

**To: Leader and Members of the Executive Board**  
**(Councillors M Stanley, Hayfield, Humphreys, Moore, Morson, Phillips, Simpson, Smith and Sweet)**

**For the information of other Members of the Council**

**For general enquiries please contact David Harris, Democratic Services Manager, on 01827 719222 or via e-mail - [davidharris@northwarks.gov.uk](mailto:davidharris@northwarks.gov.uk).**

**For enquiries about specific reports please contact the officer named in the reports.**

**The agenda and reports are available in large print and electronic accessible formats if requested.**

## **EXECUTIVE BOARD AGENDA**

**9 OCTOBER 2014**

The Executive Board will meet in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire on Thursday 9 October 2014 at 6.30pm.

### **AGENDA**

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests**

#### 4 **Public Participation**

Up to twenty minutes will be set aside for members of the public to ask questions or to put their views to elected Members. Participants are restricted to five minutes each. If you wish to speak at the meeting please contact David Harris on 01827 719222 or email [democraticservices@northwarks.gov.uk](mailto:democraticservices@northwarks.gov.uk).

#### 5 **Core Strategy Adoption** – Report of the Assistant Chief Executive and Solicitor to the Council

##### **Summary**

This report seeks Members agreement for the adoption of the Core Strategy.

The Contact Officer for this report is Dorothy Barratt (719250)

JERRY HUTCHINSON  
Chief Executive

**Agenda Item No 5**

**Executive Board**

**9 October 2014**

**Report of the Assistant Chief Executive  
and Solicitor to the Council**

**Core Strategy Adoption**

**1 Summary**

1.1 This report seeks Members agreement for the adoption of the Core Strategy.

<p><b>Recommendation to Full Council</b></p> <p><b>That the Core Strategy be adopted.</b></p>
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**2 Consultation**

2.1 Councillors Butcher, Sweet, M Stanley, Simpson and Smith have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

**3 Adoption Process**

3.1 As Members are aware the Core Strategy following Submission in February 2013 has been through an examination process with a number of hearings. The Inspector has now completed his final report and this is available in each of the Member's Rooms, on the Council's website and has also been attached as Appendices A, B and C to this report. The Report has also been sent to those who took part in the hearings and made available on request to others.

3.2 The Inspector recommends that a number of main modifications are made to the submitted Core Strategy. Most of these modifications have been the subject of discussion as the hearings have progressed. Having reviewed the modifications and considered all reasonable alternatives, Officers recommend that they be adopted for the reasons given by the Inspector.

3.3 The Inspector's Report concludes that subject to the Main Modifications being made that the Plan can be found sound. This is excellent news and means that the final phase of adoption is now with us. As adoption requires confirmation by a full meeting of the Local Planning Authority (Regulation 4(1) and (3) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000) it is therefore recommended that Board supports the Plan and recommends adoption of the Core Strategy to Full Council. An Adoption Statement is attached as Appendix D.

## **4 Further Housing Evidence**

- 4.1 Since the hearing sessions and the consultation on the Main Modifications there has been more work done to establish the housing figure for the Strategic Housing Market Area in light of the new population projections that were released during the summer. This work has just been published and it indicates that there is around a 4% overall difference in what the Joint SHMA established to be the housing requirement and what the update information suggests should be the new housing figure. The consultants have indicated that the requirement for North Warwickshire should increase to around 200 units per annum for the Borough rather than the 175 units per annum in the proposed Core Strategy.
- 4.2 The Inspector did consider increasing the housing figure to 200 units per annum for the Brough and sustainability work was carried out to consider the impact of this additional growth. The Sustainability Appraisal considered there were some impacts. The Inspector is therefore content to advocate the 175 units per annum as a minimum requirement. As a result it is recommended that the 175 units per annum is not altered at this stage but the Site Allocations Plan will need to consider this new evidence including the sustainability implications and work towards achieving a higher housing figure.

## **5 Report Implications**

### **5.1 Finance and Value for Money Implications**

- 5.1.1 The Local Plan budget will cover cost of the Examination process, including the Inspector's Report.

### **5.2 Legal and Human Rights Implications**

- 5.2.1 The Inspector's Report considers the legal compliance of the Core Strategy and considers it is legally compliant.
- 5.2.2 From the date of adoption there is a six week period within which a High Court Challenge could be made. Members will be notified as soon as possible if a Challenge is made.

### **5.3 Environmental and Sustainability Implications**

- 5.3.1 The Core Strategy has been subjected to a Sustainability Appraisal throughout its production and development. This considers the effects of the Plans contents in terms of environmental and sustainability issues in accordance with the relevant regulations.

## 5.4 **Links to Council's Priorities**

5.4.1 The designation of the Neighbourhood Plan Designation Area will have links to the following priorities;

1. Enhancing community involvement and access to services
2. Protecting and improving our environment
3. Defending and improving our countryside and rural heritage

The Contact Officer for this report is Dorothy Barratt (719250).

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Our Ref: PINS/R3705/429/4

Date: 24<sup>th</sup> September 2014

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Dear Dorothy,

**NORTH WARWICKSHIRE BOROUGH COUNCIL CORE STRATEGY: FINAL REPORT**

Thank you for your correspondence providing your comments in response to the fact check of the Inspector's report on the Council's Core Strategy.

The Inspector has corrected the errors that have arisen and made the amendments to the report where appropriate, and I enclose your final report.

Clearly it is now for the Council to adopt the Document at its discretion. The Inspectorate maintains a national database of Local Plans progress on the Planning Portal (and a submissions database) and we would be grateful if you can advise the Plans Team when you adopt in order that your plan status can be updated.

Please provide us with a Purchase Order Number so that we can include it on your invoice. Both the fees and expenses will be payable for all duties carried out in examining your Local Plan.

The Council should consider whether adoption could have any effect on appeals currently being considered by the Planning Inspectorate. As you know, appeals must be determined on the basis of the development plan as it exists at the time of the Inspector's (or the Secretary of State's) decision, not as it was at the time of the Council's decision. If adoption changes the policy position, the relevant Inspector(s) will need to take that into account. In addition, please ensure that your new policy position is clearly explained when submitting your Questionnaire in relation to future appeals received after adoption.

If the above circumstances apply, it would be very helpful if the Council could contact the relevant Case Officer(s) in the Planning Inspectorate dealing with any outstanding case(s) at the time of adoption.

Yours sincerely

Steve Carnaby

Plans Team



The Planning Inspectorate

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# Report to North Warwickshire Borough Council

by Mr A Thickett BA(HONS) BTP MRTPI Dip RSA

an Inspector appointed by the Secretary of State for Communities and Local

Date: 24<sup>th</sup> September 2014

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)  
SECTION 20

REPORT ON THE EXAMINATION INTO THE NORTH WARWICKSHIRE LOCAL PLAN: CORE  
STRATEGY

Document submitted for examination on 28 February 2013

Examination hearings held on 5 June 2013, between 7 & 14 January and on 19 June 2014

File Ref: PINS/R3705/429/4



## Abbreviations Used in this Report

CS	Core Strategy
ELR	Employment Land Review
MM	Main Modification
NPPF	National Planning Policy Framework
NWBC	North Warwickshire Borough Council
PPG	National Planning Practice Guidance
RLS	Regional Logistics Site
SA	Sustainability Appraisal
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment

### Non-Technical Summary

This report concludes that North Warwickshire Borough Council's Core Strategy is sound and provides an appropriate basis for the planning of the Borough up to 2029 providing a number of modifications are made to the Plan. The Council asked me to recommend any modifications necessary to enable the plan to be adopted. All the modifications necessary to make the Plan sound arose from the discussions at the Hearings and most were proposed or have been agreed by the Council. I have recommended their inclusion after considering the representations from all parties on these issues.

The principal modifications can be summarised as follows:

- Changing the plan period from 2006 - 2028 to 2011 - 2029,
- Inserting a commitment to review the Plan should housing shortfalls be identified in adjoining areas (particularly Tamworth and Birmingham),
- Inserting a commitment to review the Plan should ongoing reviews of employment and the need for Regional Logistics Sites identify a need to change the provision made in the plan,
- In light of the above, the Council acknowledge that the growth planned in the Core Strategy may not be able to be accommodated without a review of Green Belt boundaries. To ensure the Plan is flexible, the presumption against any changes to Green Belt boundaries is deleted.
- Deleting the presumption against anything other than minor development in the gap between Polesworth and Dordon and Tamworth (but ensuring a meaningful gap is retained)
- The insertion of a policy presuming in favour of sustainable development,
- The introduction of affordable housing thresholds and targets,
- Updating pitch targets for gypsies and travellers and the introduction of a criteria based policy for assessing sites.

Reference to documents in footnotes and elsewhere such as CD1/1 relate to the document number in the examination library.

## Introduction

1. This report contains my assessment of the North Warwickshire Local Plan: Core Strategy (hereinafter referred to as the Core Strategy or the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate and then considers whether the Plan is sound and whether it is compliant with the legal requirements. To be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy<sup>1</sup>.

2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the Core Strategy Submission Version February 2013 which was subject to consultation in December 2012.

3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act North Warwickshire Borough Council (NWBC) requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in Appendix 2.

4. The main modifications that go to soundness have been subject to public consultation and, where necessary, Sustainability Appraisal (SA) and I have taken the consultation responses into account in writing this report.

5. The National Policy Practice Guidance (PPG) was introduced on 6 March 2014. The PPG consolidates previous guidance and the 'beta' mode of the PPG (which is largely the same as the adopted guidance) was referred to in the hearings in January. Consequently, neither I nor the Council considered it necessary to seek views on the implications of the PPG on the soundness of the Plan as it was considered that not doing so would not prejudice any interested party.

## Assessment of Duty to Co-operate

6. A hearing was convened on 5 June 2013 to explore whether the Council had complied with the duty in the preparation of the Core Strategy. I wrote to the Council on 10 June 2013 setting out the reasons why I consider that the duty has been met. The relevant extract from that letter can be found in Appendix 1 to this report.

7. There have been some significant developments since June 2013. Tamworth Borough Council now considers that it will need North Warwickshire to accommodate more than the previously agreed 500 houses to meet its needs. It also considers that North Warwickshire should make provision for some of Tamworth's employment needs. The publication in January 2014 of Birmingham's Pre Submission Draft Core Strategy suggests that Birmingham will be looking to its neighbours to provide around 30,000 homes. However, the legal test of compliance with the duty to co-operate relates to the preparation of the Core Strategy and these developments occurred after the Core Strategy was submitted for examination. I have neither seen nor heard anything to change my conclusions which are set out in Appendix 1 to this report.

