

NORTH WARWICKSHIRE BOROUGH COUNCIL
LOCAL PLAN EXAMINATION

HEARING AGENDA

MATTER 2, OTHER LEGAL COMPLIANCE

Tuesday 25 September 2018, commencing no sooner than 1400
Council House, South Street, Atherstone CV9 1DE

Participants:

North Warwickshire Borough Council (NWBC)
Taylor Wimpey UK Ltd. (TWU), SLP343
IM properties (IMP), SLP439
Hodgetts Estates (HE), SLP429
Stella Doggett (SD), SLP338
Mark Doggett (MD), SLP278

Notes:

- i. Participants named in (brackets) against an item may be invited to open the discussion, but that is optional. [Square brackets] denote examination documents.
- ii. It is not intended to repeat introductory matters [INSP1-7], or those covered in earlier sessions. Participants should consult those documents, and others in the examination library, in framing their contributions.
- iii. This agenda is provisional and flexible, and refines the issues and questions [INSP5] primarily on the basis of submitted position statements.
- iv. It may not be necessary to cover all issues and questions, and the agenda does not seek to confine discussion to only those points set out below.
- v. Sustainability Appraisal will be addressed primarily under matter 4, however related procedural matters are relevant here.

ISSUES AND QUESTIONS

2.1 Has the Local Plan (LP) been prepared in accordance with the Statement of Community Involvement ('SCI')[CD5/2]?

- i. With regard to paragraph 155 of the NPPF2012, has engagement with interested parties been early, meaningful and collaborative? (MD)

2.2 Noting objections to the LP during its preparation, have consultees had appropriate opportunity 'to input into the process before decisions are made' (SCI, paragraph 6.7.5)?¹ (Links with question 2.3.i)

- i. Why were both Regulation 18 and Regulation 19 consultations extended?

2.3 Have all interested parties had appropriate opportunity to comment on evidence supporting the LP?²

¹ Noting the representations of the North Warwickshire Labour Group in this context (SLP117) [PS.M2.03].

- i. At the appropriate juncture? (TWU)³(IMP)⁴
 - ii. With regard to PS.M2.01 paragraph 2.2.6, and INSP1 paragraph 15, is it clear that all suitably-made representations have been assessed by NWBC?⁵ (IMP)
- 2.4 Is the LP compatible with the Public Sector Equality Duty (PSED)?⁶ (with regard to the Equality Impact Assessment Summary Sheet PS.M2.01 appendix 2)
- 2.5 Have the requirements of HRA (the Conservation of Habitats and Species Regulations 2010 as amended) been satisfied, including with regard to recent case-law? [CD1/7, INSP2, NWBC11 Appendix 2]. (TWU)
- i. Are certain potential effects on designated habitat sites ruled out on the basis of mitigation provided by LP policies? If so, is that inappropriate? (IMP)
- 2.6 Is it clear how the findings of the HRA have influenced the LP?⁷
- 2.7 Does the approach in, and evidence supporting, the LP demonstrate that it would contribute to mitigating and adapting to climate change in accordance with Section 19(1A) of the Planning and Compulsory Purchase Act 2004 as amended? (IMP)
- 2.8 Has the LP been otherwise prepared in accordance with the relevant requirements of the PCPA and of Regulations (including in respect of publication, advertising and notification)?
- 2.9 Any other issues not addressed above.

² Noting in particular concerns aired by representors that the Council's Leisure Facilities Strategy [CD7/5], SA [CD1/2] and Infrastructure Delivery Plan [CD0/4] were unavailable during initial stages of consultation on the Regulation 19 version of the LP.

³ In respect of CD6/10, the assessment of the Meaningful Gap.

⁴ In respect of Sustainability Appraisal timing and LP paragraph 7.15 which refers to a second green belt study.

⁵ Raised in the position statement of Tarmac Trading Ltd. [PS.M2.08]

⁶ Equality Act 2010 (see LP paragraph 6.5).

⁷ Both Natural England (SLP314) and the Environment Agency (SLP302) suggest changes to the LP, which may be incorporated in NWBC8. Some representors have expressed concern that the HRA does not refer to the Whitacre Heath Nature Reserve Site of Special Scientific Interest.