



Ref:

**Coventry Local Plan Review  
Regulation 19**

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

**(For official use only)**

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**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](mailto: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/planningpolicyprivacynotice](http://www.coventry.gov.uk/planningpolicyprivacynotice)

Please also note 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.**

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**Part A**

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**1. Personal Details\***

*\*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.*

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

Title

Mr

First Name

Mark

Last Name

Rose

Job Title

Director

(where relevant)

Organisation

Define Planning & Design  
Ltd

(where relevant)

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Post Code

B3 1SF

Telephone Number

E-mail Address



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

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Name or Organisation: Define Planning & Design Ltd on behalf of William Davis Homes

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

Paragraph  Policy

4. Do you consider the Local Plan Review is:

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

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.

Programme to Adoption and Plan Period

The Regulation 19 Plan sets out a plan period of 2021-2041. The December 2024 Local Development Scheme sets out a timetable following the current consultation of submission of the Plan for examination between April-June, examination in July-September and adoption in October-December. This is an overly ambitious and unrealistic timetable to adoption, especially given the fundamental soundness concerns with the Regulation 19 Plan raised in these representations. This will undoubtedly lead to a sub-par and unsound Local Plan being submitted for examination. The Government has been clear that deficient Local Plans should not be submitted for examinations where significant time and resource during the examination will be needed to “fix it” (Matthew Pennycook MP, July 2024).

There are significant concerns with the approach the Council are taking to identifying and meeting its housing need, and considering unmet needs elsewhere. It is a real prospect that the Plan will be found unsound without substantial work during the examination to “fix it”. If allowed to continue through examination, the modifications and evidence work that will be needed will undoubtedly lead to a significant slip in the programme. This clearly would not comply with the acceptable approach to examination as set out by Matthew Pennycook MP:

*“pragmatism should only be used where it is likely a plan is capable of being found sound with limited additional work to address soundness*

*issues [...] pragmatism should not be used to address fundamental issues with the soundness of a plan, which would be likely to require pausing or delaying the examination process for more than six months overall”.*

It is important to note that NPPF paragraph 22 requires strategic policies to look ahead over a minimum 15 year period from adoption. With a plan period of 2021 – 2041, any delay in the programme could lead to non-compliance with the NPPF. As discussed above, the timetable is considered to be unrealistic, particularly given the soundness issues with the Plan particularly in relation to meeting housing needs. As such, the plan period should be extended to ensure it is compliant with national requirements, and the Plan is positively prepared and effective in identifying and supporting the delivery of much needed housing. The proposed strategic policies should be reviewed on this basis, which includes the housing requirements and the site allocations needed to meet these.

#### Housing needs

There is a significant national housing crisis in the Country, which is recognised by all political parties. The current Government has set a target to deliver 1.5 million homes over the next five years to begin to address the significant shortfalls in housing nationally. Therefore, at the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10). NPPF paragraph 11 requires all plans to meet the development needs of their area. Further, that strategic policies, should as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas unless the circumstances set out at 11b i or ii apply.

Paragraph 60 further emphasises the importance of delivering a sufficient amount and variety of land, where it is needed and that the overall aim should be to meet as much of an area’s identified housing needs as possible. Paragraph 61 states that the outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area. This must be read together with the Planning Practice Guidance (PPG) which stresses that the standard method provides “a *minimum starting point in determining the number of homes needed in an area*”. NPPF paragraph 61 does allow for an alternative approach, where there are **exceptional circumstances**.

However, PPG emphasises that an alternative approach will be scrutinised more closely at examination and any other method (to the standard method) will be used only in exceptional circumstances. Indeed, other authorities including Oxford City Council and Tandridge District Council have come undone at examination where they have proposed an alternative approach without the appropriate evidence to support exceptional circumstances and contribution to unmet needs under the Duty to Co-operate.

RPS produced a “Coventry & Warwickshire Housing Needs Report” on behalf of South Warwickshire Consortium, submitted with representations to the Regulation 18 Plan. The Council has not appropriately addressed the significant issues it raised, and it remains relevant, particularly in relation to the Council having failed to demonstrate exceptional circumstances (Paragraph 3.35). Importantly, RPS states

that “*whilst the alternative approach results in higher housing need in some areas, it will not meet the full needs of the HMA. This runs the risk of under-supply (and not a boost in supply) of housing, which could result in worsening affordability of housing and a reduction in the provision of affordable housing to meet the needs of those households on lower incomes*”.

NPPF paragraph 61 also requires any needs that cannot be met within neighbouring areas to be taken into account in establishing the amount of housing to be planned for.