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<sup>1</sup> National Planning Policy Framework (NPPF) Paragraph 182

## Assessment of Soundness

8. I have considered all the representations, written evidence and the discussions that took place at the hearings and identified six main issues.

### **Issue 1 – Whether, in light of national guidance, the plan period should be changed?**

9. The Plan period is 2006 to 2028. The National Planning Policy Framework (NPPF) advises that local plans should preferably be drawn up over a 15 year period. The Strategic Housing Market Assessment (SHMA) produced in November 2013<sup>2</sup> uses 2011 as a base date and forecasts housing need up to 2031. It is suggested by some that, to reflect the SHMA, the plan period be extended to 2031. I can see the merits of matching the plan period to the SHMA but an updated Employment Land Review (ELR) produced in September 2013<sup>3</sup> uses 2006 as its base date and forecasts need to 2028. The Council propose a change to 2011 to 2029. Provided that changing the base date does not result in any backlog in the identified need for housing or employment being written off, I see no practical reason why the start date should not be changed from 2006 to 2011.

10. I address housing and employment matters in detail below. The forecasts in the SHMA take unmet need into account and that is addressed in the revised housing target (**MM18**). Turning to employment, the evidence shows significant levels of growth between 2006 and 2012 (17.21 ha, almost 25% of the 70 ha target recommended in the Employment Land Review). These developments are reflected in an update to the employment provision table (**MM45**). Consequently, I consider the Council's proposal to change the base date to 2011 to be acceptable and extending the end date to 2029 would provide a 15 year plan period (post adoption) in accordance with paragraph 157 of the NPPF. **MM1** changes the plan period and is necessary to ensure that the targets in the Core Strategy reflect the evidence base and that it complies with national guidance.

### **Issue 2 – The extent to which the Core Strategy should make provision for the housing needs of Tamworth, Birmingham and other local authorities.**

#### General approach

11. The Council, Lichfield District Council and Tamworth Borough Council entered into a memorandum of understanding in which both NWBC and Lichfield each agreed to accommodate 500 houses to meet Tamworth's needs<sup>4</sup>. Tamworth withdrew its Core Strategy in early 2013 and, as a result of the work being undertaken to produce a new plan, now consider that its unmet need is likely to be significantly greater.

12. Birmingham City Council estimates its overall housing need to be in the region of 80,000 new dwellings but is only planning to deliver around 51,000 within its administrative boundaries<sup>5</sup>. I heard that there are questions regarding Coventry and North West Leicestershire's ability to meet their own needs but no reliable figures are submitted and neither authority has formally approached NWBC.

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<sup>2</sup> CD8/24

<sup>3</sup> CD9/18

<sup>4</sup> CD8/27

<sup>5</sup> CD9/24

13. The Regional Strategy has gone and with it a regional strategic overview of need and a regional apportionment to meet that need. The duty to co-operate requires local planning authorities to work together on strategic issues and to address unmet need but that requires certainty with regard to what needs are and where they are best met. Neither Tamworth nor Birmingham's plans have been tested at examination. It is not possible to say therefore, whether their estimates of need are right. Nor has the extent to which they could meet their needs within their own boundaries been tested. Further, Birmingham in particular borders a number of authorities and how any unmet need would be distributed is not known.

14. So far only Tamworth has approached NWBC with any definite figures and the Council should be commended for stepping up and agreeing to accommodate some of Tamworth's needs. NWBC has produced a Core Strategy that (when modified) will address identified needs and it would be wrong, in my view, to penalise the Council by suspending the examination until the specific needs of others are known (whenever that may be).

15. Notwithstanding the above, it does seem likely that Birmingham and Tamworth at least will be looking to the Borough to meet some of their needs. The Council has proposed a main modification which commits it to continue working collaboratively with its neighbours and to an early review of the Plan should it be demonstrated that any unmet need should be accommodated in the Borough (**MM4**). This does not go as far as some would like and I acknowledge that this change cannot force NWBC to carry out a review. However, in light of the uncertainties set out above, it is a sensible and pragmatic response.

#### Tamworth

16. As indicated above NWBC has agreed to accommodate 500 houses to meet Tamworth's needs. That 500 is added to the Council's assessment of the needs of the Borough (discussed below). Policy NW3 holds back 500 of the overall total; *'until at least 75% of the 1150 proposed at Anker Valley Sustainable Urban Neighbourhood and 75% of the remaining Tamworth housing target are completed, or by 2022 whichever represents the later date'*. NWBC argue that this is necessary to deter developers from cherry picking sites in North Warwickshire ahead of urban regeneration in Tamworth.

17. The Core Strategy does not identify a location for the Tamworth 500; rather it is to be distributed across the Borough. I heard that travel to work records show that residents of all but one ward in the Borough commute to Tamworth. However, it seems to me that the closer a development is to Tamworth the more likely it is that it will serve needs arising from Tamworth. Policy NW4 allocates 440 dwellings to Polesworth and Dordon, 180 to Grendon and Baddesley Ensor, 50 to Kingsbury, 40 to Austrey and 30 to Wood End (740 in total). All are a short drive to Tamworth and there is nothing in the Plan to phase or control when these houses may be built. I do not see, therefore, how Policy NW3 would force developers to look to sites in Tamworth first.

18. Policy SP6 of the withdrawn Tamworth Borough Local Plan 2006-2028 allocated 1150 dwellings to Anker Valley<sup>6</sup>. Tamworth Borough Council has reviewed the proposals for Anker Valley and concluded that the maximum capacity within its boundaries is 700. Although not yet tested through an examination, Tamworth

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<sup>6</sup> CD9/27

now estimates that its housing need is 6,250, compared to 5,500 on which the withdrawn Local Plan was based (4,500 to be met within Tamworth). These developments and the delay in Tamworth's progress towards the adoption of a Local Plan have implications for Policy NW3 insofar as it relates to meeting Tamworth's needs. However, for the reasons given above, I do not consider the policy will achieve the aim of ensuring sites in Tamworth are developed ahead of sites in North Warwickshire and so in this regard it is not effective. Further, one of the aims of the NPPF is to boost the delivery of housing and there is a need for housing in Tamworth Borough now. **MM19** remedies this finding of unsoundness by deleting the requirement to hold back the delivery of 500 units.

19. Tamworth Borough Council invites me to consider increasing the allowance but I do not consider that the evidence before this examination enables me to do so. Policy NW3 sets the housing target as a minimum which would allow for a greater number and, as stated above, the Council has committed to a review.

20. The Plan at paragraph 6.12 states that the location of the units to serve Tamworth will be determined through the Site Allocations DPD but also says that development will not take place in the gap between Tamworth and Polesworth and Dordon. A gap is necessary to maintain the separate identity of the settlements but they are divided by the M42 which runs through the countryside between them. The Sustainability Appraisal (SA) supporting the Core Strategy<sup>7</sup> states that developing between Tamworth and the M42 '*would be more likely to retain the important 'character' boundary between Tamworth and the main part of North Warwickshire Borough that is important to retain the identity of each'.*

21. I do not doubt the Council's assertion that the gap between Tamworth and Polesworth and Dordon is 'important locally' but I have seen no analysis of the landscape or any other evidence to support the presumption against anything other than minor development. Having inspected the area and considered the submissions made to the examination, I do not consider that a blanket presumption is justified and it is removed by **MM67**. This is necessary because the evidence does not support it (indeed, it would appear to conflict with the SA) and to provide flexibility. It is not necessary, in my view, to modify Policy NW4 to identify an area of search between Tamworth and Polesworth and Dordon. The modifications will enable options to be explored through the Site Allocations DPD taking into account the need to maintain a gap and landscape considerations.

### **Issue 3 – Should the Core Strategy rule out any changes to the Green Belt boundary?**

22. About 60% of the Borough lies within the Green Belt. Policy NW2 states that no changes will be made to the Green Belt boundary. Through its work relating to the emerging Site Allocations DPD the Council is confident that the level of development proposed in the Core Strategy can be delivered without encroaching into the Green Belt. However, this is yet to be tested. Further, as indicated above, the Council may be asked to accommodate additional growth to meet the needs of others and the possibility that doing so may not require a review of the overall strategy cannot be ruled out. Away from housing, work is ongoing at a sub regional level regarding the location of Regional Logistics Sites (discussed in more detail below) which may point to the need for more sites in the Borough.

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<sup>7</sup> CD4/4

23. Green Belt boundaries are not to be changed lightly but a blanket ban on any changes at this stage could undermine the delivery of the development planned in the Core Strategy. It could also prevent the Council from reacting positively to any requests to meet needs from elsewhere and possibly enable it to address any need without the delay and expense of a review of the Core Strategy. The Council have accepted that a presumption against changes to the Green Belt boundary is not the most appropriate strategy at this stage. Further, such a presumption may prevent the delivery of development to meet objectively assessed need. **MM15** removes the presumption. It does not require the Green Belt boundary to be changed; this will be a matter to be determined through the Site Allocations DPD.

24. **MM16** includes a change agreed by the Council to ensure that Policy NW2 conforms with national guidance relating to villages washed over by the Green Belt.

#### **Issue 4 – Whether the Core Strategy makes adequate provision to meet the full, objectively assessed needs for market and affordable housing in the Borough.**

The overall need for new housing

25. As submitted, Policy NW3 makes provision for 3,800 dwellings (net) (150 dwellings per annum, [dpa]) between 2006 and 2028. The SHMA supporting the submitted Core Strategy was completed in April 2008<sup>8</sup>. The progress of the examination was delayed in anticipation of, amongst other things, a new study which was completed in November 2013<sup>9</sup> and which assesses population and household growth between 2011 and 2031. The Council has suggested amending the plan period to 2011 to 2029 and to increase the annual rate to 175 dpa which equates to 3,150 dwellings between 2011 and 2029. Add 500 for Tamworth and, as proposed to be modified, the Core Strategy's target is 3,650. **MM18** updates Policy NW3 and the housing table and is necessary to ensure that it reflects the latest evidence.

