

Coventry Local Plan Review

Regulation 19

Proposed Submission (Publication) Stage Representation Form (guidance note below)

Ref:

(For official use only)

Name of the Plan
to which this
representation
relates:

**Coventry Local Plan Review – Regulation 19 Proposed
Submission (Publication)**

**Please return to Coventry City Council in writing or electronically by 23:59 03
March 2025 email to planningpolicy@coventry.gov.uk, via our consultation portal
<https://coventrycitycouncil.inconsult.uk/system/home> or by post to Planning Policy
Team, PO Box 7097, Coventry, CV6 9SL**

Please refer to the following data protection/privacy notice:
www.coventry.gov.uk/planningpolicyprivacynote

Please also note that that a copy of your representation(s) will be made available to the Planning Inspectorate and to the person appointed by the Secretary of State to conduct the examination (i.e. the Inspector) and the Programme Officer. and that your representation(s) will be 'made available' in line with the Regulations (The Town and Country Planning (Local Planning) (England) Regulations 2012 – Regulations 20, 22 and 35). This includes publication on Coventry City Councils website (personal details will be redacted in line with the Privacy Notice).

This form has two parts:

Part A – Personal Details: need only be completed once.

Part B – Your representation(s).

Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details***2. Agent's Details (if applicable)**

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	-	Mr
First Name	-	Michael
Last Name	-	Davies
Job Title (where relevant)	-	Planning Director
Organisation (where relevant)	Arbury Estate	Savills
Address Line 1	C/O Agent	55 Colmore Row
Line 2	-	Birmingham
Line 3	-	
Line 4	-	
Post Code	-	B3 2AA
Telephone Number	-	
E-mail Address	-	

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan Review does this representation relate?

Paragraph Policy DS2

4. Do you consider the Local Plan Review is:

(1) Legally compliant	Yes <input type="text"/>	No <input checked="" type="text"/>
(2) Sound	Yes <input type="text"/>	No <input checked="" type="text"/>
(3) Complies with the Duty to co-operate	Yes <input type="text"/>	No <input checked="" type="text"/>

Please tick as appropriate.

5. Please give details of why you consider the Local Plan Review is not legally compliant or is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan Review or its compliance with the duty to co-operate, please also use this box to set out your comments.

The emerging Coventry Local Plan (Regulation 19 version) states that 45ha of employment land is required to be exported through Duty to Cooperate. Policy DS2 specifically states that:

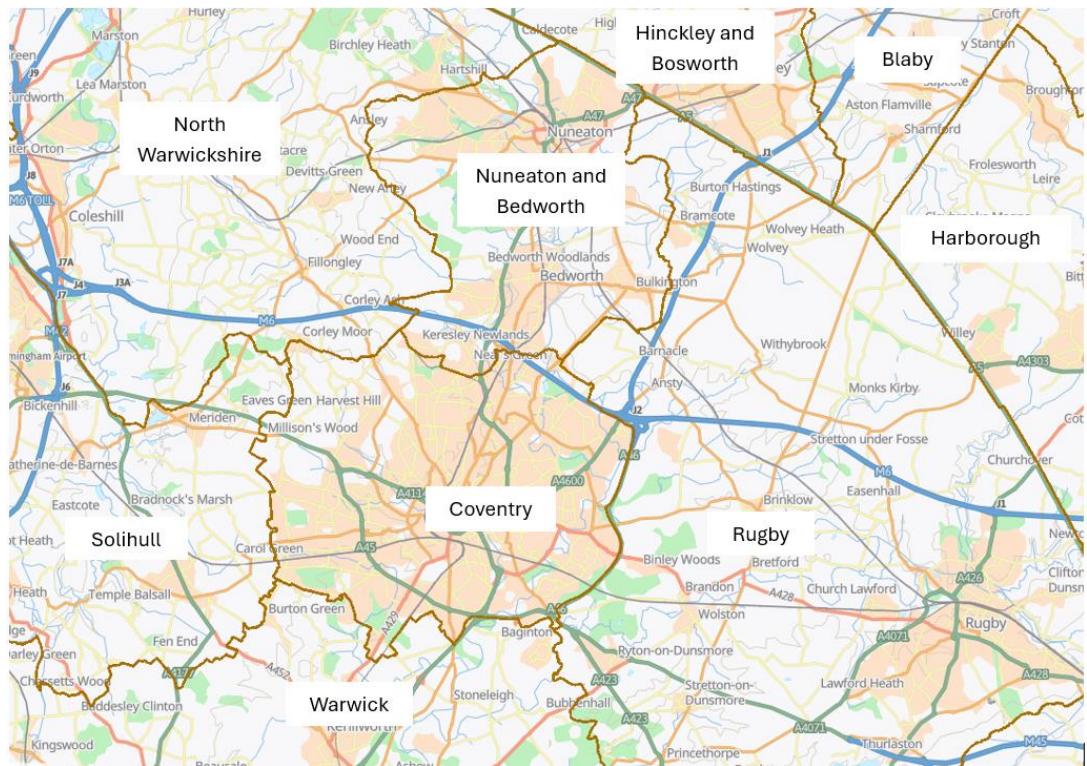
"The Council is committed to supporting the economic growth objectives of the sub-region and, in partnership will continue to work pro-actively with all partners to deliver economic growth and prosperity across Coventry and Warwickshire."

