

**To: The Deputy Leader and Members of the Planning and Development Board**

**Councillors Simpson, Bates, Bell, Chapman, Dirveiks, Fowler, Gosling, Hayfield, Hobley, Humphreys, Jarvis, Parsons, H Phillips, Reilly, Ridley and Ririe.**

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

For general enquiries please contact the Democratic Services Team on 01827 719237 via e-mail – [democraticservices@northwarks.gov.uk](mailto:democraticservices@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.

## **PLANNING AND DEVELOPMENT BOARD AGENDA**

**9 OCTOBER 2023**

The Planning and Development Board will meet on Monday, 9 October 2023 at 6.30pm in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire.

The meeting can also be viewed on the Council's YouTube channel at [NorthWarks - YouTube](#).

### **AGENDA**

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

## **REGISTERING TO SPEAK AT THE MEETING**

Anyone wishing to speak at the meeting, in respect of a Planning Application, must register their intention to do so by 1pm on the day of the meeting, either by email to [democraticservices@northwarks.gov.uk](mailto:democraticservices@northwarks.gov.uk) or by telephoning 01827 719237 / 719221 / 719226.

Once registered to speak, the person asking the question has the option to either:

- (a) attend the meeting in person at the Council Chamber; or
- (b) attend remotely via Teams.

The Council Chamber has level access via a lift to assist those with limited mobility who attend in person however, it may be more convenient to attend remotely.

If attending remotely an invitation will be sent to join the Teams video conferencing for this meeting. Those registered to speak should join the meeting via Teams or dial the telephone number (provided on their invitation) when joining the meeting and whilst waiting they will be able to hear what is being said at the meeting. They will also be able to view the meeting using the YouTube link provided (if so, they may need to mute the sound on YouTube when they speak on the phone to prevent feedback). The Chairman of the Board will invite a registered speaker to begin once the application they are registered for is being considered.

- 4 **Minutes of the meeting of the Board held on 4 September 2023** – copy herewith, to be approved and signed by the Chairman.

## **ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)**

- 5 **Nuneaton and Bedworth Borough Local Plan Regulation 19 Consultation** - Report of the Chief Executive

### **Summary:**

Nuneaton and Bedworth Borough Council are consulting on a Regulation 19 version of a new Local Plan.

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

6 **Submission of Nether Whitacre Neighbourhood Plan for Referendum** – Report of the Chief Executive

**Summary:**

This report informs Members of the progress of the Nether Whitacre Neighbourhood Plan and seeks approval for a formal referendum to take place, in accordance with regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

The Contact Officer for this report is Sue Wilson (719499).

7 **Planning Applications** - Report of the Head of Development Control

**Summary**

Town and Country Planning Act 1990 – applications presented for determination.

**7a Application No: CON/2023/0019 – Land off Caldecote Lane, Caldecote**

Change of use of land to operational land to house a sewage pumping station with associated landscaping.

**7b Application No: PAP/2023/0191 - The Willows, Tamworth Road, Cliff, Kingsbury, B78 2DS**

Change of use of land for a single pitch gypsy site, installation of septic tank and relocation of the access.

**7c Application No: PAP/2022/0261 and PAP/2022/0260 – 92 Coleshill Road, Hartshill, Tamworth**

**(i) PAP/2022/0261**

Variation of Condition number 2 of planning permission PAP/2019/0036 (PAP/2018/0082) dated 4/3/19 relating to changes to the approved building, access, frontage and parking, in respect of demolition of existing three storey retail building and demolition of canopy on adjacent building. Erection of new retail unit.

**(ii) PAP/2022/0260**

Variation of Condition number 1 of planning permission PAP/2020/0599 dated 23/8/21 relating to amendments to the layout of the car park, lighting columns, safety barrier and enclosure of cardboard and pallet store.

**7d Application No: PAP/2023/0076 - Arden Livery and Menage, Tippers Hill Lane, Fillongley, CV7 8DJ**

Conversion of existing western stable block into a three-bedroomed single-storey dwelling house; demolition of existing hay stores to the south side of the stable yard, provision of hard-surfaced parking area and improved access/turning area.

**7e Application No: PAP/2019/0473 - The Paddocks, Church Lane, Corley, Coventry, CV7 8AZ**

This application was reported to the Board in March 2020. It resolved to grant a planning permission subject to the completion of a Section 106 Agreement which would restrict the use of the garage to that use and not to be used for any other purpose including a new residential use.

**7f Application No: DOC/2023/0040 - Trajan Hill Spinney, Trajan Hill, Coleshill**

Application to discharge conditions 9 (temporary access), 10 (Construction Management Plan) and 11 (landfill operations plan) - of Planning Application PAP/2015/0584 dated 8/11/2016.

The Contact Officer for this report is Jeff Brown (719310).

**8 Budgetary Control Report 2023/24 Period Ended 31 August 2023 – Report of the Corporate Director – Resources**

This report covers revenue expenditure and income for the period from 1 April 2023 to 31 August 2023. The 2023/2024 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the outturn position for services reporting to this Board.

The Contact Officer for this report is Nigel Lane (719371)

**9 Woodland Tree Preservation Order – Land at Well Spring Clump Carlyon Industrial Estate, Atherstone - Report of the Head of Development Control**

**Summary**

The Board made a Tree Preservation Order for the protection of trees at Well Spring Clump at its April meeting. The Board is now asked to confirm the Order, or not, following the receipt of an objection.

The Contact Officer for this report is Jeff Brown (719310).

- 10 **Tree Preservation Order – Land West of Water Orton** – Report of the Head of Development Control

**Summary:**

A Tree Preservation Order has been placed on 15 trees located on land situated on the western side of Water Orton. It came into force on 28 April 2023 and lasts six months (until 28 October 2023). This report seeks to make the Order permanent.

The Contact Officer for this report is Andrew Collinson (719228).

- 11 **Appeal Update** - Report of the Head of Development Control

**Summary**

The report brings Members up to date with a recent appeal decision.

The Contact Officer for this report is Jeff Brown (719310).

STEVE MAXEY  
Chief Executive

**NORTH WARWICKSHIRE BOROUGH COUNCIL**

**MINUTES OF THE  
PLANNING AND DEVELOPMENT BOARD**

**4 September 2023**

Present: Councillor Simpson in the Chair

Councillors Barnett, Bates, Bell, Chapman, Dirveiks, Fowler, Gosling, Hayfield, Hobley, Humphreys, Jarvis, Parsons, Reilly, Ridley and Ririe

Apologies for absence were received from Councillor H Phillips

**33 Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

**34 Minutes**

The minutes of the meeting of the Planning and Development Board held on 7 August 2023, copies having previously been circulated, were approved as a correct record, and signed by the Chairman.

**35 Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board.

**Resolved:**

- a That Application No PAP/2023/0006 (Land 50 Metres West of 55, Warton Lane, Austrey) be refused subject to the reasons set out in the report of the Head of Development Control;**

**[Speaker: Aaron Eidukas]**

- b That in respect of Application No CON/2023/0018 - (Hall Hill Cottage, Fivefield Road, Coventry, CV7 8JF) Coventry City Council be notified that this Council objects to the proposal based on the matters raised in the report of the Head of Development Control together with expressing its support for the County Council's highway objection;**

**[Speaker: Howard Darling]**

- c That Application No PAP/2023/0314 (Land North West of Newton Regis Village Hall, Austrey Lane, Newton Regis) be noted and a site visit be arranged prior to determination of the application;**

- d (i) That Application No PAP/2022/0259 (Caravan Site, Croxall Farm, Hoggrills End Lane, Nether Whitacre, B46 2DA) be refused for the reasons set out in the report of the Head of Development Control; and
- (ii) That Application No PAP/2022/0267 (Caravan Site, Croxall Farm, Hoggrills End Lane, Nether Whitacre, B46 2DA) be refused for the following reason, “It is considered that the proposed occupancy extension would lead to the more permanent use of the site, thus leading to an increased number of vehicles and people at the site together with increased residential activity that will result in the loss of residential amenity for neighbouring occupiers. The proposal would thus not satisfy Policy LP29(9) of the North Warwickshire Local Plan 2021 as supported by Section 12 of the National Planning Policy Framework”.

[Speakers: Andrew Jamieson and Bev Woollaston]

- e That Application No PAP/2023/0076 (Arden Livery And Menage, Tippers Hill Lane, Fillongley, CV7 8DJ) be deferred for a site visit;
- f That Application No PAP/2022/0374 (Land North Of Stone Cottage, Lower House Lane, Baddesley Ensor) be granted subject to the conditions set out in the report of the Head of Development Control with a variation to condition 2 to accommodate the revised plan numbers. A request will also be made to the applicant to look again to see if there is anything further that could be done to amend the scheme so as to further mitigate any impacts on nearby heritage assets.

[Speakers: Robert Cole and Jordan West]

## 36 Planning Fees and Performance

The Head of Development Control updated the Board on a Government consultation from earlier in the year on a proposed increase in planning fees and a corresponding change in the performance framework for taking planning decisions.

**Resolved:**

**That the report be noted.**

37 **Further “Permitted Development” Changes Consultation Paper**

The Head of Development Control advised that following the Secretary of State’s announcement at the end of July about a longer-term plan for new housing, his department has published a consultation paper on proposed changes to “permitted development” rights in order to increase the amount of housing.

**Resolved:**

**That the matters outlined in this report and any others raised by the Board be referred to the Department of Levelling Up, Housing and Communities in consultation with the Head of Development Control, Chairman of the Board and Spokesperson of the Opposition.**

M Simpson  
Chairman



## Agenda Item No 5

### Local Development Framework Sub-Committee

9 October 2023

#### Report of the Chief Executive

#### Nuneaton and Bedworth Borough Local Plan Regulation 19 consultation

#### 1 Summary

- 1.1 Nuneaton and Bedworth Borough Council are consulting on a Regulation 19 version of a new Local Plan.

**Recommendation to the Sub-committee:**

**That a final response be delegated to the Chief Executive.**

#### 2 Consultation

- 2.1 Consultation has taken place with the relevant Members and any comments received will be reported at the meeting.

#### 3 Introduction

- 3.1 As Members will recall Nuneaton and Bedworth Borough Council (NBBC) adopted their Local Plan in 2019. NBBC took the decision to review their Local Plan and are currently at Regulation 19 stage which is the stage before submission to the Secretary of State.
- 3.2 A report was considered by Executive Board in July 2022 on their Preferred Options consultation. The detailed consultation responses by this Council are attached as Appendix A.

#### 4 Regulation 19

- 4.1 NBBC are consulting on a Regulation 19 version of their Local Plan from Monday 4 September 2023 to Monday 16<sup>th</sup> October 2023. It is accompanied by a Sustainability Appraisal (SA) and a Habitats Regulations Audit (HRA).
- 4.2 The full Local Plan and documentation can be found on the [Consultations on planning policy | Planning Policy consultations | Nuneaton & Bedworth \(nuneatonandbedworth.gov.uk\)](#). Attached as Appendix B is a document setting out the main differences between the Preferred Option version and the current Regulation 19 version supplied by NBBC.

- 4.3 In addition to other evidence, including the Coventry and Warwickshire Housing and Economic Development Needs Assessment (HEDNA), NBBC commissioned a report called “*Towards a Housing Requirement for Nuneaton & Bedworth*”. This document is intended to supplement and be read alongside the Coventry and Warwickshire Housing and Economic Development Needs Assessment.

## 5 Observations

- 5.1 As shown in Appendix A this Council made representations on five issues in relation to NBBC’s Preferred Options consultation. These covered the following subject Duty to Co-operate, Scope, Housing, Employment and Transport. There are three main outstanding issues are outlined below:

### *Duty to Co-operate (DtC)*

- 5.2 As Members know the Duty to Co-operate is a legal duty that must be complied with before formal submission of a local plan. If not done correctly it cannot be rectified retrospectively without the local plan being formally withdrawn or found to be unsound by the Local Planning Inspector. This Council raised concern that the DtC had not been adequately addressed.

- 5.3 Since last year NBBC has led on preparing a Draft Memorandum of Understanding. A draft of their document is attached as Appendix C. It is recommended that this is revised to reflect our adopted Local Plan as this Borough sits not only in the Coventry and Warwickshire Housing Market Area (CWHMA) but also the Greater Birmingham Housing Market Area (GBHMA). The MoU should reflect this situation to ensure a comprehensive picture is provided of the proactive work this Borough is doing in delivering homes for the much broader area.

### *Housing*

- 5.4 The document referred to in para 4.3 above seeks to justify more housing being delivered in Nuneaton and Bedworth above its local need. It is argued that this is required to ensure there is economic growth in the Borough. It is difficult to understand how this additional housing can be delivered without impacting on the delivery of other housing sites in and beyond the Borough, including those in Coventry and North Warwickshire, without a clear sub-regional agreement on the housing split. Clarification and assurance is requested.

### *Employment*

- 5.5 The employment allocations deal with the local employment need with one site being put forward as a strategic employment site of 19 hectares. There is however no strategic employment site of over 25 hectares being proposed nor is there any contribution to the B8 requirement as expressed in the HEDNA. Further discussion needs to be undertaken to ascertain the reasons for this

and for NBBC to explain what work they will do to explore any possible opportunities for such sites.

## 6 Next Steps

- 6.1 It is recommended that a member meeting is requested to discuss the Local Plan and a revised Statement of Common Ground be drafted following that meeting.
- 6.2 As this is a formal stage in the production of a local plan, Regulation 19, it is recommended the Borough Council objects to the NBBC Local Plan. However, this stance is reviewed following the joint meeting with the matter being brought back to Board to reconsider the objections.

## 7 Report Implications

### 7.1 Legal, Data Protection and Human Rights Implications

- 7.1.1 Regulation 19 is a formal part of the development of a Local Plan.

### 7.2 Environment, Sustainability and Health Implications

- 7.2.1 The NBBC Local Plan is accompanied by a Sustainability Appraisal.

### 7.3 Human Resources Implications

- 7.3.1 Working with other local authorities is a key part of the planning system through the Duty to Co-operate. It can be staff resource hungry but is an integral part of the planning system.

### 7.4 Risk Management Implications


- 7.4.1 The main risk of not engaging positively to this Council is that cross-border issues are missed; strategic issues are not effectively dealt with and may impact on the Duty to Co-operate. A Local Plan will not pass the test of soundness if this is the case.