26. In addition to NWBC the 2013 SHMA was commissioned by Rugby, Coventry, Warwick and Nuneaton and Bedworth Councils. In addition, Solihull, Birmingham, Stratford-on-Avon Councils and Warwickshire County Council were consultees. The authors of the study analysed migration and commuting patterns and house price differentials and concluded that the '*strong functional links in migration and commuting terms between Coventry and different parts of Warwickshire point towards the existence of a Coventry focussed housing market area*<sup>10</sup>. The study shows that there are links to Tamworth and there will be overlaps with other areas but it is not an exact science and the study's findings in this regard are not meaningfully challenged.

27. The SHMA uses 4 models (demographic, economic, component and dwelling led) to produce 11 different scenarios. The component (zero net migration, zero employment growth) and dwelling led (past build rate) projections are rightly discounted. The level of housing growth predicted using 5 and 10 year migration trends is negligible. The authors of the SHMA do not consider these scenarios to be realistic and I have neither seen nor heard anything to indicate otherwise. The employment scenarios predict high levels of growth but are trend based and heavily influenced by the development of Regional Logistics Sites at Hams Hall and

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<sup>8</sup> CD8/24

<sup>9</sup> CD9/15

<sup>10</sup> CD9/15, paragraph 3.34

Birch Coppice. Although there would appear to be potential for further growth in this sector in the Borough (discussed below) this is not certain, employees are drawn from the wider sub-regional job market<sup>11</sup> and I agree that these projections should be viewed with caution.

28. This leaves the demographic led projections which point to a need for 145 to 165 dpa but the authors of the SHMA suggest that delivering above this range might be considered based on the need to deliver affordable housing or to support more local living and working<sup>12</sup>. Taking into account a backlog in provision, newly forming need and supply, the SHMA estimates a net need for affordable housing of 112 dpa<sup>13</sup>. This rises to 133 dpa if the existing backlog is to be met in the first 5 years of the plan period (falling to 104 dpa after 2018<sup>14</sup>).

29. In my view, the need for affordable housing in North Warwickshire justifies setting a housing requirement in excess of the latest projections. The SA commissioned by NWBC did not test rates above 150 dpa. The effect of 175 dpa was subsequently assessed and found to have no significant impact on the conclusions of the SA<sup>15</sup>. Following discussions at the hearings, I requested that the Council test 200 dpa. Unsurprisingly the results of this work showed a positive impact on SA Objective 8; 'Provide decent and affordable housing to meet local needs'. However, it also predicted a potential significant adverse effect on cultural heritage and a change from minor positive to a mixed uncertain effect with regard to flood risk<sup>16</sup>.

30. A target of 175 dpa would deliver sufficient homes to satisfy objectively assessed demographic needs and would make some, albeit limited, inroads into the backlog identified for affordable housing. In taking account of market signals, including affordability, the PPG states that increases in supply (over and above projections of need) should be based on reasonable assumptions consistent with the principles of sustainable development. Providing affordable housing is an important objective but, in light of the findings of the further SA work, the evidence before this examination weighs against setting a higher figure at this time.

## Distribution

31. Policy NW1 sets out the settlement hierarchy and Policy NW4 allocates housing numbers to market towns, local service centres and other settlements with a development boundary. The Council's Settlement Sustainability Assessment<sup>17</sup> scores settlements in accordance with the number and types of facilities they offer and proposes 4 categories (including rural settlements). Policy NW1 differs from the hierarchy recommended in the assessment by distinguishing between settlements contained and not contained by the Green Belt, resulting in 6 categories. Thus, Coleshill which under the assessment is at the top of the hierarchy together with Atherstone with Mancetter and Polesworth with Dordon sits below them in Category 2 in Policy NW1.

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<sup>11</sup> CD9/15, paragraph 7.53

<sup>12</sup> The SHMA suggests that an upward adjustment might be necessary to address the Borough's aging population and people moving into retirement

<sup>13</sup> CD9/15

<sup>14</sup> CD9/15A

<sup>15</sup> CD9/21

<sup>16</sup> CD9/28

<sup>17</sup> CD9/16

32. However, it is right, in my view, that the Council should look first to meeting its needs outside of the Green Belt. Consequently, I consider that it is reasonable, provided sites are deliverable and acceptable in all other respects, for Policy NW4 to allocate more dwellings to Hartshill with Ansley Common (Category 3A, non Green Belt) than to Coleshill (Category 2, Green Belt).

33. The first paragraph of Policy NW1 is difficult to follow and **MM13** is necessary to make it clear that development will be distributed in accordance with the settlement hierarchy. **MM9** makes a similar change to the Spatial Vision.

#### Affordable Housing

34. The NPPF states that; '*Local planning authorities should set out their policy on local standards in the Local Plan, including requirements for affordable housing*<sup>18</sup>. These standards include the thresholds which trigger the requirement for affordable housing and the percentage target that will be sought. As submitted, Policy NW5 sets an overall target for affordable housing of 40% of all dwellings built but does not set a site based target or a threshold.

35. This is rectified by **MM30** and associated changes to the reasoned justification to Policy NW5 (**MM25, MM26, MM27, MM28** and **MM29**). The thresholds and targets are supported by the Council's March 2014 Affordable Housing Viability Assessment, Site Allocations Plan Viability assessment and CIL Study<sup>19</sup>. The Study uses the residual appraisal model and utilises standard assumptions for developers profit, build costs etc. It also takes account of the collective impacts of other requirements including sustainable building standards and a possible future CIL rate of £40 per square metre. Its assumptions are challenged but as accepted by national guidance, it is a high level assessment of general viability and no alternatives are supported by evidence.

36. The Study does not assess sites over 100 dwellings. I acknowledge that there can be high infrastructure and opening up costs associated with large sites. However, the Council only expect to bring forward 4 sites over 100 dwellings through the site allocation process and agreed to include a viability clause in the amended policy at the hearing (included in **MM30**). I consider that the Council's study provides an appropriate standard and level of evidence to show that the thresholds are reasonable and the targets achievable in most cases. Further, the inclusion of the viability clause should ensure that Policy NW5 is applied flexibly and not threaten the overall delivery of new housing.

#### Gypsies and travellers

37. A Gypsy, Traveller and Travelling Showpeople Accommodation Assessment for the Borough and Nuneaton and Bedworth was completed in June 2013<sup>20</sup>. This led the Council to propose changes to Policy NW6 to reflect the assessment's findings regarding the need for permanent and transit pitches (no need was identified for travelling showpeople). The study includes details of existing provision and results of a survey and interviews with members of the travelling community. The assessment is not challenged and I have no reason to consider that its findings are not sound.

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<sup>18</sup> Paragraph 174

<sup>19</sup> CD9/29

<sup>20</sup> CD9/12



38. The Council has also, in consultation with the Derbyshire Gypsy Liaison Group produced a criteria based policy which needs to be incorporated into the Plan to guide applicants, decision makers and the allocation of sites through a later DPD. The above work is introduced into Core Strategy by the following main modifications which are necessary to ensure that it complies with national guidance: **MM31, MM32, MM33, MM34, MM35, MM36, MM37, MM38, MM39, MM39, MM40** and **MM41**.

#### Other matters

39. Policy NW3, amongst other things, requires residential development to provide a variety of types and tenures to meet settlement needs. It is not clear how these needs will be determined or what sources of information will be used. This is rectified by **MM17** which is necessary to ensure that the policy is effective. **MM20** removes that part of Policy NW3 which requires all housing development, no matter where it is, to respect the rural character of the Borough. This is neither appropriate nor necessary and conflicts with Policy NW10 which requires development to respect its surroundings.

40. The fifth bullet point of Policy NW3 states that; '*Development will take place in locations having regard to the needs of each location and their capacity to support additional development*'. However, the Core Strategy facilitates the delivery of development to meet the needs of the Borough and directs that development to suitable and sustainable locations. This could mean that a location or settlement is required to accommodate more than is necessary to meet its own particular needs. The fifth bullet point of Policy NW3 could be used to undermine the delivery of development in sustainable locations and it is deleted by **MM21**. **MM22** amends the sixth bullet point of Policy NW3 in the interests of positive planning by stating that development will occur where the necessary infrastructure is or can be made available.

41. As modified Policy NW1 should ensure that development is directed to the most sustainable locations first. **MM14** incorporates changes, agreed by the Council, to the first and last paragraphs of Policy NW1 and which are necessary to ensure that it is effective and to make clear that dwellings essential to support rural enterprises may be acceptable in the countryside. **MM66** adds clarity to Policy NW15 by being more specific regarding the area to which the expansion of Atherstone will be directed and is necessary to make the policy effective.

42. Limiting development to 10 units at a time in all Category 4 settlements is not based on an analysis of what individual settlements are capable of accommodating and does not take into account issues of viability. It may also work against the aim of delivering affordable housing in these settlements. This is rectified by **MM23** which introduces flexibility and ensures viability is taken into account. **MM24** is necessary to avoid confusion regarding how affordable housing in rural areas will be delivered.

43. **MM51** removes an unnecessary and confusing link in Policy NW8 between encouraging the development of brownfield land and maintaining a 5 year land supply.

## **Issue 5 – Whether the Core Strategy makes adequate provision to meet the full, objectively assessed needs for employment in the Borough.**

44. The production of an Employment Land Review Update (ELR) in September 2013<sup>21</sup> led the Council to propose a modification to Policy NW7 which increases the target for employment land to 70 ha between 2011 to 2029 (from 68.5 ha between 2008 and 2028). The ELR splits its assessment between local and national/regional needs. The requirement in Policy NW7 relates to needs arising from local operations and is largely unchallenged. The main bone of contention is whether provision should be made to meet a regional need for large warehouse and distribution sites (Regional Logistics Sites [RLS]).

45. The ELR uses two models to predict future needs; a model based on trends in economic performance which estimates a need of 164 ha and a model based on past completions which estimates the need to be 313 ha. The Borough has two RLS, at Hams Hall and Birch Coppice and the floorspace created at these sites over the last few years has a significant influence on the past completion model. The Borough benefits from easy access to the motorway network. It is clearly well placed for such uses and representations made to the examination indicate a strong developer interest in providing more. However, as illustrated by the findings of the Black Country and southern Staffordshire Regional Logistics Site Study<sup>22</sup>, there are other suitable areas in the region which will compete with North Warwickshire. I do not consider that it would be prudent, therefore, to rely on the past completions model.