Reference is also made in DS2 to meeting housing need, but crucially no reference is made to employment needs.

The Duty to Cooperate Statement states that the total local need figure for Coventry for the period 2021-41 was calculated to be 105 hectares. From this, Coventry has a supply of 60 hectares and a residual need of 45 hectares. Despite repeated Call for Sites, Coventry has made its partner authorities aware through the Duty to Co-operate discussions that it is unable to accommodate a 45 hectare shortfall. It has also made them aware that a Green Belt site (11 hectares developable to the east of the city) is being promoted but that it has been rejected through site assessment.

There is no confirmed agreement with other LPAs regarding the provision of the 45ha shortfall Coventry have evidenced (see paragraph 5.19 of the Regulation 19 plan), being exported to other LPA areas. Coventry should therefore be reaching out to those authorities within the Functional Economic Market Area (FEMA), particularly those it shares strong administrative and functional relationships with.

In respect of Coventry and Nuneaton & Bedworth (N&B) there is a particularly strong administrative relationship, due to the fact that Coventry shares around 15% of its administrative boundary with Nuneaton & Bedworth, and the key M6 Junction 3 and links to A444 north to the A5 (and onto the A42 / M1), as is shown on the plan below:



Coventry also shares a strong functional relationship with N&B. This is highlighted by the fact that both authorities sit within the same Travel to Work area, reflected in high levels of commuting from N&B to Coventry. The net outflow of commuters from Nuneaton and Bedworth to the city stands at -6,517, which is 43% of the overall net out commuting experienced in N&B. This shows the strong link between Coventry and N&B, in relation to the provision of unmet employment need.

There is clear demand for employment land in Nuneaton and Bedworth, with industrial & logistics rents having increased by 49% 2011 - 2021, indicating new supply has struggled historically to keep pace with the strong demand. This is more than double the rate of inflation over the same period. Given how attractive Nuneaton and Bedworth is to occupiers, there should be consideration for how Coventry should take a proactive role in delivering employment land within the sub-region in order to support economic growth and hence sustainable development.

As defined by the West Midlands Strategic Employment Sites Study, a strategic employment site is one of 25ha or more. Therefore Coventry should be looking to its partners in the FEMA to provide these sites as it appears they cannot be accommodated within Coventry's boundaries.

The HEDNA (2022) utilises modelled figures for employment land based upon gross completions trends for industrial and warehousing uses. This is flawed due to the fact that consideration of completions only tells part of the story and is set within a "policy on" environment where policy constraints, namely Green Belt in the wider HMA limit the ability of employment development to come forward.

Past (likely suppressed) demand in the recent past is not an accurate indication of the levels of employment development required going forward. There is therefore a need to consider a requirement for more than just the 45ha quoted by Coventry during Duty to Cooperate discussions.

Meetings with Neighbouring LPAs

We note that one way Coventry intends to evidence constructive engagement is through the publication of evidence such as MoUs and SoCGs with neighbouring LPAs and DtC partners (See page 12 of DtC Statement).