Whilst it may be the case that the standard method has now changed with publication of the NPPF 2024, the Council has chosen to trigger the transitional arrangements and therefore will be examined under the NPPF December 2023. As such, the housing requirement should be based on the previous standard method with uplift applied.

A review of the evidence base published to support the Regulation 19 Plan does not adequately demonstrate exceptional circumstances to support the deviation from the standard method, nor does it sufficiently consider contributing to potential unmet needs from neighbouring authorities. Even if exceptional circumstances applied, the urban uplift must be applied to the alternative housing figure to comply with the NPPF and the national aims and ambitions for housing delivery in the most sustainable and populous areas.

Further, the Council has not sufficiently demonstrated that any unmet needs from neighbouring areas have been considered, or the impact of the new NPPF on those authorities has been appropriately considered.

The Duty to Cooperate Statement itself highlights that “*Through Issues and Options and subsequent discussions at CSWAPO, Coventry has always been clear that it would be proceeding with a housing need number from the HEDNA which reflected local need but did not include the 35% cities uplift*”. Additionally, it notes that “*Coventry has always been clear that it did not expect any partners to deliver the cities uplift either as it would be arguing against this through the Local Plan process*”. This clearly highlights that the Council has never taken a positive approach to the Local Plan Review and has never intended to appropriately consider meeting the requirements set out in the NPPF 2023.

The Council's approach has failed to incorporate sufficiently the housing needs of the area, particularly in relation to appropriately addressing affordable housing needs. The HEDNA 2022 states that Coventry has the lowest median income of all authorities in the HMA and has a significant number of households in overcrowded housing, homeless/concealed households and households in need totalling 15,273 households. It finds a net need for social/affordable rented housing in Coventry of 1,887 dwellings per annum (941 for newly forming households) and a net need for affordable home ownership of 149 dwellings per annum.

This has not been addressed by the Council either in selecting an appropriate housing requirement, or allocating sufficient or appropriate sites capable of delivering affordable housing to the level required. In fact, Policy DS2 part 2 states

that “to ensure the affordable housing needs of the city are met, the Council will work with its neighbouring authorities to secure opportunities for Coventry citizens to access affordable homes within Warwickshire”.

Whilst it is acknowledged that such a significant need may need cross-boundary working, the Council have failed to first review all reasonable options to deliver affordable housing within the Coventry area and have failed to provide any reassurance that these needs can and will be met within the wider HMA.

If departing from the Standard Method and uplift, the total annual need for affordable housing must be reviewed. At present, the Plan and its evidence base fails to comply with national policy, including PPG which sets out that:

*“The total affordable housing need can then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, taking into account the probable percentage of housing to be delivered by eligible market housing led developments. An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes”.*

When reviewing the sites proposed for allocation, the majority of the allocations will only deliver 10% affordable housing, or commuted sums in lieu and may not deliver any if viability continues to be an issue for the majority of the allocated sites. Further, as set out in these representations and those in response to policies H1, the Councils approach will not only fail to deliver the number of homes needed, but also the size, type and tenure (NPPF paragraph 63) including the 2 and 3 bedroom homes referenced by the Council at paragraph 6.7 of the Regulation 19 Plan. Affordable housing needs will clearly not be met, and the Council have not taken a positive approach to attempt to meet these needs.

The failure to appropriately consider its needs and meeting those needs, appears to be an ongoing approach by the Council who also has not met its employment needs and the Duty to Cooperate notes this is an outstanding issue that has not yet been resolved. Indeed, it is clear that the Council has not adequately considered releasing Green Belt sites for residential development and freeing up other suitable sites for employment development.

Fundamentally, it is clear that the Local Plan Review has not been prepared positively, the alternative approach proposed has not been adequately justified, it is not effective (particularly with regard to meeting its own needs and working on cross-boundary matters) and it is not consistent with national policy. Therefore, the Plan is not sound and significant amendments must be made before the Plan is submitted for examination.

(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.

The plan period must be extended to ensure at least 15 years remain on adoption.

The Council must revisit its housing requirement, and consider any unmet needs from neighbouring authorities.

The Council must consider all options to deliver the employment needs of the area, including reviewing whether sites allocated for housing could be allocated for employment, and the substitution of these housing sites by the release of Green Belt to provide a better range and mix of housing as further discussed in response to Policy H2.

(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. 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.

8. 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)

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

There are complex and inter-related matters raised in William Davis Homes' representations that clearly demonstrate that the Local Plan is currently unsound. These matters need to be fully addressed at the hearing sessions should the Local Plan get to that stage. Moreover, William Davis Homes are promoting land at Duggins Lane for allocation for residential development that can make an appropriate contribution to addressing the significant shortfall in housing that the Local Plan will provide.

