy, please find attached response prepared on behalf of the owners of land at Packington Lane the Wingfield Digby Settled Estate. The response form has been duly completed and refers to modification reference MM15.

Please do not hesitate to contact me should you have any queries.

Yours faithfully

For and behalf of Fisher German LLP

A handwritten signature in black ink that reads 'Sarah DeRenzy-Tomson'.

Sarah DeRenzy-Tomson BA (Hons) Dip TP MRTPI

E-Mail: sarah.derenzy-tomson@fishergerman.co.uk

Direct Dial: 01530 566578

cc James Holbrook-Bull, FG Worcester

Encs



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Registered Office: 40 High Street, Market Harborough, Leicestershire LE16 7NX.
A list of members' names is available for inspection at the Market Harborough office.
Regulated by RICS.



Q4. Please give details of why you consider the Main Modifications not to be legally compliant or unsound. Please be as precise as possible. If you wish to support Modifications please also use the box below to set out your comments.

The proposed deletion of the text "~~no changes to the Green Belt boundary will be made~~" is supported. However, in accordance with paragraph 83 and 84 of the NPPF the policy should include positive provision to enable Green Belt boundary reviews to take place to inform the Site Allocations Plan and housing strategy for sustainable settlements tightly encircled by Green Belt such as Coleshill. Paragraph 83 states that "*Once established, Green Belt boundaries should only be altered in exceptional circumstances through the preparation or review of the Local Plan*". Paragraph 84 states that "*when drawing up or reviewing Green Belt boundaries Local Planning Authorities should take account of the need to promote sustainable patterns of development*".


Separate representations have been made to the pre-submission draft version of the Site Allocations Plan which express serious concern about the deliverability of the housing strategy for Coleshill, given the lack of allocated sites within the settlement boundary which are available, suitable and deliverable. The tight Green Belt boundary unduly restricts expansion of Coleshill to accommodate housing growth for what is a sustainable category 2 settlement. The Site Allocations Plan should include a comprehensive Green Belt boundary review of Coleshill to ensure that a robust housing strategy is in place to ensure housing delivery up to 2029.

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The proposed change is set out below:

- A Green Belt boundary review will be carried out with the specific objective to identify land to meet the development requirements of the Core Strategy. A review of the Green Belt boundary will be carried out to inform the Site Allocations Plan to evaluate where is appropriate to release land for housing purposes. The Green Belt boundary review will focus on Coleshill where there are insufficient sites within the settlement boundary to accommodate housing development needs to 2029.

This will accord with the approach set out in the NPPF with the Local Plan review being the appropriate mechanism through which to review Green Belt boundaries. A Green Belt boundary review is necessary to enable the Council to identify sufficient land to meet its future housing requirements. The Borough is at risk of unsustainable development if the Council fails to identify sufficient land to meet its housing requirement.

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Please provide your details below.
(If you are an agent please provide both your details as well as your clients.)

Name: Aucotts

Organisation (if applicable): JVH Town Planning Consultants

Address: Houndhill Courtyard, Houndhill, Marchington, Staffordshire, ST14 8LN

Email: office@jvhplanning.co.uk

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(use a separate sheet for each representation and each modification)

Modification Reference

Q2. Do you consider the Main Modifications to be Legally Compliant?

YES

NO



Q3. If you consider the Proposed Main Modifications to be Unsound, please identify which test of soundness your comments relate to?

Positively prepared

Effective

Justified

Consistent with National Policy

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Please see comments below.


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MM23

The proposed modification does not deal with fundamental problem with this policy. There is nothing wrong with having sites of over 10 dwellings in these settlements. What does at any one time mean? The proposed modification does not make sense.

The reference to a neighbourhood plan allocating more sites is misplaced. The Core Strategy should set the clear framework. The policy should delete any reference to 10 dwellings or to the timing of the release of sites. The modification is out of step with the NPPF as it fails to boost the housing supply in sustainable locations.