46. Nevertheless, the ELR identifies a significant requirement for additional land for logistics use, a requirement that the Core Strategy does nothing to meet. The NPPF sets out the Government's commitment to ensuring that the planning system does everything it can to support sustainable economic growth. The NPPF also requires planning to encourage, not impede growth, and plan proactively to meet the development needs of business. Although the businesses operating RLS may be regional, national or international they will provide employment opportunities for the residents of North Warwickshire.

47. I am requested by some representors to increase the allocation of employment land to accommodate the demand for RLS. The Council is right to seek to encourage a diverse economy in the Borough but I see no reason why taking a more positive approach to RLS in addition to the aims of Policy NW7 would conflict with this. However, a regional perspective is required and I do not consider there to be sufficient evidence before me to set a requirement for North Warwickshire. The Coventry & Warwickshire Assessment of Sub Regional Employment Land Requirements was published in April 2014 but I understand that a study in the Black Country is on-going. The Coventry & Warwickshire study comes late into this examination. Given the Borough's housing needs in particular, I do not consider that it would be in the interests of the proper planning of the area to delay the adoption of the Core Strategy by reviewing employment provision at this stage. **MM42** introduces a commitment to review the Core Strategy should these studies identify a need for more RLS floorspace in the Borough. I have amended the consultation version of **MM42** as I agree with some representors that it should be clearer with regard to when a review may be necessary.

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<sup>21</sup> CD9/13

<sup>22</sup> CD9/18

48.**MM43** and **MM46** amend Policy NW7 and its reasoned justification by removing reference to the allocation of 20 ha for 'high density' employment uses and are necessary to ensure that the Core Strategy reflects the updated ELR. **MM45** updates the Employment Land table to take into account the evidence in the ELR and to be consistent with the amended plan period.

49.The limit of 0.2ha for employment sites in Category 4 settlements in Policy NW7 is not based on any assessment on an individual settlement's ability to accommodate such development. **MM47** removes the limit and provides flexibility by enabling the size of the settlement and the development to be taken into account.

50.The ELR recognises the value of most of the existing stock of employment land but the Core Strategy does nothing to safeguard existing sites. This is rectified by **MM44** and **MM48**. The NPPF encourages the development of the rural economy. **MM49** gives support to rural businesses in appropriate circumstances and is necessary to ensure that Policy NW7 is in line with national guidance.

### **Issue 6 - Are the Plan's provisions in relation to; sustainable development, the historic and natural environment, retail, renewable energy and monitoring supported by evidence and effective?**

Presumption in favour of sustainable development

51.**MM11** and **MM12** introduce a policy which presumes in favour of sustainable development and is necessary to ensure that the Core Strategy complies with the NPPF. **MM50** is necessary to reflect national guidance and to ensure consistency with **MM11** and **12**.

Natural and Historic Environment

52.**MM10**, **MM57**, **MM58**, **MM59**, **MM60**, **MM61**, **MM62**, **MM63** and **MM64**, update the Plan and split Policy NW11 (Natural and Historic Environment) into two separate policies, one for heritage assets the other relating to nature conservation interests. These modifications are necessary to ensure that the Core Strategy's policies on these matters are clear, effective and compliant with national guidance. The modifications also include changes which are not strictly necessary to make the plan sound but to remove those from the text of the modifications would make them difficult to understand. **MM55** and **MM56** ensure that nature conservation and heritage interests are not forgotten in the design of new development.

53.It will not be necessary for all developments to demonstrate how they contribute to green infrastructure. **MM65** ensures that applicants will only be required to do so where appropriate.

Retail and other services

54.The Council tell me that retail is not a major or strategic issue in North Warwickshire and there is no need for a specific policy in the Plan. Nobody has expressed a different view and there is no evidence before me to suggest otherwise. That is not to say that the market towns and smaller centres do not play an important role in meeting the needs of those living in and around them and maintaining their existing role is important, particularly the higher ranking settlements which are to be the focus of most new development. **MM68** and **MM69** introduce new provisions designed to foster the viability and vitality of the

market towns and to protect existing services and facilities and are necessary to support the plan's strategy.

### Renewable energy

55. There is no requirement in national guidance for renewable energy schemes to demonstrate a local energy benefit and this statement is removed from Policy NW9 by **MM53**. If a wind energy scheme is found to be acceptable there would seem to be no reason why alternatives should be investigated. **MM52** removes this requirement from the reasoned justification to Policy NW9.

56. Policy NW9 requires major development to provide at least 10% of its operational energy requirements from renewable sources without any regard to financial or technical feasibility. This could threaten the delivery of the development planned in the Core Strategy and is rectified by **MM54**.

### Transport

57. During the preparation of the plan the Borough Council was in discussion with the Highways Agency regarding potential solutions for improving flows along the A5. The Highways Agency has indicated that it does not consider realignment to be a solution either now or in the future. The Core Strategy does not safeguard land for any possible realignment but **MM70** is necessary to remove any implication in Policy NW18 that safeguarding land may be necessary.

### Coal

58. The Plan makes a number of references to coal extraction and the Borough Council's concerns with regard to the likely impact of any new workings. The Borough Council is not the minerals planning authority for the area. **MM3** makes a subtle but necessary change to avoid any confusion with regard to the extent of the NWBC's powers with regard to the determination of applications for minerals development.

### Monitoring and implementation

59. The viability studies carried out by the Council indicate that there should be no insurmountable barriers to delivery. **MM70, MM71, MM72, MM73, MM74, MM75, MM76** and **MM77** introduce a series of changes to the monitoring table to ensure that indicators are SMART<sup>23</sup>. A housing trajectory aids monitoring, the Council has produced one and it is included in the Plan by **MM78**.

### Other matters

60. The NPPF advises that; *'Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan'*<sup>24</sup>. The Core Strategy includes significant sections of text designed to assist the consultation process. This is unnecessary; it diverts from the purpose of the plan, reduces its effectiveness and is removed by **MM2**. Similarly the descriptions of settlements in the Spatial Portrait chapter do little, if anything to assist decision makers and are removed by **MM8**.

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<sup>23</sup> Specific Measurable Attainable Realistic Timely

<sup>24</sup> Paragraph 154

61. The route of HS2 will run through the Borough and **MM5** updates the Core Strategy with regard to developments since the Plan was drafted. I heard that a significant existing employment use could be lost as a result of HS2 and **MM6** commits the Council to working with property owners to mitigate any adverse impact.

### Assessment of Legal Compliance

62. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Core Strategy is identified within the approved LDS December 2013 which sets out an expected adoption in the summer of 2014. The Core Strategy's content and timing are broadly compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in April 2007 and consultation has been compliant with the requirements therein and with the relevant regulations.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report (October 2012) sets out why AA is not necessary.
National Policy	The Core Strategy complies with national policy except where indicated and modifications are recommended.
2004 Act (as amended) and 2012 Regulations.	The Core Strategy complies with the Act and the Regulations.
Public Sector Equality Duty	The Core Strategy complies with the Duty.

### Overall Conclusion and Recommendation

63. The Plan has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.

64. The Council has requested that I recommend main modifications to make the Plan sound and capable of adoption. I conclude that, with the recommended main modifications set out in Appendix 2 the Core Strategy satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF.

*A Thickett*

Inspector

Appendix 1; Conclusions on Duty to Co-operate

Appendix 2; Main Modifications

## Appendix 1

Annex A attached to my letter of 10 June 2013 setting out my conclusions regarding compliance with the duty to co-operate.

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The Council's Duty to Co-operate statement<sup>25</sup> and the supplementary submission of 5 June<sup>26</sup> set out how the Council (NWBC) engaged with its neighbours and other bodies in the preparation of the Core Strategy. A number of representors point to alleged shortfalls in the number of new houses and employment land and argue that this demonstrates a failure to engage constructively with neighbouring authorities. To my mind, most of these representations relate to the merits of the Core Strategy and raise issue of soundness. As I indicated at the preliminary meeting, at this stage I am limiting my considerations to whether the Council has satisfied the legal duty to co-operate as set out in Section 33A of the Localism Act 2011.

The Council is criticised for allegedly concentrating on housing matters in its dealings with its neighbours and others. However, the Duty to Co-operate statement and the supplementary submission outline how NWBC engaged with other authorities, statutory undertakers and service providers on a range of strategic issues. The proposed HS2 rail link did not come to light until late in the plan preparation process. Some do not like how the Core Strategy addresses the potential impacts of HS2 but I heard that NWBC has participated in the relevant Forums set up to debate the implications for the region of HS2.

Representatives of Birmingham City Council, Coventry City Council, Lichfield District Council, Nuneaton and Bedworth Borough Council and Tamworth Borough Council attended the preliminary meeting. All bar Coventry and Nuneaton and Bedworth are happy that NWBC had engaged at an appropriate level given the particular circumstances of their relationship and the stages reached in their assessment of their own needs.

In light of my concerns regarding the 2008 Strategic Housing Market Assessment (SHMA)<sup>27</sup> it is a pity that NWBC did not accept Coventry's invitation to carry out a joint SHMA. However, at that time NWBC was content that the 2008 SHMA was sufficient to support its own emerging Core Strategy and, on that basis, I can understand why NWBC declined the offer. I do not consider that the failure to engage with Coventry in this regard demonstrates that NWBC has not satisfied the duty in the preparation of its own Core Strategy.

Nuneaton and Bedworth Borough Council accept that NWBC has engaged but do not consider that it has gone far enough, particularly with regard to infrastructure issues. The duty requires bodies to engage constructively but not necessarily to agree. It seems to me that the differences between Nuneaton and Bedworth and NWBC are either matters that relate to delivery and the soundness of the Core Strategy (which will be explored at the appropriate juncture) or are legitimately best addressed through the preparation of NWBC's Site Allocations DPD.

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<sup>25</sup> Examination Core Document CD8/28

<sup>26</sup> CD9/10

<sup>27</sup> CD10/1 & 3

Birmingham City Council wrote to NWBC and others in August 2012 indicating that it may not be able to accommodate its future needs within its own administrative boundaries. Birmingham could not (and still cannot) confirm what that need may be. Although there is a disagreement with regard to the exact wording<sup>28</sup>, NWBC have proposed a change to the Core Strategy to indicate that NWBC will work collaboratively with Birmingham and others and to undertake an early review of the Core Strategy if provision is required in the Borough. Given the stages reached in the production of their respective plans, I consider this to be a sensible and pragmatic approach<sup>29</sup>.