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

## Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

 <p><b>Nuneaton &amp; Bedworth</b> United to Achieve</p>	<p><b>Borough Plan Review Preferred Options consultation draft Response Form</b></p>	<p><b>Ref:</b></p> <p><b>(For official use only)</b></p>
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Please return to Nuneaton and Bedworth Borough Council by 22<sup>nd</sup> July 2022  
via:

Email: [planning.policy@nuneatonandbedworth.gov.uk](mailto:planning.policy@nuneatonandbedworth.gov.uk) or

Post: Town Hall, Coton Road, Nuneaton, CV11 5AA.

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Do you wish to join the Planning Policy consultation database?

Yes

This form has two parts –

Part A – Personal details

Part B – Your response.

#### Part A

	<b>1. Personal details*</b> * If an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent in 2.	<b>2. Agent's details (if applicable)</b>
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First name		<b>Dorothy</b>
Last name		<b>Barratt</b>
Job title (where relevant)		<b>Forward Planning &amp; Economic Development Manager</b>
Organisation (where relevant)	<b>North Warwickshire Borough Council</b>	<b>North Warwickshire Borough Council</b>
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Post code	<b>CV9 1DE</b>	

Telephone number		<b>01827 719250</b>
Email address		<b>planningpolicy@nrothwarks.gov.uk</b>

**3. How did you find out about this consultation? (please mark each box with an 'X' next to all answers that apply)**

Community Forum notification	
Notification directly from the Council's Planning Policy team	<b>x</b>
Nuneaton and Bedworth Borough Council website	
Nuneaton News (paper)	
Nuneaton News (website)	
Twitter/Facebook	
Other – please specify: Discussion at Officer meeting	

**Part B - Please use a separate sheet for each representation**

Name or Organisation: **North Warwickshire Borough Council**

4. To which part of the Borough Plan Review Preferred Options document does this response relate?

Paragraph	
Policy	Duty to Co-operate
Evidence base documentation (if applicable)	Coventry and Warwickshire Memorandum of Understanding

5. Please outline your response in the box below. It would be particularly helpful if you can say whether you consider the Borough Plan Review Preferred Options document to be 'sound' (as set out in the 2021 National Planning Policy Framework, which can be found at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>) i.e. whether the plan is positively prepared, justified, effective and consistent with national policy. Similarly, if you believe that the plan does not meet legal requirements, please set out the reasoning below.

The Consultation Statement that accompanies the Preferred Options of the Borough Plan Review (2019) as required by the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) is fairly limited in its reference to the wider consultation with stakeholders, including the adjoining Local Authorities. There are therefore some concerns that the statutory 'Duty to Co-operate' has not been adequately addressed and the wider sub-regional and regional development issues and implications for NBBC have not been fully considered or taken into account. The Duty to Co-operate is a statutory duty which lies at the soundness of a Local Plan. Although NBBC has been involved with officer

meetings, with the wider Warwickshire Local Authorities and Hinckley and Bosworth Borough, it is not considered the duty to cooperate has been fully dealt with. Although there is a proposal within the Levelling Up and Regeneration Bill to have this duty changed it is still in place and must be complied with.

It is noted that paragraph 1.9 has a brief, limited section on the Duty to Cooperate which does not address how this engagement will occur, or how the legal requirement for the Duty to Cooperate will be appropriately, fully addressed.

Previously, NBBC were, and still are, signatories to a Memorandum of Understanding with Coventry and all other Warwickshire Local Authorities to jointly agree measures to help address cross border issues and sub-regional needs or potential shortfalls. However, arising from the Consultation on the earlier Issues and Options stage, the Preferred Option in Chapter 5 (*Outcome to the Issues and Options stage*) makes a specific commitment to revoke the Memorandum of Understanding with Coventry City Council (paragraph 5.6 point 2), once the emerging ONS/CENSUS figures are checked and the Housing and Employment Development Needs Assessment (HEDNA) is finalised and published.

NWBC is very disappointed that NBBC is withdrawing from the Coventry & Warwickshire MoU. Withdrawal from the MoU without consideration of a replacement MoU or agreed stance is not acceptable and does not deal with the wider than local issues.

(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.


This can be rectified by fully engaging and being part of the discussion in terms of needs from Coventry. Clearly setting out how NBBC is “positively engaging with all the relevant bodies during the plan making process” (see paragraph 1.9). It is noted that the brief, limited section on the Duty to Cooperate does not address how this engagement will occur, or how the legal requirement for the Duty to Cooperate will be appropriately, fully addressed.

A new Memorandum of Understanding is required to assist in complying with the legal Duty to Cooperate which will give confidence and re-assurance to other adjoining local authorities that measures to address cross border issues and sub-regional needs have or will be agreed.

(A meeting has now been arranged with officers from both local authorities)

(Continue on a separate sheet / expand box if necessary)

Signature	<i>D M Barratt</i>
Date	22 July 2022

 <p><b>Nuneaton &amp; Bedworth</b> United to Achieve</p>	<p><b>Borough Plan Review Preferred Options consultation draft Response Form</b></p>	<p><b>Ref:</b></p> <p><b>(For official use only)</b></p>
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Other – please specify: Discussion at Officer meeting	

**Part B - Please use a separate sheet for each representation**

Name or Organisation: **North Warwickshire Borough Council**

4. To which part of the Borough Plan Review Preferred Options document does this response relate?

Paragraph	
Policy	Employment
Evidence base documentation (if applicable)	HEDNA West Midlands Strategic Employment Sites Study

5. Please outline your response in the box below. It would be particularly helpful if you can say whether you consider the Borough Plan Review Preferred Options document to be 'sound' (as set out in the 2021 National Planning Policy Framework, which can be found at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>) i.e. whether the plan is positively prepared, justified, effective and consistent with national policy. Similarly, if you believe that the plan does not meet legal requirements, please set out the reasoning below.

The Borough Review is not sound as it has not been positively prepared to deal with a number of issues. The Borough Council notes and supports the N&BBC objectives to widen and diversify their employment base. But little reference is made to wider cross border issues and sub-regional pressures that are already impacting on N&BBC at sites such as Padgett Farm in adjoining Rugby Borough, alongside Nuneaton and the A5 Hinckley Island.

(Continue on a separate sheet / expand box if necessary)




6. Please set out what modification(s) you consider necessary. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Suggested modifications to be discussed with officers from both local authorities.

(Continue on a separate sheet / expand box if necessary)

Signature	<i>Dorothy Barratt</i>
Date	22 July 2022

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**Part B - Please use a separate sheet for each representation**

Name or Organisation: **North Warwickshire Borough Council**

4. To which part of the Borough Plan Review Preferred Options document does this response relate?

Paragraph	
Policy	Housing
Evidence base documentation (if applicable)	HEDNA

5. Please outline your response in the box below. It would be particularly helpful if you can say whether you consider the Borough Plan Review Preferred Options document to be 'sound' (as set out in the 2021 National Planning Policy Framework, which can be found at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>) i.e. whether the plan is positively prepared, justified, effective and consistent with national policy. Similarly, if you believe that the plan does not meet legal requirements, please set out the reasoning below.

The Borough Review is not sound as it has not been positively prepared to deal with a number of issues. It is noted that the Preferred Options Housing Section makes reference to the emerging findings of the HEDNA and is supported in so far as it seeks to provide "appropriate local housing options". However, the wider sub-regional needs implications are not noted or referred to in any significant way. In terms of the documents reference in the N&BBC Settlement hierarchy the preferred options do note the wider context in which the borough is located, with particular reference to the close proximity of other settlements outside the borough boundary such as Coventry, but provides no clear options to address

this issue, which as the closest neighbour to Coventry and having a close functional relationship with the Borough is unsatisfactory.

There are also significant concerns over the timing of the Preferred Option being published prior to the completion of the joint Warwickshire Authorities HEDNA, which is currently still in progress, addressing growth pressures/needs across the sub-region and intends to address the latest CENSUS Population data that is also currently being released over summer this year. The potential implications of both the emerging HEDNA and the CENSUS data may well result in further changes or work being necessary to the Plan and Preferred Options, as highlighted above in Strategic policy DS4 and Chapter 5, paragraph 5.6 dealing with the “Outcome to the Issues and Options stage”.


(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Suggested modifications to be discussed with officers from both local authorities.

(Continue on a separate sheet / expand box if necessary)

Signature	<i>Dorothy Barratt</i>
Date	22 July 2022

 <p><b>Nuneaton &amp; Bedworth</b> United to Achieve</p>	<p><b>Borough Plan Review Preferred Options consultation draft Response Form</b></p>	<p><b>Ref:</b></p> <p><b>(For official use only)</b></p>
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**Please return to Nuneaton and Bedworth Borough Council by 22<sup>nd</sup> July 2022 via:**

**Email:** [planning.policy@nuneatonandbedworth.gov.uk](mailto:planning.policy@nuneatonandbedworth.gov.uk) or

**Post:** Town Hall, Coton Road, Nuneaton, CV11 5AA.

#### **Data Protection**

We will treat your data in accordance with our Privacy Notice:

[www.nuneatonandbedworth.gov.uk/info/21004/access\\_to\\_information/410/privacy\\_notice/7](http://www.nuneatonandbedworth.gov.uk/info/21004/access_to_information/410/privacy_notice/7).

Information will be used by Nuneaton and Bedworth Borough Council solely in relation to the Borough Plan review. Please note that all responses will be available for public inspection, and cannot be treated as confidential. Representations, including names, may be published on our website. By submitting this response form you are agreeing to these conditions. The Council is not allowed to automatically notify you of future consultations unless you 'opt-in'.

Do you wish to join the Planning Policy consultation database?

Yes

This form has two parts –

Part A – Personal details

Part B – Your response.

#### **Part A**

	<b>1. Personal details*</b> * If an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent in 2.	<b>2. Agent's details (if applicable)</b>
Title		<b>Mrs</b>
First name		<b>Dorothy</b>
Last name		<b>Barratt</b>
Job title (where relevant)		<b>Forward Planning &amp; Economic Development Manager</b>
Organisation (where relevant)	<b>North Warwickshire Borough Council</b>	<b>North Warwickshire Borough Council</b>
House no. and street	<b>The Council House, South Street</b>	
Town	<b>Atherstone</b>	
Post code	<b>CV9 1DE</b>	

Telephone number		<b>01827 719250</b>
Email address		<b>planningpolicy@nrothwarks.gov.uk</b>

**3. How did you find out about this consultation? (please mark each box with an 'X' next to all answers that apply)**

Community Forum notification	
Notification directly from the Council's Planning Policy team	<b>x</b>
Nuneaton and Bedworth Borough Council website	
Nuneaton News (paper)	
Nuneaton News (website)	
Twitter/Facebook	
Other – please specify: Discussion at Officer meeting	

**Part B - Please use a separate sheet for each representation**

Name or Organisation: **North Warwickshire Borough Council**

4. To which part of the Borough Plan Review Preferred Options document does this response relate?

Paragraph	
Policy	Scope of the Local Plan
Evidence base documentation (if applicable)	

5. Please outline your response in the box below. It would be particularly helpful if you can say whether you consider the Borough Plan Review Preferred Options document to be 'sound' (as set out in the 2021 National Planning Policy Framework, which can be found at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>) i.e. whether the plan is positively prepared, justified, effective and consistent with national policy. Similarly, if you believe that the plan does not meet legal requirements, please set out the reasoning below.

The Borough Review is not sound as it has not been positively prepared to deal with a number of issues. These includes the scope of the Preferred Options. The Preferred Options are considered to be too inward looking dealing primarily only with local needs, with insufficient account taken, or reference made, to wider development pressures and cross border issues. This concern was specifically raised by North Warwickshire at the Issues and Options Stage, (highlighted in N&BBC's Consultation statement appendix - summary of responses to the Issues and options) where the Borough Council noted;

*“There are some significant concerns regarding the approach to the provision of housing and the strategic approach that is necessary to address wider housing needs and pressures. North Warwickshire Borough notes the concerns raised by the issues and options document but would urge Nuneaton & Bedworth Borough to acknowledge the need to potentially address wider than local housing need and reflect that in the assessment of housing requirement in the Plan and the relationships with and cross-boundary cooperation with adjoining Local Authorities and the wider sub-region, there may be the necessity and need to address cross border issues such as housing need through joint working partnerships”.*

It is considered that these concerns have not been sufficiently addressed in the preferred options consultation, although it is noted that Strategic Policy DS4 states that strategic needs are ‘to be reviewed when the HEDNA 2022 is published’.


(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Suggested modifications to be discussed with officers from both local authorities.

(Continue on a separate sheet / expand box if necessary)

Signature	<i>D M Barratt</i>
Date	22 July 2022

 <p><b>Nuneaton &amp; Bedworth</b> United to Achieve</p>	<p><b>Borough Plan Review Preferred Options consultation draft Response Form</b></p>	<p><b>Ref:</b></p> <p><b>(For official use only)</b></p>
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via:**

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Do you wish to join the Planning Policy consultation database?

Yes

This form has two parts –

Part A – Personal details

Part B – Your response.

#### **Part A**

	<b>1. Personal details*</b> * If an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent in 2.	<b>2. Agent's details (if applicable)</b>
Title		<b>Mrs</b>
First name		<b>Dorothy</b>
Last name		<b>Barratt</b>
Job title (where relevant)		<b>Forward Planning &amp; Economic Development Manager</b>
Organisation (where relevant)	<b>North Warwickshire Borough Council</b>	<b>North Warwickshire Borough Council</b>
House no. and street	<b>The Council House, South Street</b>	
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Telephone number		<b>01827 719250</b>
Email address		<b>planningpolicy@nrothwarks.gov.uk</b>

**3. How did you find out about this consultation? (please mark each box with an 'X' next to all answers that apply)**

Community Forum notification	
Notification directly from the Council's Planning Policy team	<b>x</b>
Nuneaton and Bedworth Borough Council website	
Nuneaton News (paper)	
Nuneaton News (website)	
Twitter/Facebook	
Other – please specify: Discussion at Officer meeting	

**Part B - Please use a separate sheet for each representation**

Name or Organisation: **North Warwickshire Borough Council**

4. To which part of the Borough Plan Review Preferred Options document does this response relate?

Paragraph	
Policy	Transport
Evidence base documentation (if applicable)	Strategic Transport Assessment for North Warwickshire Local Plan 2018 Strategic Transport Assessment for NBBC – yet to be published

5. Please outline your response in the box below. It would be particularly helpful if you can say whether you consider the Borough Plan Review Preferred Options document to be 'sound' (as set out in the 2021 National Planning Policy Framework, which can be found at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>) i.e. whether the plan is positively prepared, justified, effective and consistent with national policy. Similarly, if you believe that the plan does not meet legal requirements, please set out the reasoning below.

The Borough Review is not sound as it has not been positively prepared to deal with a number of issues. This includes cross border transport.