 <p>North Warwickshire Borough Council</p>	<p>Core Strategy Main Modifications Representation Form</p>	<p>Ref: CSMM16 (for official use)</p>
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Please provide your details below.
(If you are an agent please provide both your details as well as your clients.)

Name: Mr. Neachell

Organisation (if applicable): JVH Town Planning Consultants

Address: Houndhill Courtyard, Houndhill, Marchington, Staffordshire, ST14 8LN

Email: office@jvhplanning.co.uk

Q1. Please give the Main Modification reference number that your representation relates to
(use a separate sheet for each representation and each modification)

Modification Reference

MM42, MM45, MM46

Q2. Do you consider the Main Modifications to be Legally Compliant?

YES

NO



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Positively prepared

Effective

Justified

Consistent with National Policy

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Please see comments below.

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MM42

This is a further trigger for a review of the plan. The Plan should allow for the delivery of employment sites in the District that are part of a wider need. These have already been flagged up, and the council have failed to grasp the opportunity of meeting the wider needs that would benefit both the Borough and the region.

The **Coventry and Warwickshire Assessment of Sub-Regional employment Land Requirements** (Atkins) was published in April 2014. The key findings that are relevant to the requirement for logistics land in North Warwickshire, and in particular Hams Hall, are set out below:

- The report does not consider Regional Logistics Sites requirements. It identifies requirements for sub-regional employment land sites.
- It concludes that the release of Green Belt land is necessary to deliver a new sub regional site.
- It concludes some existing and consented sites can perform the role of sub regional employment sites.
- The Hams Hall 'B' Station site on its own meets all the criteria for a sub-regional site (in reality it also forms an extension to a Regional Logistics Site).
- Further consideration of the Hams Hall 'B' Station Site is recommended.
- It recommends discussions should be held with Greater Birmingham and Solihull LEP, as it is possible the Hams Hall 'B' Station Site can play a role in addressing that LEP's future employment needs.

On the basis therefore of the most up to date work , the plan should re consider the role of Hams Hall and the economic benefits of this, and land should be allocated at and adjacent to this site to maximise this opportunity.

MM45 and MM46

Objection is made to this modification on the basis that insufficient land is proposed to be allocated in the Plan to maximise the economic advantage of Hams Hall as an important employment location.



North Warwickshire
Borough Council

Core Strategy
Main Modifications
Representation Form

Ref:

CSMM17

(for official use)

Please return to North Warwickshire Borough Council by **21st August 2014**

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Please provide your details below.
(If you are an agent please provide both your details as well as your clients.)

Name: ROBERT SNOWLING

Organisation (if applicable): MORSTON ASSETS LTD

**Address: MORSTON HOUSE, JACOBS PLACE, HIGH STREET, HOLT
NORFOLK, NR25 6BH**

Email: rsnowling@morstonassets.com

Q1. Please give the Main Modification reference number that your representation relates to
(use a separate sheet for each representation and each modification)

Modification Reference

MM4

Q2. Do you consider the Main Modifications to be Legally Compliant?

YES

NO

Q3. If you consider the Proposed Main Modifications to be Unsound, please identify which test of soundness your comments relate to?

Positively prepared

Effective

Justified

Consistent with National Policy

Q4. Please give details of why you consider the Main Modifications not to be legally compliant or unsound. Please be as precise as possible. If you wish to support Modifications please also use the box below to set out your comments.

Proposed Main Modification MM4 commits the Council to undertaking a review of the plan in the event that any housing or employment shortfall cannot be met by neighbouring authorities.

NPPF states that in order to be sound a plan should "positively prepared" – namely it "*should be based on a strategy which seeks to meet objectively assessed housing development and infrastructure requirements, including unmet requirements from neighbouring authorities...*" (paragraph 182).


On the face of it MM4 appears to meet this objective through the commitment to review the plan; however, this ignores the fact that unmet housing need has already been identified in Tamworth (1,000 dwellings), and Birmingham where evidence suggests that households growth will be circa 5,000 dwellings per annum against proposed housing provision of only 2,555 dwellings per annum (a shortfall of circa 2,500 homes per year).