It was alleged by a representative of the Home Builders Federation that North East Leicestershire may not be able to meet its own housing need but, other than Birmingham and Tamworth, no other authority has indicated that it is looking to NWBC to accommodate some of its housing need. Engagement is a two way process and it would be wrong to criticise NWBC if its neighbours have not come forward.

### Conclusion

In the annex to his letter informing Coventry City Council that it had not met the duty to co-operate in the preparation of its latest Core Strategy, my colleague expressed concern with regard to the Statement of Common Ground and Cooperation for the Coventry, Solihull and Warwickshire (CSW) Sub Region<sup>30</sup>. I share his concerns regarding its value but I am satisfied that the evidence submitted to the examination demonstrates that NWBC has met the legal requirement with regard to the duty to co-operate.

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<sup>28</sup> CD9/9

<sup>29</sup> In my letter of 22 April to the Council I stated that I did not consider it appropriate to defer housing matters to an early review but that was for different reasons.

<sup>30</sup> CD8/28 Appendix A

Appendix 2

North Warwickshire Borough Council: Core Strategy

Main Modifications

Page and paragraph numbers relate to the Core Strategy Submitted Version February 2013: Core Document reference CD1/1

Modification No	Page No.	Policy / Paragraph	MODIFICATION New text; <u>underlined</u> Deleted text <del>Struckthrough</del>
MM1	Throughout document	Date of Plan period	To start from <u>2011 and end at 2029</u>
MM2	4, 5 & 6	Paragraphs 1.3, 1.4, 1.6 & 1.11	Delete paragraphs 1.3, 1.4, 1.6 and 1.11
MM3	5	Paragraph 1.8	Reword last sentence to read " <b><u>Before the Borough Council supports a scheme, it should be satisfied that</u></b> <del>Development proposals within the North Warwickshire coalfield will therefore only be accommodated where there is evidence to prove that the potential impact has been addressed and there are no viable, accessible reserves that may be sterilised or trigger the need to surface mine.</del>
MM4	4	Paragraph 1.13	Amends as follows: "The Localism Act 2011 introduced a requirement for the Borough Council to co-operate with other local authorities as well as organisations and agencies to ensure the effective discussion of issues of common concern to develop sound plans. This Duty is an ongoing process and does not stop with the production of a plan. <del>As a result with up to date evidence or a change in circumstances there will be occasions when an early review of all or part of the Core Strategy may be required. The Borough Council will consider each situation and take the appropriate action.</del> <b><u>This Council has a proven track record in cooperating with neighbouring authorities in strategic planning matters. It commits to working collaboratively with other authorities, and in particular Birmingham and Tamworth, to objectively establish the scale and distribution of any emerging housing and employment shortfalls. In the event that work identifies a change in provision is needed in the Borough of North Warwickshire an early review of the North Warwickshire Local Plan will be brought forward to address this</u></b> ".



MM5	8	Paragraph 2.9	<p>Reword to read "In January 2012 the Secretary of State announced the route for the first phase of HS2 (High Speed Rail) between London and the West Midlands. This travels through the Borough northwards from the NEC along the Tame Valley up to Middleton and then on to Bassett's Pole. A route also comes out of and goes in to Birmingham to the south of Water Orton. <del>When an official announcement is made on the area to be formally</del> The safeguarded <del>this route</del> will be shown on the Proposals Map. <del>Also</del> The next phase of the route to Leeds via the East Midlands and to Manchester is <del>expected to be</del> was published in January 2013/late 2012. <del>The second phase and possible "Y" option may follow the M42 but the exact route will not be known until the Secretary of State makes the formal announcement.</del> <b>The Leeds leg follows the route of the M42 from a junction near Lea Marston, past Polesworth and then heads towards Ashby.</b> The full impact of the proposals will not be known for some time, but increased traffic, especially through the rural countryside close to the new railway station and monorail depot to the east of the M42 near to the NEC, is likely. Improved public transport connections will be extremely important to mitigate this impact as well as substantial landscaping and absorptive noise barriers along its route. Other mitigation measures, including community benefits will be needed and will be progressed through discussions with HS2 Ltd and the Department of Transport. Pressure for development around the new HS2 railway station at the NEC will be resisted.</p>
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Modification No	Page No.	Policy / Paragraph	<p style="text-align: center;"><b>MODIFCATION</b>  New text; <u>underlined</u>  Deleted text <del>Struckthrough</del></p>
MM6	8	New Paragraph	<u>The Borough Council recognises that when HS2 takes place, it will impact on a number of properties. The Council will work with owners to mitigate the loss of properties wherever possible.</u>
MM7	10	New Paragraph	<p>Insert new paragraph after 2.13 to read:</p> <p><u>“The borough has a special and important natural environment shaped by its landscape and mining legacy. It has four major river corridors – the Tame, Blythe, Cole and Anker - and holds the largest and most important area of inter-connected wetlands in the sub-region along the Tame Valley. Cumulatively this area forms a migratory bird route of regional significance. The borough also has notable concentrations of heathland, ancient woodlands and acid grasslands associated with post-industrial habitats, which are otherwise scarce within the county. The natural environment provides many vital ecosystem services to the borough, such as natural flood defence, carbon sequestration and the maintenance of biodiversity and air quality. These services help to underpin the local economy and make a valuable contribution to the quality of life of its residents.”</u></p>
MM8	11 to 23	2.17 to 2.74	<p>Delete paragraphs: 2.17 – 2.20, 2.22 to 2.25. 2.27, 2.30 to 2.41, 2.45 to 2.55, 2.57 to 2.60, 2.63 to 2.70</p> <p>Move paragraphs 2.21 to after 6.88. Delete last sentence of 2.26 and then move to between 6.88 and 6.89. Move 2.28 after 6.37. Delete first and last sentence of 2.29 and then move remainder to 6.78. Move 2.42 up to the final sentence of 2.43 to after para 6.36. Move final sentence in 2.43 to after 6.80. Move 2.44 to after 6.82. Move 2.56 to after 6.86. Move 2.61 and 2.62 to NW16 justification before 6.80. Delete last sentence in 2.71</p>
MM9	26	Spatial Vision	<p>In 3<sup>rd</sup> bullet delete “In the next 15 years to 20 years”</p> <p>Change 4<sup>th</sup> to read: New homes, and new employment <u>proposals</u>, together with local services and community facilities will be integrated carefully respecting local distinctiveness into the Borough’s existing areas respecting local distinctiveness. <del>and this</del> <u>The majority of the development will be focused</u> the majority of the development to on the Market Towns and Local Service Centres.</p>
MM10	28	Objective 7	<p>Amend Strategic Objective 7 to read;</p> <p>To protect and enhance the quality of the natural environment <u>and conserve and enhance</u> the historic environment across the borough</p>

Modification No	Page No.	Policy / Paragraph	MODIFCATION New text; <u>underlined</u> Deleted text <del>Struckthrough</del>	REASON FOR MODIFICATION
MM11	To be added after the strategic objectives as the first policy	New Policy	Additional New Policy: <u>Sustainable Development</u> <u>Planning applications that accord with the policies in this Core Strategy (and where relevant, with other policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council, will grant permission unless material considerations indicate otherwise - taking into account whether:</u> · <u>Any adverse impacts of the proposal would significantly and demonstrably outweigh its benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</u> · <u>Specific policies in the Framework or other material consideration indicate that development should be restricted.</u>	Clarity and effectiveness
MM12	To be added after the strategic objectives as the first policy	New Paragraph	Add new Paragraph as explanation to new policy: <u>When considering development proposals that accord with policies in the Core Strategy, the National Planning Policy Framework is also a material consideration. The Council will take a positive approach to the consideration of development proposals, following the presumption in favour of sustainable development. We will always work proactively with applicants and other stakeholders jointly to seek find solutions which mean that proposals can be approved wherever possible, and to secure development which sustainably improves the economic, social and environmental conditions in North Warwickshire.</u>	Clarity and effectiveness
MM13	31	NW1	First paragraph to be reworded to read "Development within the Borough will relate to the settlement hierarchy at a scale proportionate to its position in the <u>will be distributed in accordance</u> with the Borough's settlement hierarchy as given in Appendix C. Where necessary, changes to development boundaries will be made in the appropriate Development Plan Document, or once development has taken place, whichever is the earlier"	Clarity and effectiveness
MM14	32	NW1 (Category 5)	First paragraph be amended to read " <u>Development in settlements without a development boundary</u> Outside development boundaries and except where other policies of the Plan expressly provide, development will be limited to that requisite <u>necessary</u> for agriculture, forestry or other uses that can be shown to require a rural location.	Clarity and effectiveness
MM15	33	NW2 (2)	Delete 2nd bullet point of policy - " <del>No changes to the Green belt boundary will be made.</del> "	Clarity and effectiveness
MM16	33	NW2 (4)	Bullet point 4 changed to read: " <del>Green Belt villages washed over by the designation will be required to have an infill boundary to define areas</del> <u>Infill boundaries in the Green Belt will be brought forward to indicate</u> where limited infill and redevelopment would be permitted."	Clarity and effectiveness
Modification No	Page No.	Policy / Paragraph	MODIFCATION New text; <u>underlined</u> Deleted text <del>Struckthrough</del>	REASON FOR MODIFICATION