One of the main cross border issues impacting on all development proposed is the highway infrastructure, network capacity and traffic levels. This is noted in Chapter 5 again, dealing with the Issues and Options responses (see Point 4 in Paragraph 5.6), and in paragraphs 7.7 and 8.13 to 8.16 of the document. Any development in Nuneaton and Bedworth will potentially impact on the transport system and infrastructure in North

Warwickshire. As NBBC grows these impacts are escalating and need to be considered when sites are both allocated or brought forward outside of the Local Plan process.

A strategic transport assessment must consider the cross-border issues. NWBC is not aware that this is yet available and seeks to be informed as soon as it becomes available and then be party to the discussion as to the items for inclusion in the IDP.

There are particular highway issues the Borough Council would like to draw NBBC's attention to:

1 Any major development in Nuneaton & Bedworth should seek S106 monies to deal with cross border issues. The money should then be spent on dealing with that cross-border issue even if the impacted infrastructure lies within North Warwickshire.

2 Where other transport infrastructure network capacity constraints are impacted by development within Nuneaton, such as noted in criterion 9 of Strategic housing allocation SHA-2, and criterion 10 of Strategic housing allocation SHA-4, these should also be highlighted as needing to address the infrastructure needs of the Borough and adjoining authorities through CIL and S106 funding. These transport infrastructure points/allocation criteria would benefit from greater stress and identification, where known, of the network constraints and issues that will be directly impacted by the strategic development allocations, or specific inclusion in a supporting Infrastructure Delivery Plan.

For example, S106 monies should be secured on any further planning permissions to the north of Nuneaton to assist in the improvements to the A5. The A5 is a major constraint to future growth along its whole corridor from junction 10 M42 to junction 3 of the M69. Given the current transport issues impacting the A5, it is considered that the Preferred Options should note that any development along the A5 or to the north of Nuneaton should seek S106 monies for highways improvements.

3 The junction of Plough Hill Road and Camphill Road is a major constraint to growth in North Warwickshire especially in the Hartshill, Ansley Common and Ansley areas as well as any future growth in and around Galley Common. Junction improvements or a relief road to the west to avoid the junction should be part and parcel of any IDP/STA requirements.

4 Further consideration of a northern relief road to address traffic and road infrastructure constraints in Nuneaton and linking to the development along the A5, such as Strategic housing site SHA-1, should also be considered/included. and work needs to be done to develop a relief road to address traffic and road infrastructure constraints in the whole of the northern Nuneaton area.

5 The reference to a new distributor link road through Strategic housing site SHA-1, to include primary access points from Higham Lane through to Weddington Road is not considered sufficient to address and accommodate the wider network constraints and traffic growth as well as impacts on and flows through Nuneaton Town Centre.

6 Rat running is a problem in North Warwickshire caused by lack of infrastructure investment especially on new or improved highways as a result of growth in NBBC. The issue needs to be investigated and solutions discussed / drawn up to avoid and mitigate these impacts.

(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Suggested modifications to be discussed with officers from both local authorities.

(Continue on a separate sheet / expand box if necessary)

Signature	<i>D M Barratt</i>
Date	22 July 2022

Cabinet - 26th July 2023

## **Appendix B**

### **Borough Plan Review**

**Precis, but not definitive list, of the differences between the Preferred Options and Publication version (July 2023)**

## **Borough Plan Review – Publication draft – Committee July 2023**

### **What does the document cover and what are the key changes since the Preferred Options consultation?**

#### **Plan Period**

- The Publication draft for representations states that the Borough Plan, once adopted, will cover the plan period from 2021 to 2039. This has changed from the Preferred Options stage (2024 – 2039), as it is considered more appropriate to start the plan period from the year the Borough Plan Review commenced.

#### **Strategic Development Strategy**

- Additions have been made to Policies DS1 and DS3 highlighting the need for future development to be more sustainable and contribute to the national need to achieve net zero carbon emissions. Climate change has been threaded through the policies with a need for development to be adaptable/resilient to this, whilst providing environmental mitigation and enhancement and sustaining/enhancing the historic environment.
- The quantity of housing, that will be planned for and provided within Nuneaton and Bedworth, by 2039, has reduced from 646 dwellings per annum at the Preferred Options stage to 545 dwellings per annum (Policy DS4). This figure has been derived from the latest evidence on housing need, set out in the 'Towards a Housing Requirement for Nuneaton' report. Overall, given the plan period has been elongated, the total number of homes to be delivered between 2021 and 2039 is 9,810 as opposed to 9,690, consulted on at the Preferred Options stage for the plan period 2024 – 2039.
- Some of the non-strategic sites listed in Policy DS5 of the Preferred Options document have been removed from the Publication draft for representations. Detail on each of the remaining 15 non-strategic sites, in the Publication version, have been provided, alongside a location map, site area (ha), proposed quantity of dwellings and alternative site references.

#### **Strategic allocations**

- Some minor tweaks have been made to some of the policies in Section 7 through either slight wording/numerical changes or the addition of new parts to the policies. These primarily relate to where there is more up to date information available through the planning application process.
- The red line boundary of strategic allocation CEM1 – Land north of Marston Lane, Bedworth, has changed to include the playing pitch.

#### **Housing**

- Support for self-build and custom build homes has been added to Policy H1 of the Publication draft for representations. This section of the policy highlights that development proposals for self-build and custom build homes will be

supported where they are sustainably located and subject to compliance with the development plan policies as a whole.

- Policy H2 has expanded upon the tenure mix and First Homes required, alongside highlighting the exceptions.
- Policy H3 has been minimised due to policy requirements relating to Gypsies, Travellers and Showpersons being brought forward in the upcoming Gypsy and Traveller Site Allocation Development Plan Document, due to be adopted in 2023.
- Two new policies have been added to the Publication draft for representations, that were not present at the Preferred Options stage. These are important additions to ensure that any future housing development is suitable for the borough's ageing and changing population as well as the way people live their lives:
  - Policy H4 – Nationally Described Space Standards.
  - Policy H5 – Accessible and Adaptable Homes (The percentages for M4(2) and M4(3) Building Regulation standards have been included throughout the Borough Plan policies).

## **Employment**

- The quantity of employment land for local industrial and distribution/warehousing development is now defined as 68.45ha (including 5.35ha for replacement provision) – Policy DS4.
- 19.4ha of employment land for strategic B8 warehousing and distribution development (indicative) is defined in Policy DS4.
- Sub-section 'Employment land', under Policy DS4, has been updated and 'Employment land supply', 'supply demand balance', 'further considerations' and 'employment trajectory' sub-sections have been added.
- Strategic employment allocations SEA1 - Faultlands Farm and SEA5 - Longford Road have been removed from the Publication draft for representations and the sizes of the remaining strategic employment allocations have been adjusted – Policy DS6 and section 7 – Strategic allocations.
- The status of each strategic housing/employment allocation has been added to the introduction of each site – section 7.
- Section 9 – Employment has been fully updated/reviewed.
- Part 9 of Policy HS2 has been added, alongside supporting text on the provision of lorry parking facilities.
- Under the 'commercial' section of Policy BE3, two points have been added specifying what applicants must submit with a planning application, in relation to BREEAM standards.
- Appendix I – Employment estates suitable for alternative uses, has been updated.

## **Healthy, safe and inclusive communities**

- Policy H3 – Telecommunications and broadband connectivity, has been updated regarding telecommunications proposals to ensure the most positive

outcome can be reached, regarding the location, design and setting of telecommunications apparatus.

- Additional text has been added to Policy HS6 regarding the retention of existing local sports pitches and playing fields.

### **Natural Environment**

- Text relating to the zones and projects within the Green Infrastructure Plan has been removed from Policy NE1 of the Publication draft for representation, whilst further text regarding climate change has been added. For example, the installation of retro-fit sustainable drainage systems (SuDS) such as rain gardens, bio-retention and tree pits has been included in the policy.
- A requirement for all developments to submit a drainage strategy demonstrating how surface water will be managed in accordance with the drainage hierarchy and flood risk will not be increased downstream, has been added to Policy NE4. Furthermore, the SuDS and Water Quality sections of the policy have been expanded upon and further requirements added.

### **Built Environment**

- Land instability has become a more prominent feature of Policy BE1.
- Policy BE2 now includes a paragraph on how the Council will balance conflicting objectives, such as the need to increase renewable energy uptake, against the need to protect attractive landscapes, heritage, nature conservation and local amenity, in regard to proposals for wind turbines.
- Parts of Policy BE3 have been tweaked with the removal and addition of some text.
- Policy BE4 – Valuing and conserving our historic environment, delves into the requirements surrounding the proposed partial or total loss of heritage assets alongside the requirements regarding change of use proposals in Nuneaton Town Centre Conservation Area.

### **Design, Climate Change and Biodiversity**

- These three factors have become prominent features of the Borough Plan Review and have been recognised and considered throughout the Publication draft for representations.

Moving towards a Memorandum of Understanding (MoU) relating to the planned distribution of housing and employment within the Coventry & Warwickshire Housing Market Area (C & W HMA)

1. INTRODUCTION

1.1 This MoU has been prepared in accordance with national guidance<sup>1</sup> and is intended to cover matters of strategic importance relevant to all authorities, specifically relating to housing and employment needs across the Housing Market Area (HMA).

1.2 The intention is that once discussed and supported, through amendments if required, this MoU will be agreed by the following Councils:

Coventry City Council

North Warwickshire Borough Council

Nuneaton & Bedworth Borough Council

Rugby Borough Council

Stratford-on-Avon District Council

Warwick District Council

Warwickshire County Council

2. GEOGRAPHY COVERED BY MEMORADUM OF UNDERSTANDING

2.1 This MoU covers the Local Planning Authorities within the Coventry and Warwickshire HMA (C&W HMA)<sup>2</sup>. The CWHMA is made up of Coventry City Council, North Warwickshire Borough Council, Nuneaton and Bedworth Borough Council, Rugby Borough Council, Stratford-on-Avon District Council, Warwick District Council and Warwickshire County Council. A map of the HMA is shown in **Appendix A**. The Greater Birmingham HMA, which North Warwickshire BC and Stratford DC are part of, is also shown.

3. PURPOSE

3.1 There is a legal requirement for effective cooperation relating to strategic matters that cross administrative boundaries to be dealt with and evidenced by Statements of Common Ground.

3.2 This draft memorandum of understanding seeks to ensure that as the Local Planning Authorities develop their Local Plans, at differing paces, the housing and employment needs of the C&W HMA are met. It is framed within the duty to cooperate set out in Section 33A of the Planning and Compulsory Purchase Act 2004 and in the context of the National Planning Policy Framework (2021). This sets out the duty for local planning authorities and county councils to

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<sup>1</sup> Planning Practice Guidance Paragraph 011 Reference ID: 61-011-20190315

<sup>2</sup> North Warwickshire Borough Council and Stratford District Council also fall within the Birmingham Housing Market Area.



co-operate in maximising the effectiveness of the preparation of development plan documents so far as relating to strategic matters which affect more than one local authority area.

3.3 As many of the local planning authorities in the Coventry and Warwickshire area are only in the early stages of reviewing their adopted plans (and acknowledging that not all have commenced such reviews, nor are required to at this stage), there is currently no evidence that any authority is unable to meet its full objectively assessed housing or employment needs within its own boundaries and thus is unable to meet the requirements of paragraph 11 of the National Planning Policy Framework (2021). It is acknowledged that historically, Coventry has been unable to accommodate all of its needs within sites in its own administrative area. Given the emerging nature of the evidence base, this MoU is therefore iterative and should be subject to revision as plans are progressed.

3.4 This draft Memorandum of Understanding commits Coventry City Council and the five Borough/District Councils within Warwickshire to a collaborative process to assess the full housing and economic developments needs of the market area and to establish realistic assumptions about the availability, suitability and viability of land to meet that need. In addition, given the importance of Warwickshire County Council's role and responsibilities within the area they are a signatory to this MoU.

#### 4. POINTS OF AGREEMENT

4.1 It is agreed that for plan making purposes there is a housing market area and functional economic area comprising Coventry and the whole of Warwickshire. In addition, North Warwickshire Borough Council and Stratford District Council fall within the Greater Birmingham HMA and therefore have a functional relationship with that area.

4.2 The [Coventry and Warwickshire Housing and Economic Development Needs Assessment](#) 2022 (HEDNA), produced by independent consultants ICENI Projects on behalf of the Coventry and Warwickshire local authorities, sets out an objective assessment of housing need and employment need for the Coventry and Warwickshire area. The figures below are taken directly from the HEDNA.

Table 1 Overall Housing Need (dwellings per annum) Trend-based

Authority	Housing Need (dpa)
Coventry	1964
North Warwickshire	119
Nuneaton and Bedworth <sup>3</sup>	409
Rugby	735
Stratford-on-Avon	868
Warwick	811

<sup>3</sup> Nuneaton and Bedworth Borough Council commissioned a bespoke report 'Towards a Housing Requirement for Nuneaton' to be read alongside the HEDNA which provides more specific consideration of housing and employment need in Nuneaton and Bedworth Borough taking into account relevant local considerations. This identifies a housing target 545 dwellings per annum for Nuneaton and Bedworth Borough.

<b>Total</b>	<b>4906</b>
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Source: Table 15.1 HEDNA 2022

Table 2 Employment Land Needs

Authority	2021-2041	2021-50
	Office and General Industrial Sub Total (ha)	Office and General Industrial Sub Total (ha)
Coventry	156.1	224.0
North Warwickshire	61.4	88.4
Nuneaton and Bedworth <sup>4</sup>	47.7	69.0
Rugby	155.7	224.7
Stratford-on-Avon	171.3	248.1
Warwick	67.6	97.2
<b>Total for Office and Industrial</b>	<b>659.6</b>	<b>951.3</b>
<b>Total for Strategic B8</b>	<b>551</b>	<b>735</b>
<b>Total</b>	<b>1210.6</b>	<b>1686.3</b>

Source Table 11.2 and 11.3 HEDNA 2022

4.3 Each Council will cooperate in the delivery of housing and employment need which ensures that the overall needs across the housing market area will be met. To achieve this objective, it is agreed that:

1. At the time of signing this agreement it is considered that the HEDNA constitutes a reasonable evidential basis for future plan-making for both housing and employment land for Coventry and Warwickshire.
2. The local authorities consider that the exceptional circumstances in Coventry and Warwickshire which are identified in the HEDNA justify a departure from the use of the Government's Standard Method for assessing local housing need.
3. In the event that, as a result of the completion of individual local authority Housing and Economic Land Availability Assessments, to the agreed C&W methodology as set out in **Appendix B**, it is shown that the above objectively assessed needs cannot be delivered in one or more local authority area, this MOU will be reviewed so that the overall housing requirement is met within the HMA.
4. If as a result of co-operation with a local authority or other HMA outside the Coventry and Warwickshire area, additional development is to be accommodated at a level that affects the distribution set out in this document, the MoU will be reviewed.