Reference is made in the DtC statement to a number of meetings having taken place with Duty to Cooperate partners. To evidence that this engagement has been meaningful; the minutes, actions and outcome of these meetings should be made public (albeit redacted where necessary). This would then suitably evidence cooperation. Otherwise it is not clear whether meetings have been useful in satisfying the requirement for constructive, active and ongoing engagement (PPG Paragraph: 029 Reference ID: 61-029-20190315).

We ask that Coventry publish detailed minutes, lists of attendees etc. for the meetings referenced in the DtC statement, and furthermore provide a clear indication of the level of engagement that has been taking place with FEMA LPAs.

The PPG requires a Statement of Common Ground to be prepared and maintained on an ongoing basis throughout the plan making process. As a minimum it should be published when the area it covers and the governance arrangements for the cooperation process have been defined, and substantive matters to be addressed have been determined.

We would therefore suggest that NBBC engage with Coventry City Council (and other FEMA authorities) and agree a Statement of Common Ground regarding Coventry's expected unmet housing and employment need. This statement can then be updated and refined throughout the plan making process, as required by the PPG.

It is disappointing that Coventry have not acted on representations Arbury Estate submitted to the Regulation 18 consultation encouraging active engagement with relevant stakeholders to evidence Duty to Cooperate having been undertaken and outcomes from these discussions.

The PPG states that: "As the duty to cooperate relates to the preparation of the plan it cannot be rectified post-submission, so if the Inspector finds that the duty has not been complied with they will recommend that the local plan is not adopted and the examination will not proceed any further" (PPG Paragraph: 031 Reference ID: 61-031-20190315)

The Duty to Cooperate should be a key thread running through plan preparation, and is not something that can be retrospectively corrected. If Duty to Cooperate is not dealt with upfront during the plan preparation process in a clear and transparent manner, there is a danger of this legal requirement not being met, which is potentially fatal for the plan.

Summary and Key Points for Coventry to Consider

Having reviewed and considered the evidence base made available in relation to the Duty to Cooperate, we assert that the following key points should be taken forward to ensure that the Local Plan review's position in respect of Duty to Cooperate is legally compliant, and also sound as per paragraph 36 of the NPPF:

- Specific engagement should be made with Nuneaton & Bedworth, due to its strong administrative and functional relationship with Coventry.
- MoUs and SoCGs should be drafted and regularly updated now, as recommended by the PPG.
- There are no confirmed contributions from neighbouring authorities in relation to unmet employment need. This should be reviewed, particularly in relation to strategic sites, and specific contributions towards Coventry's unmet need confirmed in statements of common ground.

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

6. Please set out the modification(s) you consider necessary to make the Local Plan Review legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the Duty to Co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Suitable evidence should be provided of “constructive, active and ongoing engagement” having taken place between Coventry and its neighbouring authorities. This should be in the form of minutes, actions and agreed outcomes of meetings referenced in the DtC statement.

This is required to ensure legal compliance with Section 110 of the Localism Act (2011), compliance with paragraph 26 of the NPPF, and ultimately soundness against paragraph 36 of the NPPF in respect of the plan being positively prepared, effective and justified.

Policy DS2 should specifically state how the employment requirement shortfall will be dealt with, backed up by evidence base, including relevant SoCGs. This is ensure that work is being done to evidence the Council's position that the Duty to Cooperate has been met would be suitably justified as per NPPF paragraph 36.

There is no evidence in support of the draft plan on whether engagement to date has been constructive and active in an attempt to resolve the strategic matter of unmet employment need and maximise the effectiveness of plan preparation.

Therefore, the plan should not be submitted until further evidence is produced in this regard, and a further Regulation 18 consultation is undertaken to ensure that any shortfalls in the availability of duty to cooperate information can be suitably dealt with before a further Regulation 19 consultation then takes place.

This will ensure that the Council has been able to suitably take into account the comments and queries of stakeholders before the plan is submitted.

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

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues they identify for examination.

7. To which part of the Sustainability Appraisal (SA) report does this representation relate?

Paragraph

Please add any further comments relating to the SA report in the box below

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

8. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide oral evidence and engage in the examination discussions on this matter.

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

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.