MM17	35	New paragraph between 6.8 and 6.9	<b><u>The Borough Council is seeking to provide a variety of types and tenures of housing throughout the Borough, but will specifically seek the type and tenure to reflect the local settlement. Information for this can be found in a variety of sources including the SHMA and Local Housing Needs Studies</u></b>	Clarity and effectiveness																								
MM18	36 & 37	Table 1 & Policy NW3(1)	<p><b><u>Delete current table 1 and replace with the following to reflect new plan period and numbers</u></b></p> <p><i>Local Requirement</i></p> <table border="1" data-bbox="1071 464 2110 722"> <thead> <tr> <th></th> <th></th> <th>Dwellings Net</th> <th>Average Dwellings per annum</th> </tr> </thead> <tbody> <tr> <td>a)</td> <td>Housing requirement 2011-2029 (3150 ÷ 18yrs=)</td> <td>3150</td> <td>175</td> </tr> <tr> <td>b)</td> <td>Net additions to stock 1/4/11 – 31/10/13 (2 years 7 months) - Completions that have already taken place.</td> <td>151</td> <td></td> </tr> <tr> <td></td> <td><b>Total Residual requirement</b></td> <td><b>2999</b></td> <td></td> </tr> </tbody> </table> <p><i>Amount of Housing Land left to find for remaining Plan period</i></p> <table border="1" data-bbox="1080 821 2101 982"> <tbody> <tr> <td>Housing in the Pipeline (sites already with planning permission or allocated 919 plus 131 from LIP =)</td> <td>1050</td> </tr> <tr> <td>Land to be found in remaining Plan period (2999 – 1050)</td> <td>1949</td> </tr> <tr> <td><b>Number of Units to be Delivered for Tamworth</b></td> <td><b>500 units</b></td> </tr> </tbody> </table> <p><i>Total land to be found in remaining plan period including land for Tamworth</i></p> <table border="1" data-bbox="1080 1077 2110 1142"> <tbody> <tr> <td><b>TOTAL Requirement Left to Find (1949 + 500 =)</b></td> <td><b>2449 units</b></td> </tr> </tbody> </table> <p>Amend first bullet point as follows:  <u>Between 2006 and 2028 2011 and 2029 at least 3,800 3,650 dwellings (net) will be developed built (of which 500 are to meet needs arising in Tamworth).</u></p>			Dwellings Net	Average Dwellings per annum	a)	Housing requirement 2011-2029 (3150 ÷ 18yrs=)	3150	175	b)	Net additions to stock 1/4/11 – 31/10/13 (2 years 7 months) - Completions that have already taken place.	151			<b>Total Residual requirement</b>	<b>2999</b>		Housing in the Pipeline (sites already with planning permission or allocated 919 plus 131 from LIP =)	1050	Land to be found in remaining Plan period (2999 – 1050)	1949	<b>Number of Units to be Delivered for Tamworth</b>	<b>500 units</b>	<b>TOTAL Requirement Left to Find (1949 + 500 =)</b>	<b>2449 units</b>	Clarity and effectiveness
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MM19	37	NW3(2)	Delete second bullet point	To reflect the evidence																								
MM20	37	NW3(3)	Delete text in bullet point 3 “All housing sites will be allocated in accordance with this Core Strategy <del>and in particular, respect the rural character of North Warwickshire</del> ”	Clarity and effectiveness																								
MM21	37	NW3(5)	Delete fifth bullet point.	Clarity and effectiveness																								
MM22	37	NW3(6)	Reword bullet point 6 to read "Development will only occur if the appropriate infrastructure is available <b><u>or can be made available</u></b> and sites will be released in order to ensure a consistent delivery of housing for the Borough."	Clarity and effectiveness																								

Modification No	Page No.	Policy / Paragraph	MODIFCATION New text; <u>underlined</u> Deleted text <del>Struckthrough</del>	REASON FOR MODIFICATION
MM23	38	NW4 (Category 4)	Reword Paragraph to read "The following settlements will cater for the following amount of development <u>usually</u> on sites of no more than 10 units and at any one time <u>depending on viability.</u> A Neighbourhood Plan <u>may</u> allocates more"	Clarity and effectiveness
MM24	38	NW4 (Category 5)	Amend as follows: Only affordable housing where there is a proven local need and it is small in scale and does not compromise important environmental assets <u>and development necessary for agriculture, forestry or other uses that can be shown to require a rural location</u>	To be consistent with NW1
MM25	39	Paragraph 6.17	Paragraph needs to be updated to reflect new SHMA (2013): "The Council undertook a Housing Market Assessment in 2008 <del>2013</del> to provide up to date evidence and information for the Core Strategy. Affordable housing needs still remain high with a need of <del>286</del> <u>112</u> units per annum. The need for affordable housing as identified by this assessment exceeds, on an annualised basis, housing requirement for the Borough, of <del>450</del> <u>175</u> units per annum. This causes a particular difficulty in North Warwickshire because the analysis further shows that the ratio of income to house prices/market rental in the Borough is such that the greatest amount of need is for socially rented accommodation. Since the adoption of the 2006 Local Plan therefore "local affordable housing" for North Warwickshire has related to the provision of socially rented housing provided by a Registered Social Landlord, or housing of a similar standard that is available at an equivalent or lower cost (in terms of weekly or monthly repayments or rent). Socially rented accommodation is not the only provision of local affordable housing but it is a means of comparison to ensure that the housing that is provided is affordable for those in housing need in North Warwickshire."	To reflect updated evidence
MM26	39	Paragraph 6.18	Delete whole paragraph - " <del>Increasingly however, it is clear that the viability of these schemes is coming in to question as sources of external funding, such as from the Homes and Communities Agency, is increasingly difficult to access. This means that the Borough Council will have to look at other forms of provisions that clearly deliver aspirations for affordable quality homes. Intermediate housing, such as shared ownership or discounted market housing (in perpetuity), whether provided by a Registered Social Landlord (RSL) or by a private developer is acceptable. But it will only be able to satisfy a very small proportion of the local housing need (some 3.8%). This is because such housing will only be affordable in North Warwickshire if it compares in terms of standard (size/ security of tenure/facilities) and monthly outgoings for rent/mortgage to the rent paid in the socially rented sector.</del> "	To reflect updated evidence
MM27	40	6.22	Change the first part of paragraph to read: Each housing site will be expected to provide for housing in order to meet the target of <u>20, 30 or 40%</u> of housing to be affordable <u>depending on the type and size of site</u> over the plan period. This provision will be provided through on-site provision, off-site financial contributions and/ or land. <u>The methodology in the Affordable Housing Viability Report will be used to calculate the financial contribution.</u>	To reflect updated evidence
MM28	40	Paragraph 6.23	Delete "A monitoring target has been set to ensure that during the period 2006—2028 40% of the dwellings completed are affordable."	Clarity and effectiveness
MM29	40	Paragraph 6.24	Delete "Rural Affordable Sites will be included in future Development Plan or Neighbourhood Documents"	To reflect updated evidence

Modification No	Page No.	Policy / Paragraph	MODIFCATION New text; <u>underlined</u> Deleted text <del>Struckthrough</del>	REASON FOR MODIFICATION
MM30	40	NW5	<p>Delete policy NW5 and replace with:</p> <p><b><u>Affordable Housing Provision</u></b>  <b><u>Schemes of 15 or more dwellings</u></b>  <b><u>1. 30% of housing provided on-site will be affordable</u></b>  <b><u>2. Except in the case of Greenfield (previously agricultural use) sites where 40% on-site provision will be required.</u></b></p> <p><b><u>Schemes of between 1 and 14 inclusive units</u></b>  <b><u>20% affordable housing provision will be provided. This will be achieved through on site provision or through a financial contribution in lieu of providing affordable housing on-site. This will be calculated using the methodology outlined in the Affordable Housing Viability report or subsequent updated document and is broadly equivalent to on-site provision.</u></b>  <b><u>The Council and other partners will continue to maximise numbers of affordable housing on other sites.</u></b></p> <p><b><u>Proposals to provide less than the targets set out above should be supported by a viability appraisal to verify that the targets cannot be met and the maximum level that can be provided without threatening the delivery of the scheme.</u></b></p> <p><b><u>Affordable Housing Mix</u></b>  <b><u>A target affordable housing tenure mix of 85% affordable rent and 15% suitable intermediate tenure will be provided wherever practicable.</u></b></p>	To reflect updated evidence
MM31	41-42	6.25	<p>Rewording required reflecting the updated GTAA and the new criteria based policy  “The Government’s key objective for planning for housing is to ensure that everyone has the opportunity of living in a decent home. <b><u>The Planning Policy for Travellers Sites, which relates to Gypsies, Travellers and Travelling Show people was published in March 2012. This document should be read in conjunction with the NPPF</u></b> which includes a commitment to ensuring that the housing needs of members of the gypsy and traveller community and the travelling show people’s community are met. <del>The Southern Staffordshire and Northern Warwickshire Gypsy and Traveller Accommodation Assessment (GTAA) published in February 2008 examined the necessity for further sites in the region.</del>  <b><u>The Gypsy Traveller and Travelling Show people Accommodation Assessment: North Warwickshire and Nuneaton and Bedworth, published in June 2013 examined the necessity for further pitches in the study area.</u></b>  <b><u>The study was conducted by a team of researchers from the Salford Housing and Urban Studies Unit (SHUSU) at the University of Salford.</u></b>  <b><u>The study was greatly aided by research support and expertise provided by members of the Gypsy and Traveller communities”</u></b></p>	Clarity and effectiveness
MM32	41-42	6.26	Delete Paragraph	Clarity and effectiveness

MM33	41-42	6.27	For North Warwickshire this assessment, which took in to account the 17 pitches at the Warwickshire County Council rented site at Alvecote, indicated there is a need for an additional <del>27</del> <u>9</u> residential pitches ( <del>12</del> <u>2</u> up to 201 <del>27</del> , <del>53</del> up to 2017 <u>22</u> , 5 up to 2022 and 5 <del>4</del> up to 202 <del>7</del> <u>8</u> ) and up to 5 transit caravan pitches up to 2027. As the GTTA becomes less reliable the longer the timeframe, due to the nomadic nature of Gypsy and Travellers. <del>This</del> <u>This</u> figure will be updated on a regular basis. The end target date is thus 202 <del>7</del> <u>8</u> and not 2028 <u>9</u> as in the case of the housing and employment targets. There was no evidence of any requirement to provide pitches for travelling show people.	Clarity and effectiveness
Modification No	Page No.	Policy / Paragraph	MODIFCATION New text; <u>underlined</u> Deleted text <del>Struckthrough</del>	REASON FOR MODIFICATION
MM34	41-42	6.28	Delete Paragraph	Clarity and effectiveness
MM35	41-42	6.29	Delete Paragraph	Clarity and effectiveness
MM36	42	NW6	Reword to “ <del>27</del> <u>9</u> residential and 5 transit Gypsy and Traveller pitches will be provided between 2006 <del>2011</del> and 2027 <del>2028</del> ”	To reflect updated evidence
MM37	42	New criteria based policy justification	<u>In order to provide for a range of small sites outside of the Green Belt, but close to services and facilities, a Gypsy &amp; Traveller Plan will be brought forward and will include pitch allocations and follow the principles of the settlement hierarchy. The allocations will be informed by the Gypsy and Travellers Accommodation Assessment (GTAA) and any subsequent update and review.</u>	Clarity and effectiveness
MM38	42	Additional paragraphs (to be numbered at document change)	<u>Sites for Travelling Show people will not be allocated specifically as no need has been identified. However appropriate sites would be groups of farms buildings close to main roads throughout the Borough. In addition, there would be a need to meet the criteria reflected in government guidance. If sites arise then they will be treated in accordance with the Policy NW6A below.</u>	Clarity and effectiveness
MM39	42	Additional paragraphs (to be numbered at document change)	<u>A criteria based policy will assist the provision of sites. Where sites fall outside the development boundary preference will be given for them to be located on previously developed land.</u>	Clarity and effectiveness
MM40	42/43	New Paragraph - New criteria based policy justification)	<u>Any permission granted under this Policy will be subject to a condition limiting occupancy to Gypsy and Travellers as defined in Annex 1 to Planning policy for traveller sites March 2012.</u>	To reflect updated evidence