<sup>4</sup> Nuneaton and Bedworth and Bedworth Borough Council commissioned a bespoke report 'Towards a Housing Requirement for Nuneaton' to be read alongside the HEDNA which provides more specific consideration of housing and employment need in Nuneaton and Bedworth Borough taking into account relevant local considerations. This identifies an employment land need of 80.5ha.

5. The plan making process will ultimately establish the capacity of each area and quantities of housing and employment development that can be delivered.

6. Each local authority is committed to ongoing cooperation and engagement by both officers and members in relation to delivery of housing and employment land for the C&W area.

7. In the event that the government publishes a new standard methodology for assessing local housing need, this MOU will be reviewed.

8. This MOU will be reviewed in light of any changes to the National Planning Policy Framework (NPPF) and any new relevant new legislation.

4.4 Points yet to be agreed:

1. Distribution of strategic employment sites
2. Distribution of housing and employment, if any LPA within the area determines they are unable to deliver the amount of housing and employment as identified in Table 1 and Table 2 above.
3. Strategic infrastructure requirements.

5. LIMITATIONS

5.1 For the avoidance of doubt, this Memorandum shall not fetter the discretion of any of the Councils in the determination of any planning application, or in the exercise of any of their statutory powers and duties, or in their response to consultations, and is not intended to be legally binding but shows clear commitment and intent to meeting the full housing needs of the market area.

5.2 The objectively assessed need figures set out in this MOU have not yet been tested at examination and do not supersede the housing or employment land requirements in current local plans.

6. LIAISON

6.1 Member level representatives of the Local Authorities will meet when appropriate, in order to:

- Maintain and update the memorandum, as necessary.
- Monitor the preparation of Local Plans across the six authorities and discuss strategic issues emerging from them.

7. MONITORING

7.1 Annual monitoring will be carried out for both housing and employment. This will be overseen by the Joint Monitoring Officers Group (JMOG) for the C&W area, who will agree monitoring targets to include permissions and completions.

8. SIGNATORIES

Signed on behalf of Coventry City Council

Date:

Signed on behalf of North Warwickshire Borough Council

Date:

Signed on behalf of Nuneaton & Bedworth Borough Council

Date:

Signed on behalf of Rugby Borough Council

Date:

Signed on behalf of Stratford-on-Avon District Council

Date:

Signed on behalf of Warwick District Council

Date:

Signed on behalf of Warwickshire County Council

Date:

## Agenda Item 6

### Planning and Development Board

9 October 2023

#### Report of the Chief Executive

#### Submission of Nether Whitacre Neighbourhood Plan for Referendum

### 1 Summary

- 1.1 This report informs Members of the progress of the Nether Whitacre Neighbourhood Plan and seeks approval for a formal referendum to take place, in accordance with regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

#### **Recommendation to the Board:**

**That the Nether Whitacre Neighbourhood Plan (as amended) be taken forward to referendum.**

### 2 Consultation

- 2.1 Councillors Simpson and H Phillips have been sent a copy of this report for comments. Any comments received will be reported verbally at the meeting.

### 3 Background

- 3.1 The Localism Act 2011 introduced a mechanism for local communities to produce neighbourhood plans. In North Warwickshire it is the Parish Councils who can seek designation and create a group to lead on the production of the neighbourhood plans. Once a neighbourhood plan is 'made' (adopted) it becomes part of the statutory development plan for that area and will be used, alongside local and national planning policy and guidance, to determine planning applications.
- 3.2 There are now 12 designated Neighbourhood Plan areas within the Borough of which 7 have an Adopted Neighbourhood Plan. These are Austrey, Arley, Coleshill, Fillongley, Hartshill, Mancetter and Water Orton. Dordon will be going to Referendum on Thursday 19<sup>th</sup> October 2023.

### 4 Nether Whitacre

- 4.1 Nether Whitacre is the ninth Neighbourhood Plan that has been formally examined by an Independent Examiner, Andrew Freeman, who was appointed by North Warwickshire Borough Council (NWBC) in July 2023, with the approval of Nether Whitacre Parish Council. The examiner produced a

...  
...  
report with recommendations for changes to be made to the submitted Nether Whitacre Neighbourhood Plan and, if these changes were made, then the Nether Whitacre Neighbourhood Plan could go forward to referendum. The Examiners Report is available at Appendix A. Within the report the Examiner recommends that the minor changes suggested by this Council should also be made to the Plan. These additional minor changes to the Plan are attached as Appendix B.

4.2 Nether Whitacre Parish Council had their request for designation of a neighbourhood plan area approved on 30 September 2015. Following a range of public consultations, the Parish Council undertook a Regulation 14 Consultations for the statutory minimum consultation period of 6 weeks. The consultation took place between 13<sup>th</sup> December 2021 and 24 January 2022. The Neighbourhood Plan was then submitted to NWBC who undertook a formal consultation under Regulation 16 for 6 weeks from 23<sup>rd</sup> May to 7<sup>th</sup> July 2023. All comments from the NWBC consultation (10 in total) were then passed directly to the Independent Examiner.

4.3 The Independent Examiner considered the representations and the Plan as a whole and produced a report with a number of recommended changes to make the Plan conform with local and national planning policy. The Parish Council has made all of the changes to the Draft Nether Whitacre Neighbourhood Plan as recommended by the Examiner and these are shown in Appendices A and B.  
...

4.4 The Neighbourhood Plan can only go to referendum if the Council is satisfied that it meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004 and convention rights in the Human Rights Act 1988. The Basic Conditions as far as material to this application are:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, retained EU obligations, including in relation to strategic environmental assessment; and,
- Article 8 (right to private and family life) of the European Convention on Human Rights.

4.5 The Plan must also comply with the definition of a neighbourhood plan and the provisions that can be made by a neighbourhood plan or can do so as modified. If the neighbourhood plan meets these criteria, a referendum must be held.

4.6 It is considered that the Nether Whitacre Neighbourhood Plan meets the basic conditions and complies with the definition of a neighbourhood plan. The Council is therefore satisfied that the Neighbourhood Plan as revised (with recommendations from the Examiner's Report dated 14<sup>th</sup> August 2023 and minor changes recommended by NWBC) complies with the legal requirements and basic conditions set out in the Localism Act 2011 and can therefore proceed to referendum. The amended Nether Whitacre Neighbourhood Plan can be seen at Appendix C.

4.7 It is important to note that the Examiner recommended that the referendum area should not extend beyond the designated area to which the Plan relates, i.e., beyond the Nether Whitacre Parish boundary. The Council agrees with this recommendation.

## 5 Next Steps

5.1 If agreed by Board the next step is for a Referendum to be organised. This must be held within 56 days of publication of the decision to hold a referendum, excluding Saturdays, Sundays, and Bank Holidays. This is organised by the Democratic Services Team. Early indications are that a referendum could be held on or around Thursday 14<sup>th</sup> December. Confirmation of this date will be provided in due course once arrangements have been made.

## 6 Report Implications

### 6.1 Finance and Value for Money Implications

6.1.1 The Borough Council can claim £20,000 for each Neighbourhood Plan. The money can be applied for when a decision statement is issued detailing their intention to send the plan to referendum.

### 6.2 Legal and Human Rights Implications

6.2.1 The process referred to above conforms with the legal requirements for Neighbourhood Plans and referendums.

### 6.3 Human Resources Implications

6.3.1 Staff time is expected to be provided by the Borough Council to support and advise Parish Councils and communities in taking forward a Neighbourhood Development Plan. However, staff time is limited due to other work priorities of the Forward Planning Team and making sure this role can be provided to other Parishes who are also considering undertaking Neighbourhood Plans. Staff time is also required from the Democratic Services Team, who will organise the Referendum.

### 6.4 Environment, Climate Change and Health Implications

6.4.1 Each Neighbourhood Plan needs to consider the effects of the Neighbourhood Plans' contents in terms of environmental, climate change

and sustainability issues in accordance with the relevant regulations. To ensure these were met Nether Whitacre Neighbourhood Plan Team produced a Screening Report as part of the Regulation 14 consultation. The statutory consultees of the Environment Agency, Historic England and Natural England, were consulted and raised no issues.

## 6.5 Links to Council's Priorities

6.5.1 The adoption of the Neighbourhood Plan has links to the following priorities:

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

The Contact Officer for this report is Sue Wilson (719499).

### Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
1	Intelligent Plans	Inspectors Report on Nether Whitacre Neighbourhood Plan (Appendix A)	14/8/2023
2	NWBC	Minor Changes (Appendix B)	August 2023
3	NWBC	Nether Whitacre Neighbourhood Plan (showing changes)	September 2023





# **Report on the Nether Whitacre Neighbourhood Plan 2023 – 2038**

**An Examination undertaken for North Warwickshire Borough Council  
with the support of Nether Whitacre Parish Council on the April 2023  
submission version of the Plan.**

Independent Examiner: Andrew Freeman BSc (Hons) DipTP DipEM FRTPI

Date of Report: 14 August 2023

Intelligent Plans and Examinations (IPE) Ltd, 3 Princes Street, Bath BA1 1HL  
Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

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## **Main Findings - Executive Summary**

From my examination of the Nether Whitacre Neighbourhood Plan and its supporting documentation, including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- the Plan has been prepared and submitted for examination by a qualifying body – Nether Whitacre Parish Council;
- the Plan has been prepared for an area properly designated – Nether Whitacre Neighbourhood Area – map on Page 5 of the Plan;
- the Plan specifies the period to which it is to take effect – 2023 to 2038; and
- the policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

## **1. Introduction and Background**

### Nether Whitacre Neighbourhood Plan 2023 - 2038

- 1.1 Nether Whitacre is a rural parish and village within the administrative area of North West Warwickshire Borough. The village of Whitacre Heath also lies within the Parish together with the hamlets of Hoggrill End and Botts Green. The whole area is “washed over” by Green Belt.
- 1.2 The general location is to the northeast of the West Midland conurbation with the centre of the Parish being some 4 km to the east of the junction of the M6 toll road with the M42. The large distribution park at Hams Hall is to the southwest of the Parish. The main line railway between Tamworth (over 10 km to the north) and Birmingham New Street passes through the northwestern corner of the Parish.
- 1.3 Green fields, open spaces and farmland predominate within the Parish with a number of precipitation reservoirs in the northwest. The Neighbourhood Plan refers to some 460 dwellings and 947 residents. Facilities include a number of public houses, churches, church and village halls, a village store and a small industrial estate. There is a limited bus service. Private transport is the main means of travel.

- 1.4 The Parish Council decided in 2015 to embark on the production of a neighbourhood plan. A Neighbourhood Plan Committee was formed comprised of Parish Councillors and members of the public. In developing the Plan, the aim has been to protect the heritage of the Parish and conserve the rural environment for the benefit of existing and future residents. To this end, nine policies have been drafted covering the topics of housing, transport, the local economy and the environment.

### The Independent Examiner

- 1.5 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Nether Whitacre Neighbourhood Plan by North Warwickshire Borough Council with the agreement of Nether Whitacre Parish Council.
- 1.6 I am a chartered town planner and former government Planning Inspector with over forty years' experience. I have worked in both the public and the private sectors. I am an independent examiner and do not have an interest in any of the land that may be affected by the draft Plan.

### The Scope of the Examination

- 1.7 As the independent examiner, I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
  - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
  - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.8 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ("the 1990 Act"). The examiner must consider:
- Whether the Plan meets the Basic Conditions.
  - Whether the Plan complies with provisions under Section 38A and Section 38B of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act"). These are:
    - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
    - it sets out policies in relation to the development and use of land;
    - it specifies the period during which it has effect;

- it does not include provisions and policies for “excluded development”; and
  - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
- Whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum.
  - Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) (“the 2012 Regulations”).
- 1.9 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

### The Basic Conditions

- 1.10 The “Basic Conditions” are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contribute to the achievement of sustainable development;
  - be in general conformity with the strategic policies of the development plan for the area;
  - be compatible with and not breach European Union (EU) obligations (under retained EU law)<sup>1</sup>; and
  - meet prescribed conditions and comply with prescribed matters.
- 1.11 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.<sup>2</sup>

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<sup>1</sup> The existing body of environmental regulation is retained in UK law.

<sup>2</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

## 2. Approach to the Examination

### Planning Policy Context

- 2.1 The Development Plan for this part of North Warwickshire Borough Council, not including documents relating to excluded minerals and waste development, is the North Warwickshire Local Plan 2021.
- 2.2 Planning policy for England is set out principally in the National Planning Policy Framework (NPPF). Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented.

### Submitted Documents

- 2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft Nether Whitacre Neighbourhood Plan 2023 - 2038, April 2023;
  - a map which identifies the area to which the proposed Neighbourhood Development Plan relates;
  - the Consultation Statement, April 2023;
  - the Basic Conditions Statement (undated) incorporating commentary on Strategic Environmental Assessment (SEA);
  - all the representations that have been made in accordance with the Regulation 16 consultation;
  - Nether Whitacre Neighbourhood Development Plan Screening for SEA and Habitats Regulations Assessment (HRA) opinion letter from North Warwickshire Borough Council (undated); and
  - the request for additional clarification sought in my letter dated 18 July 2023 and the response (undated) from Nether Whitacre Parish Council received on 27 July 2023.<sup>3</sup>

### Site Visit

- 2.4 I made an unaccompanied site visit to the Neighbourhood Plan Area on 29 July 2023 to familiarise myself with it and visit relevant sites and areas referenced in the Plan and evidential documents.

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<sup>3</sup> View the documents at: [Neighbourhood Plans | Neighbourhood Planning | North Warwickshire \(northwarks.gov.uk\)](https://www.northwarks.gov.uk)

## Written Representations with or without Public Hearing

- 2.5 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum.

## Modifications

- 2.6 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

## 3. Procedural Compliance and Human Rights

### Qualifying Body and Neighbourhood Plan Area

- 3.1 The Nether Whitacre Neighbourhood Plan has been prepared and submitted for examination by Nether Whitacre Parish Council, which is a qualifying body for an area that was designated by North Warwickshire Borough Council on 30 September 2015.
- 3.2 It is the only Neighbourhood Plan for the Nether Whitacre Neighbourhood Area and does not relate to land outside the designated Neighbourhood Plan Area.