MM4 is insufficient to address the requirement of paragraph 182 of the NPPF and a more fundamental change to the Core Strategy would appear to be required in order to make the plan sound.

Q5 Please set out what change(s) you consider necessary to make the Main Modifications legally compliant or sound, having regard to the test you have identified above. You will need to say why this change will make the Main Modifications legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

MM4 is insufficient to address the soundness issues raised above. Further engagement with the neighbouring authorities, to agree a strategy for meeting both Birmingham's and Tamworth's unmet strategic housing growth requirements would appear to be required.

(Continue on a separate sheet/expand box if necessary. Mark any additional pages with your name

 <p>North Warwickshire Borough Council</p>	<p>Core Strategy Main Modifications Representation Form</p>	<p>Ref: CSMM18 (for official use)</p>
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**Address: MORSTON HOUSE, JACOBS PLACE, HIGH STREET, HOLT
NORFOLK, NR25 6BH**

Email: rsnowling@morstonassets.com

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Modification Reference

Q2. Do you consider the Main Modifications to be Legally Compliant?

YES NO

Q3. If you consider the Proposed Main Modifications to be Unsound, please identify which test of soundness your comments relate to?

Positively prepared	<input checked="" type="checkbox"/>	Effective	<input type="checkbox"/>
Justified	<input type="checkbox"/>	Consistent with National Policy	<input type="checkbox"/>

Q4. Please give details of why you consider the Main Modifications not to be legally compliant or unsound. Please be as precise as possible. If you wish to support Modifications please also use the box below to set out your comments.

The Coventry and Warwickshire SHMA Final Report (2013) identifies an objectively assessed housing need of 175 but recommends that provision is made for 200 dwellings per year to support affordable housing delivery.


MM18 proposes the use of the lower annual housing figure of 175 dwellings, which on the face of it would appear to fail to satisfy the requirement of NPPF paragraph 182 to prepare the plan based on objectively assessed development and infrastructure requirements.

(Continue on a separate sheet/expand box if necessary. Mark any additional pages with your name and address)

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The annual housing requirement should be increased to 200 dwellings per annum to meet the Borough's objectively assessed housing needs. This will result in the total requirement left to find being increased from 2,449 to 2,899. Although, this is based on provision for 500 dwellings at Tamworth only (please see response to MM4).

A consequential amendment to Policy NW4 will also be required so that the additional dwelling numbers are distributed across the Borough.

 <p>North Warwickshire Borough Council</p>	<p>Core Strategy Main Modifications Representation Form</p>	<p>Ref: CSMM19 (for official use)</p>
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Organisation (if applicable): MORSTON ASSETS LTD

**Address: MORSTON HOUSE, JACOBS PLACE, HIGH STREET, HOLT
NORFOLK, NR25 6BH**

Email: rsnowling@morstonassets.com

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Modification Reference

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YES NO

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Positively prepared	<input checked="" type="checkbox"/>	Effective	<input type="checkbox"/>
Justified	<input type="checkbox"/>	Consistent with National Policy	<input type="checkbox"/>

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(If you are an agent please provide both your details as well as your clients.)

Name: Maurice Barlow

Organisation (if applicable): Solihull MBC

Address: Policy & Spatial Planning, PO Box 19, Council House, Solihull, B91 9QT

Email: psp@solihull.gov.uk

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(use a separate sheet for each representation and each modification)

Modification Reference

Q2. Do you consider the Main Modifications to be Legally Compliant?

YES

Q3. If you consider the Proposed Main Modifications to be Unsound, please identify which test of soundness your comments relate to?

Positively prepared

Effective

Justified

Consistent with National Policy

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Main Modification 4 spells out North Warwickshire Borough's commitment to work collaboratively with other authorities, particularly Tamworth and Birmingham to establish the scale and distribution of any housing and employment land shortfall, and to bring forward an early review to address any change in provision. Solihull MBC supports this and believes it is a sound approach.

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