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MM41	43	New Policy – NW6A	<p><b><u>GYPSY and TRAVELLERS POLICY: Sites will be allocated and/or permissible inside, adjoining or within a reasonable safe walking distance of a settlement development boundary outside of the Green Belt. Site suitability will be assessed against relevant policies in this Core Strategy and other relevant guidance and policy. Sites will also be assessed using the following criteria:</u></b></p> <ul style="list-style-type: none"> <li><b><u>• The size of the site and number of pitches is appropriate in scale and size to the nearest settlement in the settlement hierarchy and its range of services and infrastructure, limited to a maximum number of 5 pitches per site.;</u></b></li> <li><b><u>• The site is suitably located within a safe, reasonable walking distance of a public transport service, with access to a range of services including school and health services;</u></b></li> <li><b><u>• Avoiding areas with a high risk of flooding or affected by any other environmental hazards that may affect the residents' health and welfare;</u></b></li> <li><b><u>• has access to essential utilities including water supply, sewerage, drainage and waste disposal;</u></b></li> <li><b><u>• The site can be assimilated into the surroundings' and landscape without any significant adverse effect.</u></b></li> </ul>	Clarity and effectiveness
MM42	43	6.36	<p>Add wording - "<b><u>Work is being carried out at both the sub-regional and regional level to consider employment needs on a wider than local level. As and when these reports become available their implications for the amount and type of employment provision set out in the Core Strategy will be assessed. Consideration will be given to a review of the relevant Core Strategy policies should any assessment indicate that this is necessary.</u></b></p>	Clarity and effectiveness
MM43	43	6.37	<p>Remove the wording in the last sentence ""Another legacy from the Regional Spatial Strategy is a further 20 hectares specifically for logistics use. However a number of circumstances have changed. Birch Coppice Phase 2 is under construction. Hams Hall has not come forward – a former power station site in the Green Belt. In addition, MIRA Technology Park, an Enterprise Zone, south along the A5 will be coming on stream within the next year or so. With the development of this site this changes the local market and provides opportunities to diversify the local economy for different types of employment growth. The Borough Council is keen to exploit these opportunities and so will allocate the 20 hectares of land originally earmarked purely for logistics use to high density uses on land outside of the Green Belt falling with Use Classes B1 (b &amp; c), B2 and B8;"</p>	Clarity and effectiveness
MM44	44	6.39	<p>Add to the end of the paragraph: <b><u>It is important therefore to protect employment land from alternative uses. However the Borough Council recognises that this cannot always be the case. Proposals for a change of use from employment uses (Class B) to non employment uses should be supported by evidence to show that the existing buildings and land are not suitable or cannot be viably re used for another employment use. Evidence should include details of the marketing of the site for employment use for 12 months.</u></b></p>	Clarity and effectiveness



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MM45	44	Table 3	Employment Land 2011 - 29 A Total Employment Land Requirement, 2011-29 58 ha B Replacement Provision for Unsuitable Land 2 ha Total Employment Land Required to Meet Local Needs 60 ha  C Completions in ha from 2011 to 2012 (non RLS) - 0.56 ha D Extant Permissions/ Allocations - 30.8 ha E Total Supply 31 ha (31.36 ha)  F Remaining Employment Land Requirement 29 ha	To reflect up to date evidence
MM46	45	NW7	Reword to reflect plan period “ Between <del>2006</del> <u>2011</u> and <del>2028</del> <u>2029</u> a minimum of <del>68.5</del> <u>60</u> hectares of local employment land will be provided of which 20 hectares will be specifically for high density employment creating uses falling with Use Class B1 (b & c), B2 and B8;”	To ensure a 15 year plan period
MM47	45	NW7(3)	Delete bullet point In Category 4 settlements sites will be no greater than 0.2 hectares; and, replace with “ <u>Development will be appropriate to the scale and size of the settlement</u> ”	Clarity and effectiveness
MM48	45	NW7	Additional bullet point to be added to safeguard employment land. “ <u>All employment land will be protected unless it can be demonstrated that there is no realistic prospect of the site being used for employment purposes. Evidence would need to demonstrate that:</u> <ul style="list-style-type: none"> <li>• <u>the site is no longer commercially viable; and,</u></li> <li>• <u>it has been marketed for an appropriate period of time, usually no less than 12 months; and,</u></li> <li>• <u>there are no alternative employment uses that could use the site.</u></li> </ul>	Clarity and effectiveness
MM49	45	NW7	Additional bullet point to be added to reflect paragraph 6.40 “ <u>Support and encouragement will be given to small scale rural businesses to expand where this does not impact detrimentally on the countryside character in environmental or sustainable terms</u> ”	Clarity and effectiveness
MM50	45	6.42	2 <sup>nd</sup> sentence in paragraph 6.42 to be amended to read: In this respect, all development should demonstrate that it is sustainable. <del>with built development,</del> <u>This will be achieved by being well</u> designed, laid out and constructed in a manner to ensure the long term retention, adaptation and re-use of <u>premises; that where</u> services and facilities that link and support development <u>they</u> must be protected and improved where necessary; and that promotion of sustainable transport is prioritised, <del>since as within rural areas there is a reliance on private vehicular transport.</del>	Clarity and effectiveness
MM51	47	NW8	Reword bullet point 1 to read “Be targeted at using brownfield land in appropriate locations <u>reflecting the settlement hierarchy</u> and <del>subject to maintaining a five year housing supply;</del> ” Add <u>and</u> to the end of each criterion. Delete criterion 5 and 6. Insert new criteria: <u>5 encourage sustainable forms of transport focussing on pedestrian access and provision of bike facilities; and 6 provide for proper vehicular access, sufficient parking and manoeuvring for vehicles in accordance with adopted standards; and,</u> Change criterion 7 into two parts a and b. Add to 7a add <u>Playing Pitch Strategies before will be supported.</u>	Clarity and effectiveness

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MM52	48	Paragraph 6.52	Amend as follows: Wind turbines are a means of providing renewable energy. A key factor of their development will be <u>their</u> the impact on the landscape and the local community. <del>Other alternatives will be investigated and the appropriate measure pursued.</del>	Clarity and effectiveness
MM53	48	NW9	Reword "Renewable energy projects will be supported where they provide a local energy benefit and they respect the capacity and sensitivity of the landscape and communities to accommodate them. In particular, they will be assessed on their individual and cumulative impact on landscape quality, sites or features of natural importance, sites or buildings of historic or cultural importance, residential amenity and the local economy."	Clarity and effectiveness
MM54	48	NW9	New development will be expected to be energy efficient in terms of its fabric and use. Major development will be required to provide a minimum of 10% of its operational energy requirements from a renewable energy source <u>subject to viability</u> . Smaller schemes will be encouraged to seek the introduction of renewable energy and energy efficiency schemes at the outset to avoid costly retrofit.	Clarity and effectiveness
MM55		New Paragraph	Insert new paragraph before 6.54 in the Quality of Development section to read:  <b><u>"The quality of development is important and can be helped through early consideration of the development. This is particularly the case in considering the natural and historic environment and how this will be dealt with. Considering biodiversity at an early stage of the planning process will assist in building in beneficial features to aid biodiversity."</u></b>	Clarity and effectiveness
MM56	50	NW10	Amend NW10 to add the following bullet point after "deter crime" and before "provide, conserve and enhance biodiversity": <b><u>"• sustain, conserve and enhance the historic environment"</u></b>	Clarity and effectiveness

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MM57	52	NW11	<p>Split NW11 so that one part deals with the Historic Environment and the other part deals with the Natural Environment. Therefore amend NW11 to read:</p> <p><b><u>NW11A– Historic Environment</u></b></p> <p><b><u>The Council recognises the importance of the historic environment to the Borough’s local character, identity and distinctiveness, its cultural, social, environmental and economic benefits”</u></b></p> <p>Retain “The quality, character, diversity and local distinctiveness of the historic environment will be conserved and enhanced. In particular:</p> <ul style="list-style-type: none"> <li>• Within identified historic landscape character areas development will conserve, enhance and where appropriate, restore landscape character as well as promote a resilient, functional landscape able to adapt to climate change. Specific historic features which contribute to local character will be protected and enhanced; and,”</li> </ul> <p>Delete 2<sup>nd</sup> paragraph and replace with the following:</p> <ul style="list-style-type: none"> <li>• <b><u>The quality of the historic environment, including archaeological features, Listed Buildings, Scheduled Ancient Monuments, Registered Parks and Gardens, Conservation Areas and any non-designated assets; buildings, monuments, archaeological sites, places, areas or landscapes positively identified in North Warwickshire’s Historic Environment Record as having a degree of significance meriting consideration in planning decisions, will be protected and enhanced, and;</u></b></li> <li>• <b><u>Wherever possible, a sustainable reuse of redundant historic buildings will be sought, seeking opportunities to address those heritage assets identified as most at risk.</u></b></li> </ul> <p><b><u>NW11B - Natural Environment</u></b></p> <p>The quality, character, diversity and local distinctiveness of the natural environment <del>and historic environment</del> will be protected and enhanced. In particular within identified landscape character areas development will conserve, enhance and where appropriate, restore landscape character as well as promote a resilient, functional landscape able to adapt to climate change. Specific landscape, geo-diversity, wildlife and historic features which contribute to local character will be protected and enhanced. <del>The quality of the historic environment including archaeological features, will be protected and enhanced, and wherever possible, a sustainable reuse of the historic building will be sought.</del></p>	Clarity and Effectiveness