### Plan Period

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2023 to 2038.

### Neighbourhood Plan Preparation and Consultation

- 3.4 Details of plan preparation and consultation are set out in the Parish Council's Consultation Statement, April 2023. Designation of the neighbourhood area was made by North Warwickshire Borough Council on 30 September 2015. Plan preparation was then progressed by a Steering Committee consisting of members of the Parish Council, volunteers from local groups and residents.
- 3.5 The first formal consultation, in May 2016, was a drop-in session at Nether Whitacre Village Hall. Subsequently, regular updates on the preparation of the draft Neighbourhood Plan were provided to the Parish Council and to all residents via updates of the "Connecting Four" magazine, delivered free to all households.

- 3.6 Through 2016 and 2017, an evidence base was prepared using feedback from residents and local businesses. Ideas from the drop-in session informed a detailed questionnaire which was the basis for a second round of consultation, hand delivered to all households and businesses.
- 3.7 By 2018, a draft of the Neighbourhood Plan was in being using the detailed evidence base which had been gathered. A further questionnaire on parking spaces was also hand delivered to households and businesses affected.
- 3.8 Formal consultation under Regulation 14 commenced on 13 December 2021 and closed on 24 January 2022. Details of the representation made, and actions taken, are set out in the Consultation Statement. Five responses were received from statutory consultees and a further two from individuals.
- 3.9 At the Regulation 16 stage (23 May 2023 to 7 July 2023), nine responses were received, all from statutory consultees.
- 3.10 I am satisfied that, at both the Regulation 14 and the Regulation 16 stages, the consultation process met the legal requirements and there has been procedural compliance. Regard has been paid to the advice on plan preparation in PPG.

#### Development and Use of Land

- 3.11 The Plan sets out policies in relation to the development and use of land in accordance with Section 38A of the 2004 Act.

#### Excluded Development

- 3.12 The Plan does not include provisions and policies for “excluded development”.

#### Human Rights

- 3.13 Nether Whitacre Parish Council is satisfied that the Plan does not breach Human Rights (within the meaning of the Human Rights Act 1998). From my independent assessment, I see no reason to disagree.

## 4. Compliance with the Basic Conditions

#### EU Obligations

- 4.1 The Neighbourhood Plan was screened for SEA by North Warwickshire Borough Council, which found that it was unnecessary to undertake SEA. Having read the Strategic Environmental Assessment Screening Opinion, I support this conclusion.



- 4.2 The Nether Whitacre Neighbourhood Plan was further screened for HRA, which also was not triggered. The Neighbourhood Plan Area is not in close proximity to a European designated nature site. Natural England did not have any specific comments to make (email dated 18 January 2022). From my independent assessment of this matter, I have no reason to disagree.

### Main Issues

- 4.3 Having regard for the Nether Whitacre Neighbourhood Plan, the consultation responses and other evidence, and the site visit, I consider that there are five main issues relating to the Basic Conditions for this examination. These concern:
- Development Boundary;
  - Housing;
  - Transport;
  - Local Economy; and
  - Environment.
- 4.4 Before I deal with the main issues, I have a few observations to make with regard to the representations. First, the Nether Whitacre Neighbourhood Plan should be seen in the context of the wider planning system. This includes the North Warwickshire Local Plan 2021 as well as the NPPF and PPG. It is not necessary to repeat in the Neighbourhood Plan matters that are quite adequately dealt with elsewhere.<sup>4</sup> Having said that, there may be scope to give emphasis to matters particularly relevant in the context of Nether Whitacre.
- 4.5 Secondly, the Neighbourhood Plan does not have to deal with each and every topic raised through the consultation. In this regard, the content of the Neighbourhood Plan and the scope of the policies is largely at the discretion of the qualifying body, albeit informed by the consultation process and the requirements set by the Basic Conditions.
- 4.6 Thirdly, my central task is to judge whether the Neighbourhood Plan satisfies the Basic Conditions. Many of the representations do not demonstrate or indicate a failure to meet those conditions or other legal requirements. Similarly, many of the suggested additions and improvements are not necessary when judged against the Basic Conditions.
- 4.7 The following section of my report sets out modifications that are necessary in order to meet the Basic Conditions. Some of the proposed modifications are factual corrections.<sup>5</sup> Others are necessary in order to have closer regard to national policies and advice. In particular, plans should be succinct and contain policies that are clearly written and

<sup>4</sup> See NPPF, Paragraph 16 f).

<sup>5</sup> Modifications for the purpose of correcting errors is provided for in Paragraph 10(3)(e) of Schedule 4B to the 1990 Act.

unambiguous.<sup>6</sup> In addition, the policies should be supported by appropriate evidence.<sup>7</sup>

### Issue 1 – Development Boundary

- 4.8 Section 5 of the Neighbourhood Plan states that, “Development may take place within this defined area providing such development is in accord with this plan and the approved local plan”. The “defined boundary” is a reference to the “Nether Whitacre parish development boundary” as shown on the plan on Page 6.
- 4.9 The statement is of the nature of a policy but is not expressed as a policy. To avoid any ambiguity, it should be written up as a policy. Additionally, given that the whole of the Parish is washed over by Green Belt, there should be reference to compliance with the NPPF (with its provisions relating to development in the Green Belt). Proposed modification **PM1** refers.

### Issue 2 – Housing

- 4.10 Amongst other things, Housing Policy 1 states that development should *predominantly* take place within the defined development boundary. This wording implicitly acknowledges the possibility of development elsewhere. Wherever development takes place, and given that the area is washed over by Green Belt, it will be necessary to follow national policy as set out in the NPPF. Amendment of the policy will be necessary.
- 4.11 The policy continues by stating that new dwellings *should* consist of units of 1-3 bedroom houses. This is based on limited evidence from a residents’ survey. Be that as it may, I note that the requirement is not mandatory. If evidence to the contrary were presented, it would be possible to argue for bungalows or houses with four or more bedrooms. No amendment is necessary.
- 4.12 On a final point, the policy states that developments *should consider* the inclusion of sustainable drainage systems. This provision could be seen as rather ambiguous and begs the question of what would happen if a developer goes through the motions of considering the point (satisfying the policy) but nevertheless decide not to install such a system. A more positive form of wording is needed to meet the objective of the policy.
- 4.13 Changes to the policy that would ensure compliance with the Basic Conditions are set out in proposed modification **PM2**.
- 4.14 Housing Policy 2 would, amongst other things, allow use of brownfield sites for housing. Whilst the NPPF is supportive of housing development on Green Belt brownfield sites in certain circumstances, it will be

<sup>6</sup> NPPF, Paragraphs 15 and 16 d).

<sup>7</sup> PPG Reference ID: 41-041-20140306.

important to recognise the limitations of national policy. Reference to the NPPF would be made under proposed modification **PM3**. The modification would also ensure that conversions of existing properties into apartments are subject to the NPPF and the Local Plan, given the limited evidence in support of unfettered development.

### Issue 3 – Transport

- 4.15 Housing Policy 3 sets a parking standard of 2 spaces per dwelling or one space per bedroom where space allows. Garages are to be excluded from the calculation because they are often too small.
- 4.16 I saw on my site visit that off-street parking would clearly assist the safety and free flow of traffic in Nether Whitacre. Bearing in mind also the results of the residents’ survey, I do not consider that the proposed standards are unreasonable. However, I also saw that safeguarding the appearance of the street scene will be important. On the question of garages, I see no reason why they should be excluded from the calculations if the size is adequate. To accord with the evidence, amendment of the policy is necessary (proposed modification **PM4**).

### Issue 4 – Local Economy

- 4.17 Local Economic Policy 1 includes the following provision: “Where appropriate buildings are identified that could accommodate space, this use should be supported provided that the current infrastructure is suitable and/or provided.” In this sentence, “space” is intended to refer to space for arts/creative space/care services.<sup>8</sup> An amendment (proposed modification **PM5**) is required for clarity.
- 4.18 Local Economic Policy 2 offers support for accommodation such as B&B’s, small touring caravan sites and *other similar accommodation*. The reference to other similar accommodation is lacking in clarity and is too open ended. The list of supported uses, limited to those identified by the Parish Council,<sup>9</sup> should form the basis of the policy. See proposed modification **PM6**.

### Issue 5 – Environment

- 4.19 The final three policies in the Neighbourhood Plan concern green, open spaces. However, there is a lack of clarity in that various different names are applied to these spaces. It is also uncertain whether the spaces are intended to be “Local Green Space” as referred to in the NPPF.<sup>10</sup>

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<sup>8</sup> See Parish Council’s response to my questions:  
[https://www.northwarks.gov.uk/downloads/file/9677/nether\\_whitacre\\_pc\\_response\\_to\\_examiners\\_questions\\_july\\_2023](https://www.northwarks.gov.uk/downloads/file/9677/nether_whitacre_pc_response_to_examiners_questions_july_2023)

<sup>9</sup> See Parish Council’s response to my questions.

<sup>10</sup> Paragraphs 101-103.

- 4.20 It is clear to me that the spaces have not been assessed in terms of the criteria for Local Green Space set out in Paragraph 102 of the NPPF. Nevertheless, they are intended as a formal designation to which policy provisions will apply. I suggest that the term “Green Open Space” is used consistently throughout the document as in proposed modification **PM7**.
- 4.21 With regard to Environment Policy 1, this is expressed as an objective rather than a policy. Rewording is necessary to form an unambiguous policy as in proposed modification **PM8**.
- 4.22 Environment Policy 2 also needs to be expressed as a policy rather than as an objective. In addition, any future Green Open Space will have to be the subject of a designation process. Alternative wording is required as in proposed modification **PM9**.
- 4.23 In terms of Environment Policy 3, wording included in error needs to be omitted.<sup>11</sup> Additionally, in common with the other environment policies, Policy EP3 needs to be expressed as an effective policy. Proposed modification **PM10** refers.

#### Other Policies

- 4.24 There remains one policy that has not been the subject of commentary in the above report. This is Transport Policy 1 which aims to safeguard on- and off-street parking facilities. To a greater or lesser extent, this topic is covered in NPPF Section 4 (Promoting sustainable transport). I find that there has been regard for national policy and that the Basic Conditions have been met.

#### Other Matters

- 4.25 All policy areas have been considered in the foregoing discussion. With the modifications that I have recommended, the Plan would meet the Basic Conditions. Other minor changes<sup>12</sup> (that do not affect the Basic Conditions), including those suggested by North Warwickshire Borough Council as well as consequential amendments, corrections and up-dates, could be made prior to the referendum at the Councils’ discretion.

## 5. Conclusions

### Summary

- 5.1 The Nether Whitacre Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the

<sup>11</sup> See Parish Council’s response to my questions

<sup>12</sup> See PPG Reference ID: 41-106-20190509.

responses made following consultation on the Neighbourhood Plan, and the evidence documents submitted with it.

- 5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

#### The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The Nether Whitacre Neighbourhood Plan as modified has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.
- 5.4 It is evident that a considerable amount of time and effort has been devoted to the development and production of this Plan and I congratulate those who have been involved. The Plan should prove to be a useful tool for future planning and change in Nether Whitacre over the coming years.

*Andrew S Freeman*

Examiner

## Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 5	<p>Replace Section 5 with the following:</p> <p>“5. Development Boundary Policy:</p> <p><b><u>Development Boundary Policy (DB1):-</u></b></p> <p>Development may take place within the Nether Whitacre parish development boundary, as defined on the plan on Page 6 of this Plan, providing such development is in accord with this Plan, the adopted Local Plan and the NPPF.”</p>
PM2	Page 7	<p>Change the first part of Policy HP1 so that it reads:</p> <p>“In conjunction with the Local Plan, this policy supports new dwellings over the Plan period that accord with the NPPF.</p> <ul style="list-style-type: none"> <li>- New dwellings should represent limited infilling within the Nether Whitacre parish development boundary.”</li> </ul> <p>Change the third hyphenated point so that it reads:</p> <p>“Unless proved to be inappropriate, new dwellings shall include a sustainable drainage system that accords with current industry best practice.”</p>
PM3	Page 7	<p>Replace the opening paragraph of Policy HP2 so that it reads:</p> <p>“The support of this policy extends to the following categories of housing insofar as they accord with the NPPF and the Local Plan:”</p>

PM4	Page 8	<p>Replace the text of Policy HP3 with the following:</p> <p>“Subject to safeguarding the appearance of the street scene, two parking spaces of an adequate size shall be included within schemes for all new dwellings or one space per bedroom where space allows.”</p>
PM5	Page 9	<p>In the second hyphenated point in Policy LEP1, insert “for arts / creative space / care services” after “space”.</p>
PM6	Page 9	<p>Substitute the following for the text of Policy LEP2:</p> <p>“Subject to compliance with the Local Plan and the NPPF, and subject to the need for planning permission, this policy supports B&amp;B’s, small touring caravans sites (maximum five caravans), childcare facilities and offices.”</p>
PM7	Pages 9-14	<p>In place of the various descriptions of green, open space, use the term “Green Open Space”.</p>
PM8	Page 9	<p>Substitute the following for Policy EP1:</p> <p>“Future development shall retain, protect and, where possible, enhance land designated in this Plan as Green Open Space and promote flood risk management benefits where appropriate.”</p>
PM9	Page 9	<p>Substitute the following for Policy EP2:</p> <p>“Where appropriate, suitable and safe access will be sought in relation to Green Open Space.”</p>
PM10	Page 9	<p>Substitute the following for Policy EP3:</p> <p>“In Green Open Space, the maintenance and improvement of flood defences will be sought, supported and encouraged in</p>

		<p>conjunction with the Environment Agency.</p> <p>Development of flood resilience schemes within Green Open Space will be supported provided such schemes do not have a material adverse impact on the space.”</p>
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**NWBC Suggested Amendments - Nether Whitacre Neighbourhood Plan August 2023**

<b>PAGE</b>	<b>Paragraph</b>	<b>NWBC RESPONSE</b>
4	Why a Neighbourhood Plan	Just update to reflect the consultations have taken place and the plan has been for examination <b>(Done)</b> This will also need updating at Adoption Stage
9	Environment	For clarity it would be better if the list of green spaces were put at the front before the maps. It would also be beneficial if the maps had the actual titles on as well <b>(Done)</b>
20	Appendix 3 History	Consider Heritage & Conservation Area Officers rewrite of history <b>(Done)</b>
23	Appendix 4 - Sites of Special Interest	Please delete the text about Stonebridge Railway as the photos are outside the Borough unless it can be shown there is direct relationship and relevance to a policy within the Plan. There is text about the railway in the History section and this has been picked up by the Heritage and Conservation Officer <b>(Done)</b>
25	Appendix 5 - Areas of influence connected to the parish	We still recommend deletion because we do not see any relevance to the plan and policies as this is all outside the designated area. If you wish to keep it then an additional paragraph is needed to explain why the areas are important <b>(Paragraph added)</b>



# Nether Whitacre Neighbourhood Plan

2023 – 2038

Shaping the future of Nether Whitacre Parish



September  
2023

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## 1. Foreword

This is a Neighbourhood Plan (the 'Plan') as defined by the 2011 Localism Act and the Neighbourhood Planning Regulations 2012. It provides planning and development guidelines for the Parish of NETHER WHITACRE (the 'Parish'), the boundary of which is detailed in the Parish boundary map contained herein. The Plan has been produced by the Nether Whitacre Parish Council as the official qualifying body, together with a Steering Group comprising representatives from different parts of the local community. It draws evidence from the views and aspirations of those living in the Parish through a consultation process. It is prepared within the framework of the requirements of the National Planning Policy Framework (NPPF) (2021) and of the North Warwickshire Borough Councils' (NWBC) Local Plan September 2021. It reflects the opinions of the people of Nether Whitacre Parish and sets out policies to safeguard the future and sustainable development of our Parish.