**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.

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

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Name or Organisation: Define Planning & Design Ltd on behalf of William Davis Homes

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

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The Councils commitment to continue working with other Authorities in the HMA to support the delivery of sufficient housing and other development to meet identified needs is supported.

However, the Regulation 19 Plan and its supporting evidence sets out an unmet employment need and does not meet its own affordable housing needs. Whilst it is recognised that growth around the City is constrained by Green Belt, national policy is clear that the Council should identify a sufficient amount and variety of land to meet their needs as far as possible, before exporting to neighbouring authorities. The Council have clearly failed to do this in single-mindedly selecting the lowest housing requirement without demonstrating exceptional circumstances; and following a brownfield development strategy for the Review without appropriately considering the viability and technical constraints of these sites and the benefits that releasing Green Belt sites could deliver for housing and infrastructure needs.

In addition, the Duty to Cooperate Statement does not provide any evidence that these unmet needs can and will be accommodated within neighbouring areas, nor do any of the other published evidence documents. The Duty to Cooperate Statement should evidence that other authorities can and will contribute to unmet needs. However, it appears to be silent on the matter of affordable housing delivery and confirms no solution has yet been agreed in relation to employment land needs.

As such, the Plan is clearly not compliant with the Duty to Cooperate nor has it been positively prepared as required by National Policy.

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

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The housing requirement and allocations must be reviewed to go further in meeting Coventry's own needs.

Additional evidence must be provided that other authorities in the HMA are able to and will contribute towards Coventry's unmet needs.

The Council must review any unmet needs in the wider area and clearly set out how they will or why they cannot contribute towards them.

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

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There are complex and inter-related matters raised in William Davis Homes' representations that clearly demonstrate that the Local Plan is currently unsound. These matters need to be fully addressed at the hearing sessions should the Local Plan get to that stage. Moreover, William Davis Homes are promoting land at Duggins Lane for allocation for residential development that can make an appropriate contribution to addressing the significant shortfall in housing that the Local Plan will provide.

***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.

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The NPPF focuses (paragraph 60) on significantly boosting housing delivery and the importance of delivering a sufficient amount and variety of land to meet a range of housing needs. In addition, the NPPF states that “planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability”. This is also discussed in representations to Policy H2 (Housing Allocations).

Policy H1 identifies that a minimum of 29,100 additional dwellings will be provided between 2021 and 2041. Table 6.1 suggests the housing land supply is actually 31,493 homes, therefore incorporating a small buffer.

The standard method housing need for the area, including uplift, is 3,188 dwellings per annum. As set out in the NPPF, this should be the starting point for establishing a housing requirement for the area (paragraph 61). The Council has not sufficiently demonstrated that there are exceptional circumstances to justify an alternative approach and as such the plan must be found unsound. Even if exceptional circumstances were demonstrated the uplift should still be applied to ensure the principles of delivering homes to allow people to live near the services they rely on, making travel patterns more sustainable (footnote 27) is achieved. Were an uplift applied to the HEDNA figure; the Council would need to deliver 1,964 dwellings per annum. Over the twenty years of the Plan this totals a need of 63,760 or 39,280.

Further, as set out in representations to the Regulation 18 Plan, a failure to identify an appropriate housing requirement presents a risk to the future of the City's residents in that the under supply of housing in the city and surrounding area, particularly that for families, and will only exacerbate the housing crisis and perpetuate its acute socio-economic consequences in the area. Notably, the Council's approach will limit the supply of affordable housing and fail to address issues relating to the diversity of the existing housing stock. These matters have not been sufficiently considered in the Sustainability Appraisal.

Given the concerns raised in this representation and that in response to Policies DS1 (Overall Development Needs) and H2 (Housing Allocations), to find the Plan sound, the housing requirement must be revisited and as a result, additional sites should be allocated. The allocation of additional development sites would also help to safeguard against the failure to deliver brownfield land. Given the significant housing needs in the area and nationally, there are clearly exceptional circumstances to justify the release of land from the Green Belt to meet housing needs and deliver an appropriate mix of housing types (NPPF paragraph 60).

Even were the housing requirement found to be sound, as set out in the above referenced representations, there are significant concerns on the deliverability and availability of allocated sites. As such, additional sites should be safeguarded for development to plan positively in case delivery falls below the housing needs for the area or the housing needs increase. This will ensure the Council has taken a positive approach to ensuring housing needs are met, including much needed affordable housing.