Modification No	Page No.	Policy / Paragraph	<p style="text-align: center;"><b>MODIFCATION</b>  New text; <u>underlined</u>  Deleted text <del>Struckthrough</del></p>	REASON FOR MODIFICATION
MM58	52	6.69 and 6.70	<p>Amended paragraphs 6.69 and 6.70 to read as follows:</p> <p>6.69 The Historic Environment is a finite and non-renewable resource. 14 designated assets were identified by English Heritage as being 'at risk', mainly from disuse or neglect, in 2011. Kingsbury Hall and Astley Castle are undergoing major work. The Borough Council will continue to work with owners to seek ways of securing their future. <b><u>The Borough Council has an ongoing programme for updating the areas Conservation Area Appraisals and will undertake management plans for them where appropriate. It will seek opportunities for enhancement through development and links with other projects and partnerships.</u></b></p> <p>6.70 The Borough recognises the role of the Historic Environment in shaping the distinctiveness of the Borough and in contributing to quality of life and quality of place. It is committed to protecting and where possible enhancing its historic assets including identification of areas where development might need to be limited in order to conserve heritage assets or would be inappropriate due to its impact upon the historic environment. Proposals for new development should reflect this commitment, with design that reflects local distinctiveness and adds value to it. <b><u>The re-use and restoration/conservation of historic buildings can be a catalyst for regeneration. The Council have successfully implemented a Conservation Area Partnership Scheme in Atherstone and will seek ways of building on this success including the use of Neighbourhood Plans in the promotion of positive improvements to the Borough's historic environment.</u></b> Proposals which may have an impact upon the Historic Environment will be assessed in accordance with local and national policy and guidance."</p>	Clarity and Effectiveness
MM59	52	New paragraph	<p>Insert new paragraph after 6.71 - <b><u>All of these make a substantial contribution to the Borough's natural environment. The network however is not restricted to these sites but other features of biodiversity that add, buffer and link to the wider countryside, providing connectivity and facilitating species movement in response to climate change.</u></b></p>	Clarity and Effectiveness
MM60	53	New paragraph	<p>A new section before policy NW12 on Nature Conservation to read:</p> <p>New para - <b><u>The Borough Council recognises the need to establish a coherent and resilient ecological network in order to contribute towards the Government's target of halting the loss of biodiversity by 2020. The Core Strategy aims to achieve this by providing robust protection for these biodiversity assets that have a significant role and function in the Borough's existing ecological network and by seeking enhancements and gains where deficiencies are identified.</u></b></p>	Clarity and Effectiveness

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MM61	52	NW11	<p>Split bullet 2 “<del>The quality of the historic environment, including archaeological features, will be protected and enhanced, and wherever possible, a sustainable reuse of the historic building will be sought</del>”. and reword to read: <b><u>The quality of the historic environment, including archaeological features, Listed Buildings, Scheduled Ancient Monuments, Registered Parks and Gardens, Conservation Areas will be protected and enhanced; Any non-designated assets; buildings, monuments, archaeological sites, places, areas or landscapes positively identified in North Warwickshire’s Historic Environment Record as having a degree of significance meriting consideration in planning decisions, will be protected and enhanced commensurate to the significance of the asset.</u></b></p>	Clarity and effectiveness
MM62	53	NW12	<p>NW12 amend first clause of policy to delete ancient woodlands and add to the end of the third paragraph the following: <b><u>“Development will be resisted where it leads to the loss of irreplaceable habitats and features, such as ancient woodland or veteran trees unless it can be demonstrated there are overriding reasons and benefits that outweigh the loss.”</u></b></p> <p>Insert at the end of the first sentence in the fourth paragraph of policy NW12 the following: <b><u>“And finally seeking positive enhancements wherever possible.”</u></b></p>	Clarity and effectiveness
MM63	53	NW12	Amend fourth paragraph of policy NW12 to be <b><u>“net gain”</u></b> of biodiversity and delete “net loss”.	Clarity and effectiveness
MM64	53	6.73	Amend second sentence in paragraph 6.73 to insert <b>“Coventry and Solihull and ”</b> before Warwickshire.	Clarity and effectiveness
MM65	54	NW13	<p>Amend Policy NW13 to read:</p> <p><del>Throughout the Borough a comprehensive network of high quality, multi-functional, green spaces, corridors and other historic and natural environmental features will be maintained, enhanced and created for flora, fauna and humans, which link into the sub-regional green infrastructure networks.</del></p> <p>Development proposals must, <u>where appropriate</u>, demonstrate how they contribute to maintaining and enhancing a comprehensive and strategically planned green infrastructure network, where appropriate. With reference to the sub-regional Strategy for Green Infrastructure and the local Green Infrastructure resource development should:</p> <ul style="list-style-type: none"> <li>• Identify, maintain and enhance existing green infrastructure assets;</li> <li>• Optimise opportunities to create links between existing green infrastructure within the district and to surrounding sub-regional networks;</li> <li>• Help to deliver new green infrastructure assets where specific need has been identified.</li> </ul> <p>Where new green infrastructure cannot be provided on site, or where an existing asset is lost or adversely affected, contributions will be sought towards wider green infrastructure projects and improvements within the district or, where appropriate, in the sub-region.</p>	Clarity and effectiveness

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MM66	56	NW15	Addition to the final paragraph "Further growth of the Atherstone and Mancetter area, outside of the current boundaries, will be focused in the broad direction of the north-west of the Settlement <u>north of Holly Lane Industrial Estate and South of the Anker Valley floodplain</u> "	Clarity and effectiveness
MM67	57	NW16	Amends last paragraph; Land to the west of Polesworth & Dordon shall remain essentially undeveloped in order to maintain the separation between Tamworth and the settlements of Polesworth & Dordon. Any <u>development to the west of Polesworth &amp; Dordon</u> proposals will be expected to be limited in size and maintain <u>must respect the separate identities of Polesworth and Dordon and Tamworth and maintain a meaningful gap between them.</u> the separation between the urban area of Tamworth and the settlements of Polesworth and Dordon	Clarity and effectiveness
MM68	57	Add new paragraph after 6.83	<u>"Retail uses will be focussed towards the Market Towns to help maintain their viability and vitality. Existing retail uses will be protected in accordance with the settlement hierarchy and developed further within the site allocations plan"</u>	Clarity and effectiveness
MM69	57	NW17	Amend policy as follows: <u>Proposals that would have a detrimental impact on the viability and vitality of town centres will not be permitted.</u> <del>Proposals that would result in the loss of an existing services or facilities</del> <u>ties</u> which contributes to the functioning of a settlement will only be supported where the facility is replaced elsewhere or <u>it is</u> proven that <u>its loss would</u> it will not harm the vitality of the settlement. <u>Town Centres will be the focus for new retail development.</u> Disproportionate concentration of uses will be avoided. Robust justification using a sequential approach will be required to avoid a disproportionate concentration of uses.	Clarity and effectiveness
MM70		NW18	Change first sentence to read: Opportunities for securing <del>transport routes and other</del> improvements will...	Clarity
MM71	67	Glossary	Put definition of Green infrastructure in to Glossary	Clarity and effectiveness
MM72	64-66	Monitoring Table	NW2,NW8, NW9,NW10 – these triggers to be removed	Clarity and effectiveness
MM73	64-66	Monitoring Table	NW1, NW3, NW4 –be grouped together. Trigger to read " Where the development requirements identified within the housing trajectory are not delivered over a 2/3 year period (Monitoring with AMR)	Clarity and effectiveness
MM74	64-66	Monitoring Table	NW5 – Trigger to read " Where the development requirements identified within the housing trajectory are not delivered over a 2/3 year period (Monitoring with AMR)	Clarity and effectiveness

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MM75	64-66	Monitoring Table	NW7 - Trigger to read " Where the development requirements (pro rata) identified are not delivered over a 2/3 year period (Monitoring with AMR)	Clarity and effectiveness
MM76	64-66	Monitoring Table	NW11, NW12, NW13, NW17 – reword to read " <u>any unjustified loss</u> "	Clarity and effectiveness
MM77	64-66	Monitoring Table	NW14 – is linked to the delivery of the employment development expected in Policy NW7	Clarity and effectiveness
MM78	64-66	Housing Trajectory	NWBC to update to reflect plan period – put in Core Strategy as an Appendix with the Monitoring table	Clarity and effectiveness



North Warwickshire  
Borough Council

### **North Warwickshire Core Strategy Adoption Statement**

In accordance with Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012 the North Warwickshire Core Strategy was adopted by North Warwickshire Borough Council on 1<sup>st</sup> October 2014.

A number of modifications were made to the Submission Core Strategy (February 2013) pursuant of Section 23(3) of the Planning and Compulsory Purchase Act 2004. These are set out at Appendix 2 of the Inspector's Report on the examination into the Core Strategy.

Any person aggrieved by the Local Plan may make an application to the High Court under Section 113 of the Planning and Compulsory Purchase Act on the grounds that:

- (i) the Local Plan is not within the powers conferred by Part 2 of the Planning and Compulsory Purchase Act 2004;
- (ii) a procedural requirement of the Planning and Compulsory Purchase Act 2004 or its associated Regulations has not been complied with.

Any such application should be made promptly and in any event no later than the end of the six week challenge period, starting with the date on which the Plan was adopted (9<sup>th</sup> October 2014).

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This adoption statement, the Core Strategy, the Sustainability Appraisal Report, the Inspector's Report and appended schedule of main modifications required to make the Plan sound are available for Inspection on the Council's website at [www.northwarks.gov.uk](http://www.northwarks.gov.uk) and at the following locations:

- Documents and supporting evidence can be viewed and downloaded from the Borough Council's website at [www.northwarks.gov.uk/forwardplanning](http://www.northwarks.gov.uk/forwardplanning)
- Alternatively copies of the documents can be viewed at Main Reception, Council Offices, South Street, Atherstone, CV9 1DE, and
- At the Borough's Leisure Centre's
- At the Borough's libraries during their normal opening hours, as well as the libraries in Nuneaton and Camp Hill.

*The Sustainability Appraisal Report is only available on CD or through the web site.*