Nether Whitacre Parish has a history which stretches back to Domesday. It is predominantly green fields, open spaces and farmland. Today it comprises some 460 dwellings and around 947 residents. It does not have many facilities, simply a number of public houses, churches, village halls, one shop, a limited bus service and a small industrial site at the edge of the Parish. Private transport is the predominant means of travel.

There are no formal requirements on the Parish by the NWBC for development and as such we are defined as washed over Green Belt and we wish to maintain the protection of it from unwanted and unwarranted development. There is a development boundary within the Parish however and subject to the policies of this Plan and the Borough planning process, windfall sites may be considered.

This Plan covers a period of fifteen years (2023-2038) however it is expected that it will be reviewed every five years to ensure continuing alignment with the changing requirements of the village and of North Warwickshire.

## 2. Vision of the Parish

To promote and steadily grow a thriving rural community whilst preserving its style, feel and character as the Parish develops into the future.

## 3. Why a Neighbourhood Plan?

A Neighbourhood Plan is a new type of plan introduced in the 2012 Localism Act which gives direct power to the community to develop a shared vision for the neighborhood and shape the development and growth of the Parish. The Neighbourhood Plan would then form part of the development plan for North Warwickshire.

During 2015, Nether Whitacre Parish Council decided to embark on producing such a Neighbourhood Plan.

The Parish Council established a Neighbourhood Plan Committee, comprising of Parish Councillors and members of the community to drive the Plan forward.

The main objective is to protect the heritage of the Parish and conserve the rural environment for the benefit of residents both present and future.



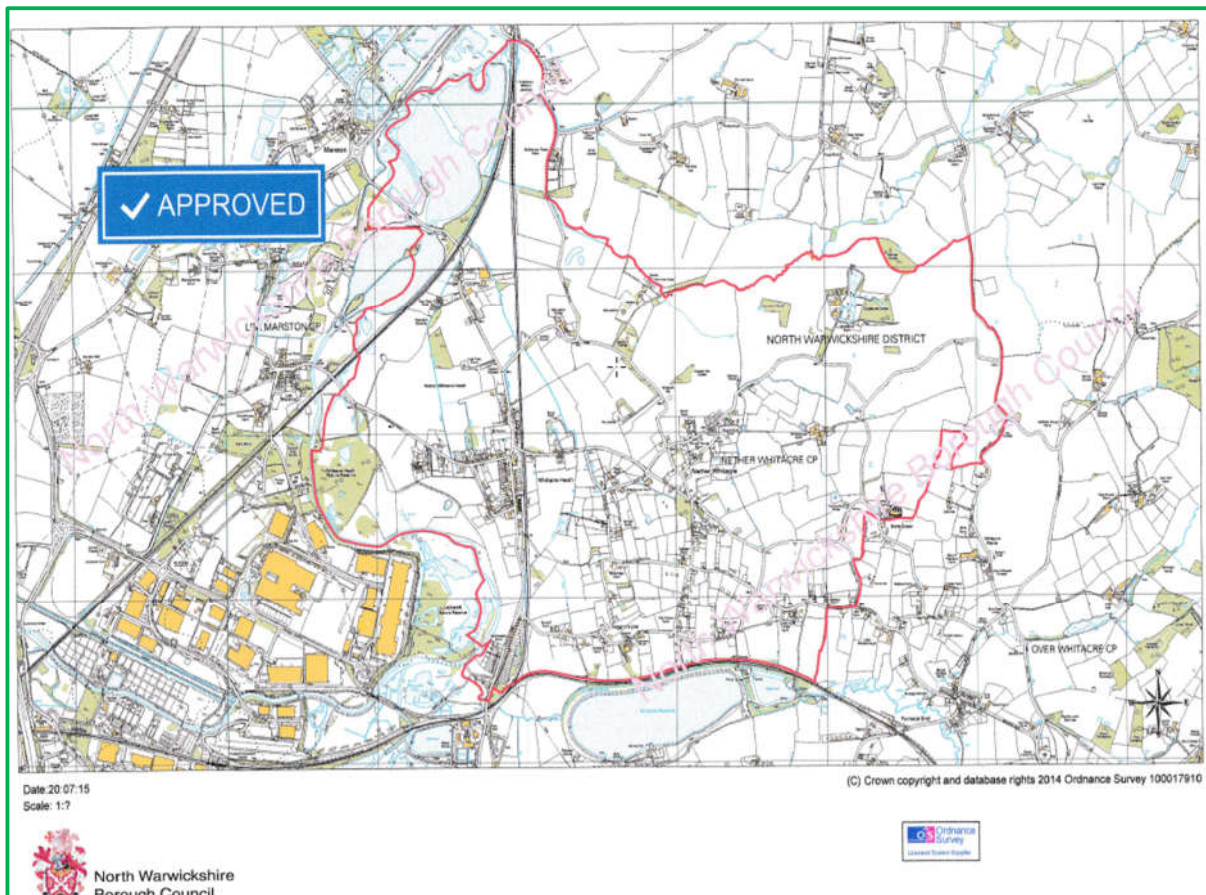
The Plan also recognizes that for the Parish to flourish, the Parish needs to develop and grow in the future but at the same time the Plan needs to:

- Protect it from inappropriate development and to ensure any new development is of a high standard.
- Defend the Green Belt to maintain the rural character of the Parish.
- Encourage the development of a strong and vibrant community.
- Maintain and develop community assets and facilities.

This Plan has been produced following consultation with local residents, local businesses and landowners and with direct support from North Warwickshire Borough Council. It has been subject to 2 formal consultations (carried out by the Parish Council and then a further one carried out by North Warwickshire Borough Council) and been amended accordingly.

The Plan was then sent to an Independent Examiner for Examination. The Examiner issued a report recommending modifications in order for the plan to proceed to referendum. The modifications were made and this plan is the result of those modifications and will be the plan going to referendum

**Nether Whitacre Parish Boundary**



## 4. Steering Group.

Following the designation of Nether Whitacre as a Neighbourhood Plan Area in 2015, a Neighbourhood Plan Steering Group was set up – Nether Whitacre Neighbourhood Plan Steering Group (NWNPSG).

This Steering Group has been responsible for the development of the Neighbourhood Plan and all associated activities and comprises of the following:

- Chairperson – Mr J Thompson
- Secretary – Mrs B Woolaston
- Members – Mrs L Gamble. Mrs E Waters. Mr A Osborne. Mr A Hughes. Mrs C Taylor.
- Mr S Powell. Mrs C McNulty
- Elected Representatives - Mrs V Wright. Mrs D Starkey. Mr R Hemphill. Mr K Woodward.

## 5. Development Boundary Policy:

### Development Boundary Policy (DB1):-

Development may take place within the Nether Whitacre parish development boundary, as defined on the plan below providing such development is in accord with this Plan, the adopted Local Plan and the NPPF.



## 6. Housing Policies:

See Appendix 1 & 2 for supportive data.

This section of the Neighbourhood Plan will focus on the provision, if required, of new dwellings within the Nether Whitacre Parish Boundary.

The North Warwickshire Borough Council Local Plan does not allocate new dwellings within Nether Whitacre.

It is accepted that there will be windfall development over the Plan period but this will only be considered in accordance with the policies stated below. Such sites intend to ensure the continued but sustainable growth of the Parish for the life of the Neighbourhood Plan.

Development should provide the opportunity for local people to remain within the Parish. Development proposals will be subject to Town and Country Planning Act 1990 regulations and general conformity with the NWBC Local Plan and subject to review by the Parish Council and NWBC.

These policies are formed as a result of the data collected from our Parish Surveys and other sources identified herein.

### **Housing Policy 1 (HP1):-**

In conjunction with the local plan, this policy supports new dwellings over the Plan period that accord with the NPPF.

- New dwellings should represent limited infilling within the Nether Whitacre parish development boundary.
- Development should predominantly take place within the defined development boundary.
- New dwellings should consist of units of 1 -3 bedroom houses.
- Unless proved to be inappropriate, new dwellings shall include a sustainable drainage system that accords with current industry best practice.
- Site specific development may be instigated by the Parish Council under a Community Right to Build Order\*\*

\*\* A Community Right to Build Order is put together by local people (supported by the Parish Council) who can decide on the type, quantity and design of buildings they want and in the appropriate locations.

### **Housing Policy 2 (HP2):**

The support of this policy extends to the following categories of housing insofar as they accord with the NPPF and the Local Plan.

To allow:-

- The change of use of agricultural buildings to residential units.
- The conversion of existing properties into apartments.
- The use of brownfield sites.



**Housing Policy 3 (HP3):**

Subject to safeguarding the appearance of the street scene, two parking spaces of an adequate size shall be included within schemes for all new dwellings or one space per bedroom where space allows.

**7. Transport Policy:**

See Appendix 1 for supportive data.

This section will focus on local transport and highways issues highlighted in the Neighbourhood Plan questionnaire. This policy is formed as a result of the data collected from the Surveys and other sources. Transport, traffic and parking facilities featured highly as required improvements for the area. Any new development that may take place within the Parish Boundary should not impact current parking provision (e.g. The Village Hall) and where feasible should enhance current provision or add appropriate parking facilities. On-kerb parking is not acceptable. The following policy will enhance and protect the Parish and its local residents. It is appreciated that further studies in association with WCC Highways and others will be required to support this policy.

**Transport Policy 1 (TP1):**

To work with the Warwickshire County Council in order to ensure that there is no reduction in the current on and off-street parking facilities within the Parish Boundary including the Village Hall.

**8. Local Economy Policies:**

See Appendix 1 for supportive data.

This section focuses on supporting and improving the local economy within the defined Parish Boundary in order to facilitate current and future business opportunities.

Additional visitor accommodation would support the local economy and would complement LEP1 and the tourism proposals put forward by NWBC for the Borough. Sites that could accommodate such uses would include elements of screening. These sites would be subject to review by the Parish Council and NWBC.

**Local Economic Policy 1 (LEP1):**

- To support the provision of new accommodation for arts / creative space/care services within the development boundary.
- Where appropriate buildings are identified that could accommodate space for arts/creative space / care services, this use would be supported provided that the current infrastructure is suitable and / or provided.

**Local Economic Policy 2 (LEP2):**

Subject to compliance with the Local Plan and the NPPF, and subject to the need for planning permission, this policy supports B&B's, small touring caravans sites (maximum five caravans), childcare facilities and offices.

## 9. Environment Policies:

See Appendix 1 for supportive data.

The green open spaces are some of the most valuable assets in the Parish. They provide valuable leisure and recreational space for the local community and visitors. They also act as natural boundaries and should be protected and where possible enhanced.

A lack of access was highlighted by the local community as a major concern and an issue to be tackled which gives rise to the following Policies

### **Environment Policy 1 (EP1):**

Future development shall retain, protect and, where possible, enhance land designated in this Plan as Green Open Space and promote flood risk management benefits where appropriate.

### **Environment Policy 2 (EP2):**

Where appropriate, suitable and safe access will be sought in relation to Green Open Space.

### **Environment Policy 3 (EP3):**

- In Green Open Space, the maintenance and improvement of flood defences will be sought, supported and encouraged in conjunction with the Environment Agency.
- Development of flood resilience schemes within Green Open Space will be supported provided such schemes do not have a material adverse impact on the space.

**Nether Whitacre Green Spaces.**

These are considered Green Open Spaces however some are covered individually with other designations. Nether Whitacre is considered to be 'washed over' green belt.

NWGS1 – Land to the east of Coton Lakes, Coton Road

NWGS2 – Whitacre Heath Nature Reserve (SSSI), Birmingham Road

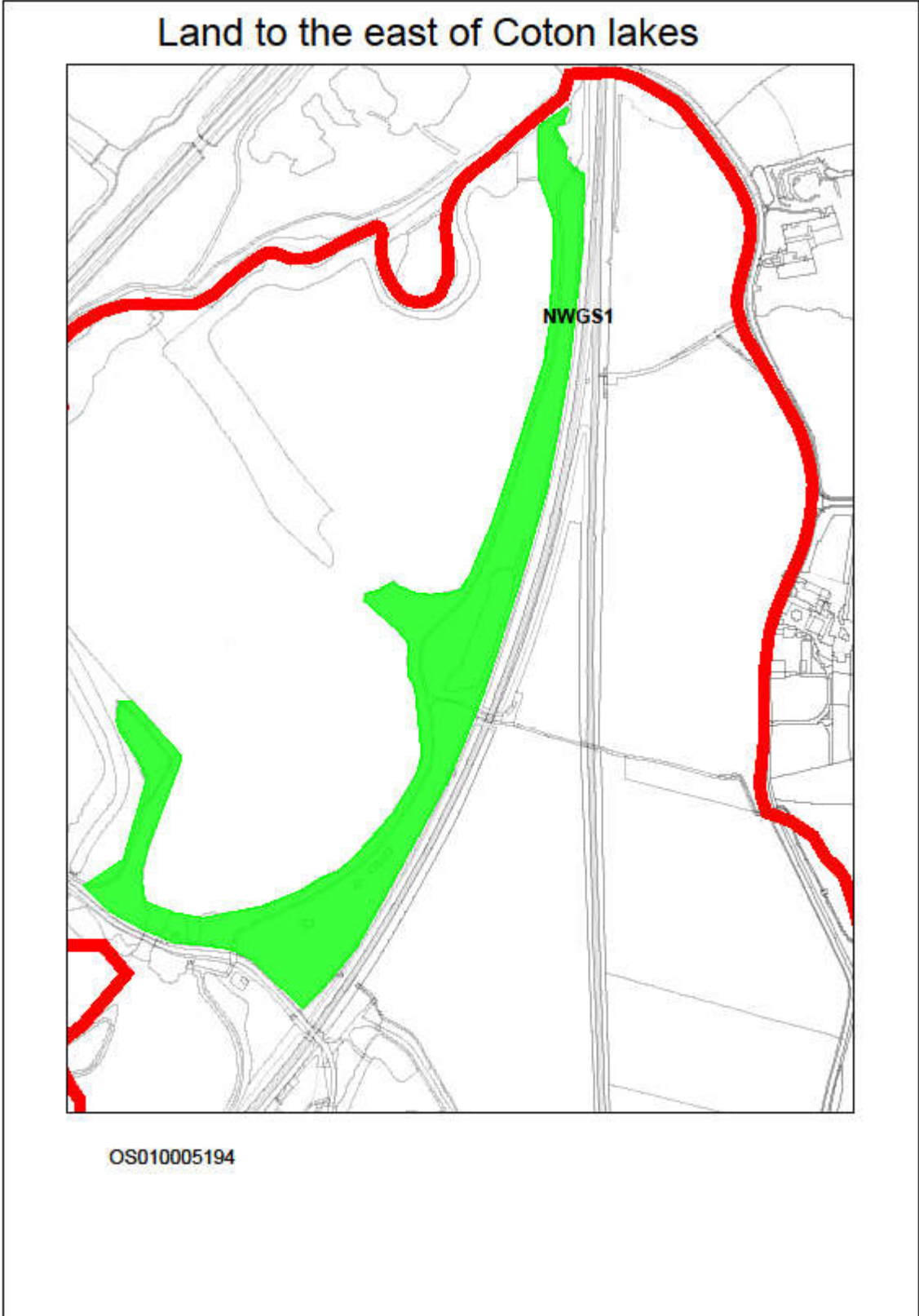
NWGS3 – Colin Teall Wood, Hoggrills End Lane

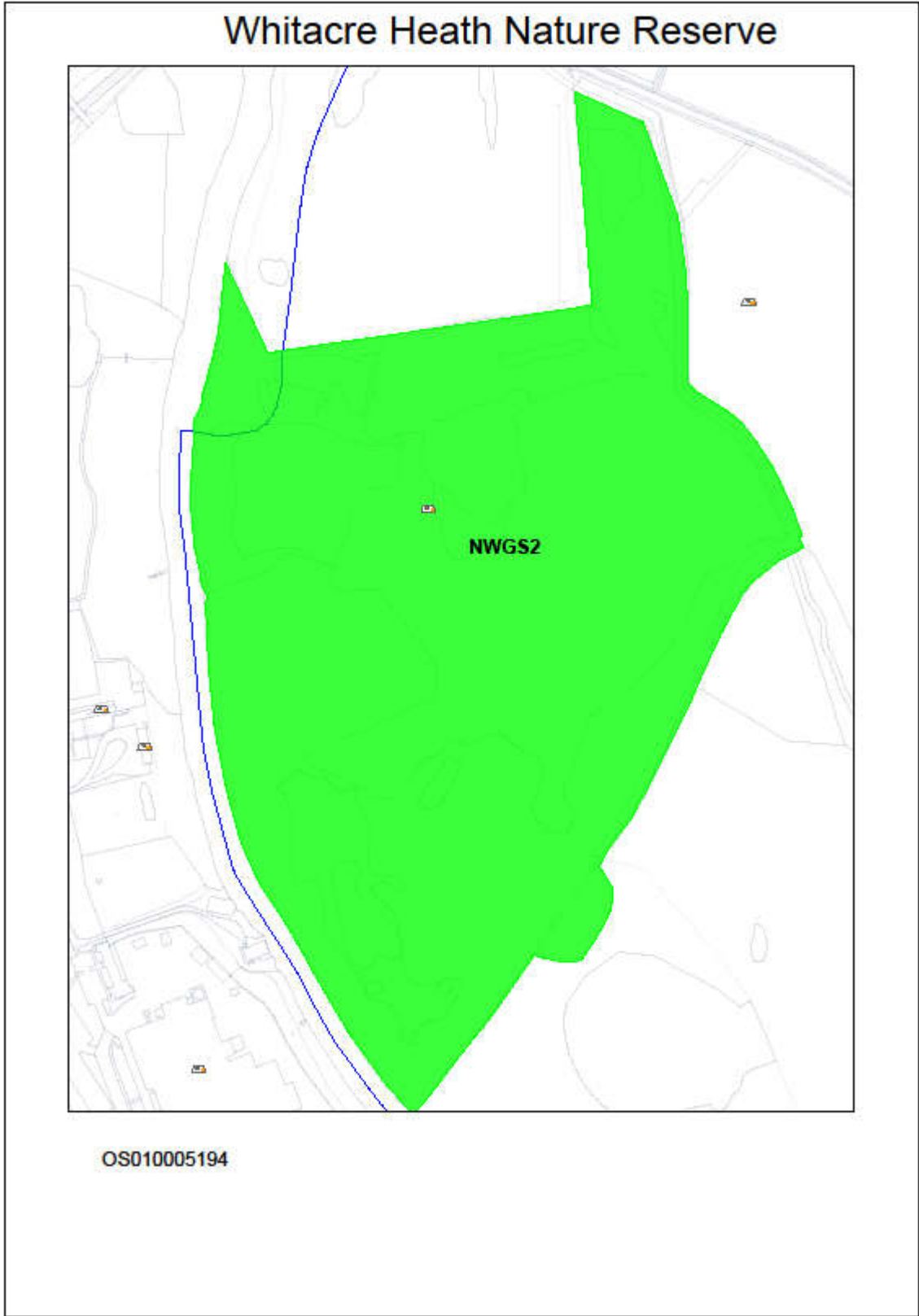
NWGS4 – Nether Whitacre Parish Council Playing Field, Birmingham Road/Cottage Lane

NWGS5 – Dingle Lane Cricket Club, Dingle Lane

NWGS6 – Nether Whitacre Cricket Club, Coton Road

NWGS7 – Land corner of Station Road/Birmingham Road













## 10. Community Policies.

These Community Policies are important to the community and will play a key part in the implementation of this Plan. Whilst they are not part of the development plan, they will contribute to the delivery of the vision and objectives of the Neighbourhood Plan.

- Maintain existing and further develop footpath, bridleway and cycle path amenities.
- To control traffic flow through the Parish.
- To promote the safe reduction of traffic volume, speed and size of vehicles.
- To develop further locations for and extend the use of, speed watch within the Parish.
- To provide (when the Parish lobbies for and it is deemed practically possible) a (public) vehicle parking area(s).
- Support local development of visitor accommodation.
- Support digital infrastructure provision such as mobile phone and broadband
- Provide further seating along footpaths, observation points and information points.
- When unauthorised development is detected, it will be reported to the Borough Council with the intent that relevant enforcement action is to be carried out.

## 11. Appendix 1. Data collection.

Initially, a detailed questionnaire was hand delivered to all properties within the Nether Whitacre Parish. This questionnaire was created from our drop in session activities which are highlighted in our consultation statement.

Of the (450) recipients of the questionnaire, (218) replied.

With particular reference to HP3 below, a second questionnaire was again, hand delivered to all properties within the Parish in our Connecting Four magazine, June 2020. Of the (450) recipients, (188) replied.

These results form the basis of our Plan.

Survey data.

### Ref HP1.

- Is there a need for new homes in Parish? 99 No
- Is there a need for affordable housing to meet local need? 92 No
- What Type of new Dwelling is required?
  - 1 or 2 bed 116 Yes
  - 3 beds 70 Yes
  - Retirement 84 Yes
  - Housing for rent 62 Yes
  - Flats for rent 24 Yes
  - Care homes 44 Yes
  - Flats for purchase 36 Yes
- What scale of development do you think is appropriate to accommodate new homes?
  - One or two dwellings-filling gaps 122 Yes
  - Small scale development 88 Yes
  - All developments on one site 28 Yes
  - Combination 22 Yes
  - Larger developments 16 Yes

### Ref HP2.

- How and where should any building sites be located?
  - Brown field sites. 139 Yes
  - Within the development boundary. 64 Yes
  - Green field sites outside the development boundary. 38 Yes
  - Conversion of existing properties into apartments. 70 Yes
  - In gardens of existing properties. 44 Yes

### Ref HP3.

- Should parking allocation to new dwellings be at 1 space per bedroom plus 1, excluding garages. 168 yes, 16 No.

**Ref TP1 and TP2**

- Is there need for off street parking? 140 yes
- Is speed through the village a concern? 187 yes

Survey data.

**Ref LEP1.**

- Support the establishment or development of new business opportunities. (these need specific Designation sites when available)
  - Care services 140 Yes
  - Small scale horticulture 124 Yes
  - Arts/creative 122 Yes
  - Agriculture 116 Yes
  - Childcare 110 Yes
  - Garden services 110 Yes
  - Shops 108 Yes
  - Taxi 98 Yes
  - Offices 16 Yes
  - Other 4 Yes

**Ref LEP 2.**

- Support for additional visitor accommodation within the Parish.
  - B&B 113 Yes
  - Camping/caravan sites 48 Yes
  - Holiday lets within existing buildings 38 Yes
  - Hostel within existing buildings 35 Yes
  - New Holiday lets 22 Yes
  - New Hostel 15 Yes
- Aspirations.
  - Improved Mobile communications 180 Yes
  - Faster broadband 162 Yes
  - Info points 154 Yes
  - Benches/seating 139 Yes
  - Observation points 129 Yes
  - Litter bins 119 Yes

Survey data

**Ref EP1, 2, 3**

- Should Green spaces be protected from development? 212 Yes
- Should green belt/green spaces have other uses e.g. Flood mitigation? 182 Yes
- Are flood defences a weakness? 42 Yes

## 12. Appendix 2. Further research supporting HP3

Parking on the pavement is more than just an inconvenience. It can intimidate some people, particularly visually impaired pedestrians, wheelchair users or people with prams making them anxious about leaving their homes, and potentially needing to step onto and walk along busy roads.

Pavements are not designed to bear the weight of vehicles and over time the surface can become uneven or cracked, causing trip hazards. For example, Local authorities spent around £1bn between 2006 and 2012 on pavement repairs.

When you park on the pavement, you're blocking part of the footway. As a result, all pedestrians, including children, might have no choice but to walk round your car via the road – putting them at risk. If the footway is blocked then this is an offence.

Stephen Edwards, director of policy and communications at [Living Streets](#), said:

“We're regularly contacted by disabled and older people who feel trapped in their homes because there isn't enough room on the pavement for wheelchairs or mobility scooters. “This has impacted more people during the pandemic, with blocked pavements affecting everyone's ability to physically distance”.

Local authorities can restrict pavement parking on individual streets (or by area) by making a traffic regulation order (TRO). The drawback is that this can shift the problem elsewhere. Making a TRO is also a time consuming and expensive process - it takes up to two years and requires extensive public consultation. However, once parking on pavements is banned on particular street, civil enforcement officers are able to enforce it by issuing a parking control notice – code 62. In April 2017 the government committed to undertake a review of traffic regulation orders. If the process of making traffic regulation orders was less onerous it would make banning pavement parking easier.

Too many drivers are parking on pavements and it's putting pedestrians at risk. A YouGov survey (2018) commissioned by Guide Dogs, found that 65% of drivers had previously parked on pavements and 43% of drivers had parked on pavements in the last six months. Living Streets FOI request (2018) found that 93% of local authorities in England and 87% of local authorities in Wales have received complaints from members of the public about pavement parking, but the existing laws are clearly not working.

[Public health Warwickshire](#) recommend that any new developments take account of the needs of all of the people in the community, including those with disabilities, special needs, including the elderly and young people for example.

[Driving on the pavement is illegal](#) – so too is causing an obstruction – but our police forces don't have enough 'bobbies on the beat' to enforce the law and respond the scale of the problem. If they did, we wouldn't have MPs proposing action or progressive transport bills in Scotland, and we and all our partners, including Guide Dogs, Sustrans, RNIB, British Cycling, Scope and Civic Voice (among many others), would not be leading a pavement parking campaign.

Government is currently considering the issue on kerb parking for the rest of the UK. [It is Illegal in London to park on the Kerb](#).

[The Police initiative, Operation Snap](#), where you upload footage, has been modified to allow stationery vehicle traffic offences, like parking on kerbs.

NPPF paragraph 108 states that maximum parking standards for residential and non-residential development should only be set where there is clear and compelling justification that they are necessary for managing the local road network and improving the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.

The 2021 census data as provided by the Business Intelligence unit, Warwickshire County Council, shows that the proportion of households with no cars has gone down as has that with one car. However, a higher proportion of households have 2 or 3 or more cars so the number of cars per household has increased.

Nether Whitacre Parish is a rural community. Space is not necessarily a premium. We have a physical example of what we believe is poor site planning and development. That is Tame View, Whitacre Heath. Nine in number of four and five bedroomed homes with insufficient parking attributed to them. Pavement parking is the norm in the cul de sac and overspill is now on Station road otherwise service vehicles would not gain access.

When Tame view was built and occupied, the Parish council was subsequently inundated with complaints of insufficient parking, when this is clearly down to agreement with the Developer and Borough planning.

Much is being said today on this parking issue. In the NPPF, flexibility is provided for planning bodies to accommodate better parking availability in developments. If adjustment to housing density is required on specific developments then surely that is something to consider and equally the way to go. We cannot continue to force home owners onto new developments to park on the street or the kerb when planning and design are quite able to accommodate off street parking more often than not.

Our Housing Policy HP1 here, is for properties of 1 to 3 bedrooms. So we are simply suggesting that a 3 bed home has at least 3 vehicle spaces excluding the garage in order to ease the burden of on street parking and or on kerbs.

If Planning Departments continue to apply Maximum parking standards in all cases and ignore the flexibility available within the NPPF then they will continue to perpetuate poor parking standards and inevitably individuals breaking the law.

Author. J.Thompson. Cllr. Nether Whitacre Parish Council. Jan 2023.

<https://www.warwickshire.gov.uk/parkitright>

<https://www.confused.com/on-the-road/safety/is-it-illegal-to-park-on-the-pavement>

<https://www.livingstreets.org.uk>

## 13. Appendix 3.

### History and character attractions in the Parish.

**Nether Whitacre** is a small village in a rural parish of the same name in North Warwickshire. The Parish also includes the settlement of Whitacre Heath and the hamlets of Hoggrills End and Botts Green. **Hoggrills End** comprises of a cluster of farms and cottages, four of which are c.1800 and listed. **Botts Green** consists of a few cottages and the grade II\* listed hall (1593) an exceptional building of timber frame on a sandstone plinth. It is one of only a few in the county.

Half of Botts Green is in Nether Whitacre Parish and half is in Over Whitacre Parish. Beyond this and along Station Road is a small general store. This stretch overlooks the Ladywalk Nature reserve on the opposite bank of the Tame.

**Nether Whitacre appears in Domesday Book** where it is noted as already being held by Wulfric in the Saxon period. By 1086, it comprised eight households and its lord of the manor was Edwin who held under Thorkil of Warwick, its overlord, a relatively unusual name being strongly Norse rather than a hybrid or Norman. It had an additional listing of one household, held under Robert of Vessey. **Whitacre** was in the early medieval period recorded as '**Witecore**', which still means 'white acre' thus 'white field'.

The Parish has within it about half a dozen stone-built buildings of the 17th and 18th centuries, such as Church House Farm, the Old House and the Malt House in Hoggrills End.

Whitacre Heath, the centre of the Parish, is built on the heath which was a mixture of common land and waste land, partially used for agriculture with the most fertile and well-drained land being in the village itself. Just outside the village of Whitacre Heath you will find Whitacre Heath Nature Reserve, an SSSI site.

Many areas and destinations around the Parish are important places that affect the historic character of the Parish, and along with other community facilities, should be taken into account when development is being considered because people come to and travel through the Parish to visit these places. In doing so they influence the needs of the Parish, such as housing, parking, transport, B&B, walking, cycling, green spaces, speeding and traffic calming.

**Whitacre Hall**, a double moated manor house, perches on the north western slopes of the Parish. Much of the present structure dates from the mid-1800s, but a 17<sup>th</sup> century wing indicates some of the long history of the site. Tudor Gothic details add architectural interest to the building. At the height of the Industrial Revolution this was the home of the Jennens family, who were early Ironmasters. John Jennens supplied Birmingham blacksmiths with iron bars and then sold their products. The hall is Grade II listed.

**The Parish Church** is St Giles's Church. Early English in style, it contains some 14th century glass and a 16<sup>th</sup> century West Tower but most of the church is of 1870s restoration. The Parish Register dates from 1439, making it one of the earliest in the area. Within the Church is a large monument to Charles Jennens, Handel's librettist, who wrote the words to the Messiah. The original **Village school** (now residential) was built in 1783 and endowed by Charles Jennens to educate the children of the Parish. The former school is adjacent to the parish church and shows how the church invested in the community's children welfare and education.

The **Methodist church** (built in 1819, later replaced in 1901) is still used for services and village facilities. **Nether Whitacre Church Hall**, a venue for social activities is adjacent to the Methodist church. The Methodist church is a good example of the Art and Crafts style, particularly the large east facing arched window, buttresses and use of clay tiles for decoration around the openings.

**Nether Whitacre Village Hall** was built with money raised from donation and one of the inside walls has a large mural depicting the rural life in the Parish of Nether Whitacre.

Nether Whitacre **cricket club** was established officially in 1887, however records indicate that matches were played at Nether Whitacre as early as July 1880. The club moved on to its current ground in 1907. The club nickname is "The Ducks" after the similarity of the Swan and also an incident in the clubs history when it became one of the first ever instances of a team being dismissed for 0 all out with 10 separate batsmen being dismissed for a duck.

The Parish boasts a total of four public houses.

- **The Dog Inn** is a true country pub tucked away in Dog Lane. It sits opposite the Grade II listed Church End Farm and is a short walk to St Giles' Church and the Old School House.
- **The Gate** is located at a key junction linking the villages in the parish.
- **The Railway**, a traditional country pub with links to the historic railway which ran through the village.
- **Swan Inn**, is 16<sup>th</sup> century former coaching inn, located in the rural village of Whitacre Heath.

**Halloughton Grange** was a cheese making school for Warwickshire at the turn of the century and has the appearance of a model farm with an impressive extensive set of period agricultural buildings.

**The Rectory**, a substantial two storey brick building with ecclesiastical architectural detailing is sited in a prominent location at the junction with Coventry Road and Dog Lane with a former footpath linking it to St Giles.

There was a railway station to the south of Nether Whitacre and the Railway Inn at the centre of the village catered for extra visitors and workers associated with the building of the Stonebridge Railway to link the route from the north Midlands and Yorkshire to the London and Birmingham. It was opened in 1839. The line lost its final passenger service in 1917 as a wartime economy measure.



**Whitacre Railway station**



**Whitacre Junction**

### **Nether Whitacre Footpaths**

The Parish has numerous footpaths, providing amenities for ramblers, dog walkers and cyclists, all linking all of the elements mentioned within and forming the basis of the Plan.

**The Heart of England Way** cuts straight through the Parish and onwards. All these features of the community and landscape have an influence on the way the Parish develops.

**Nether Whitacre Walking Group** meets at St Giles' Church.

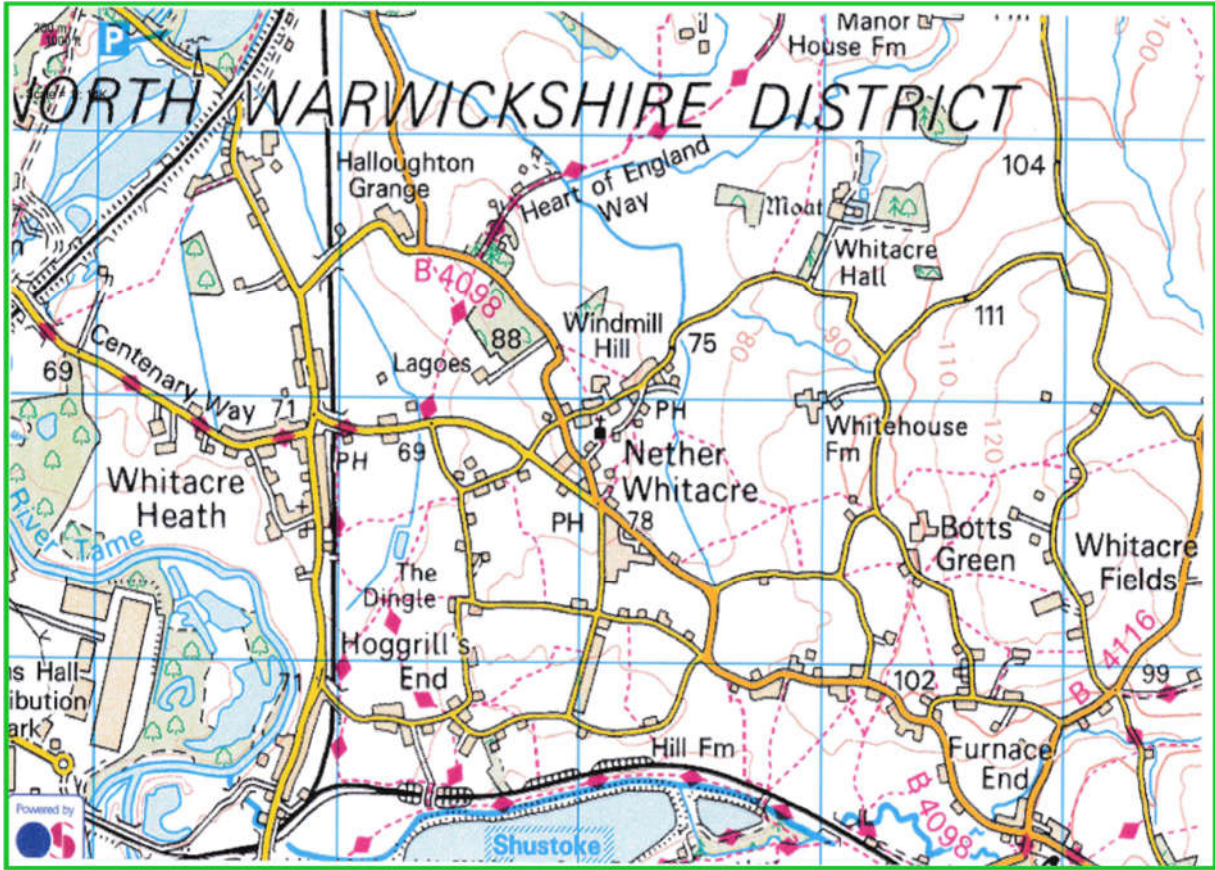
**The Rogation walk** takes place annually on the first Bank Holiday in May and attracts many in the community and visitors who walk between the five churches, taking in the pubs.

**The North Arden Heritage Trail** project worked with local communities to establish a circular heritage trail in North Warwickshire passing through the parishes of Atherstone, Mancetter, Hartshill, Ansley, Arley, Astley, Fillongley, Maxstoke, Shustoke, Nether Whitacre, Kingsbury, Baddesley Ensor and Merevale.

The trail's foundation is the historic network of ancient tracks, farmers' walks for driving livestock and delivering local produce or timber to market, and miners' walk between their home, work, friends, family and place of worship. Historically the parishes had strong connections with its neighbours via trading, supply labour and materials. The trail particularly concentrates on the heritage from the 16th Century to the present day.

There is no particular start or finish to the 25 mile trail route, but starting in Atherstone (former centre for the hatting industry) the trail follows the Coventry canal (with its unique style of sign writing) in a clockwise direction towards Mancetter (a site of Roman pottery industry), onto Hartshill Hayes (where manganese was discovered), Ansley (renowned for ribbon making), Arley (whose coal was reputedly supplied to Victorian Royal family), Fillongley (home of the silk weavers), Shustoke (with its pumping house), Nether Whitacre (home of the Jennen's Family), Hurley (with its mineral railway line), Baddesley, Merevale and finally Atherstone.





## Appendix 4. Sites of special interest

The Parish is not isolated. The following are areas which must be taken into consideration when development is being considered.

These following topics affect the Parish greatly. Others come to and travel through the Parish because of these interests and in doing so influence the needs such as housing, parking, transport, B&B, walking, cycling, green spaces, speeding and traffic calming and as such these are included in this Plan.

### Lea Marston Lakes



As a result of the River Tame improvement scheme which took place in the mid 1970's the river was re-routed from a single channel to cross Coton Road at three points via large precipitation lakes most of which lie within the Whitacre Parish boundary. The course of the river resumes at Kingsbury. Originally these were dredged to remove the settled debris, but this was discontinued several years ago.

The area has become naturally diverse and huge improvements in the Tame water quality has resulted in a proliferation of fish species and a haven for wildlife. There is also a considerable winter wildfowl population and the lakes attract migrant birds. The northern lakes have several walks and the Environment Agency have provided a bird hide.

### Whitacre Nature Reserve (SSSI) and Colin Teall Wood.



This SSSI site has over 40 hectares of wetland and woodland areas, lies to the south of Birmingham Road and is owned and maintained by the Warwickshire Wildlife Trust.

The reserve was identified in 1989 as an SSSI (Site of Special Scientific Interest) by Natural England mainly for its attraction to wetland birds. It is also recognised for its importance to an overwintering bird population and to breeding birds and passage migrants. It forms part of the Tame Valley - the largest group of interconnected wetlands in the Midlands. The site is a significant LBAP (Local Biodiversity Action Plan) habitat for species such as snipe and otters.

A bequest to the Parish Council in 1995 this woodland area runs parallel to Station Road. Local volunteers have put considerable effort into establishing pathways and woodland walks and providing nest sites and habitat for indigenous birds and insects. The area has been replanted with native species and active woodland management is underway. It links to the Heart of England Way and Centenary Way and is popular with walkers

## 15. Appendix 5. Areas of influence connected to the Parish

The Parish is not isolated. Development within a Parish is influenced by the surrounding elements within the Parish. A Parish itself is influenced by those elements sitting outside of its boundaries.

These following topics affect the Parish greatly. Others come to and travel through the Parish because of these interests and in doing so influence the needs such as housing, parking, transport, B&B, walking, cycling, green spaces, speeding and traffic calming and as such these are included in this Plan. They must be considered as influencers.

### Whitacre Water Works.



Dominating the skyline approaching Whitacre Heath on Station Road and built in 1872, the works were originally intended to pump water from Shustoke reservoir to supply Birmingham using the then available steam power- there was originally a rail link to the main building for coal supply. Operations continued until 1904 when the Birmingham water supply from the Elan valley started to come online and the site became a standby facility. Two of the original steam units were Watt Compound Beam engines and were reported to be among the most elaborate and ornate ever built. Following replacement in the late 1930's one was preserved in the Birmingham Science Museum. The original steam boilers have been long since removed and the chimney demolished. The pumping facility was replaced with a modern building and installation in 1977 and the original site is largely abandoned.

Parts of the building carry a Grade II listing based on intactness, architectural quality and historic interest as an example of 'Civic Gospel' and as a contributor to the quality of life of Birmingham residents.

Regrettably in 2018 it was put into Historic England's Heritage at Risk register due to its increasing deterioration.

**Kingsbury Water Park** lies on the River Tame. It has 15 lakes and is situated in 600 acres. It is renowned for its walks, bridleways, birdlife and water sports. There is also a miniature railway manned by enthusiastic volunteers.

**Middleton Lakes** was formed out of gravel pits; it was created in 2011 and is run by the RSPB. It has four established walking trails and a public bridleway. The reserve lies to the rear of Middleton Hall.



**Middleton Hall** is a Grade II listed building dating back to medieval times. Since 1980 it has been restored by a charitable trust. It is surrounded by 40 acres of land which includes two walled gardens, woodland and Middleton Lakes.

**Shustoke Reservoir** was built in the 1880's to supply clean drinking water to Birmingham; it took ten years to build. Today, however, it supplies Shustoke, Coventry, Nuneaton, Bedworth and Atherstone. It is open to the public and has a variety of walks through our Parish and there are opportunities for bird watching, fishing and sailing.

**Ash End House Children's Farm** is a family owned farm with lots of farm animals to pet and feed. It has an indoor play barn and lots of outdoor play areas. It is situated off the A4091, Middleton Lane.

**Drayton Manor Theme Park** the park covers 280 acres and has seven theme zones, Thomas Land, Action Park, Aerial Park, Fisherman's Wharf, Pirate Cove, The Zoo and Farmer McColl's. It is the fourth largest amusement park in the UK and has a daily capacity of 15,000 guests.

**Roman settlements** of Coleshill, Atherstone and Tamworth are important towns which are close to Nether Whitacre.