The Council has failed to recognise the important contribution that small and medium sized sites, such as William Davis Homes' site at Duggins Lane, can make to meeting housing requirements and their relatively quick build out (NPPF paragraph 60). William Davis Homes' site at Duggins Lane such a site and is a deliverable, available and achievable development site which could deliver up to 55 homes including affordable homes and green infrastructure and should be considered for allocation.

Further, the Council has failed to comply with the Duty to Cooperate in that it has not demonstrated how it will meet its housing needs, particularly affordable housing nor has it appropriately considered any unmet needs from neighbouring authorities. Whilst the HEDNA 2022 did reduce the housing need for Coventry, the overall housing needs for the Coventry and Warwickshire HMA only reduced by 549 dpa with the areas of Rugby, Stratford-on-Avon and Warwick in particular picking up the increase between the standard method (2014 based) and trend based scenarios. These authorities are also impacted by the new standard method which has seen housing needs rise including in Stratford-on-Avon and Warwick. Insufficient evidence has been provided to demonstrate that the Council has complied with the Duty to Cooperate.

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



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The housing requirement must be revisited to comply with national policy including applying the cities uplift and evidencing exceptional circumstances for using an alternative method than the standard method.

The Council must review the site allocations and provide further evidence of the availability, achievability and deliverability of the allocations.

A review of Green Belt sites must be undertaken, including Land at Duggins Lane, to ensure sufficient range and mix of housing is provided to meet housing needs.

(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.

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

Paragraph

Sections 4, 5, 6 and 7

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

As discussed in the above representation, the Sustainability Appraisal fails to sufficiently consider the impact of the chosen housing requirement and site allocation strategy and the failure to deliver the housing needed, particularly in relation to affordable housing.

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

There are complex and inter-related matters raised in William Davis Homes' representations that clearly demonstrate that the Local Plan is currently unsound. These matters need to be fully addressed at the hearing sessions should the Local Plan get to that stage. Moreover, William Davis Homes are promoting land at Duggins Lane for allocation for residential development that can make an appropriate contribution to addressing the significant shortfall in housing that the Local Plan will provide.

**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.

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Ensuring the delivery of housing “*where it is needed*” is a central tenet of sustainable development in the NPPF (paragraph 60) and will also be critical in realising the Councils own sustainability objectives by reducing the need of residents to travel between new housing and surrounding services, facilities and employment opportunities.

NPPF paragraph 16 states that plans should be prepared positively, in a way that is aspirational but deliverable. NPPF paragraph 69 states that “planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability”. The Regulation 19 Plan fails to comply with this and is therefore inconsistent with national policy as further discussed below.

Sufficient Supply and Mix

A review of the allocation sites raises several concerns regarding the lack of delivery of sites allocated as long ago as 2017; and because of the size and nature of those sites and the proposed new allocations with significant viability issues and the limited quality and mix of accommodation that would be provided.

The Council should provide a detailed account of the planning position and history of the sites proposed for allocation to evidence the allocations are actually

deliverable, achievable and available. The available evidence work fails to do this, particularly in relation to allocations carried forward and therefore there can be no confidence that the housing allocations will be delivered within the plan period. Concerns regarding three key sites are highlighted below. However, all sites should be appropriately assessed and the information published to support the allocations.

- **H2:38 - Friargate** (1,350 dwellings on previously developed land) – This allocation is noted in the Viability Study as being the only strategic site in the Plan. Under viability testing, the site is unviable under either scenario used and only becomes marginally viability with a 25% decrease in build costs, or a 30-40% increase in market values, at 0% affordable housing. Not only are build costs or market values unlikely to change this significantly, the provision of 0% affordable housing in a city centre location on a strategic site would not address the acute needs identified in the City. Further, insufficient evidence has been provided to demonstrate grant funding is available or has been secured to deliver the site. Given the unviable nature of the site, additional sites should be allocated and safeguarded to ensure housing needs are met should the site stall.
- **H2:3 – Walsgrave Hill Farm** (carried forward allocation for 900 dwellings on greenfield land) – a longstanding Local Plan allocation that appears to have had no relevant planning history since a screening request in 2012. Clearly this suggests the site is not deliverable, and inadequate information to support its continued allocation has been provided. Allocations proposed to be carried over should be appropriately assessed to ensure the Plan is robust and delivers the housing needed for the area.
- **H2:26 - Coventry Central Policy Station** (600 dwellings on previously developed land) – the site in existing use as a police station. The HELAA does not provide any information to support the site being available. Further, no justification is given for a significant increase of density above that assessed against the minimum density standards (capacity of 300 dwellings), particularly given the site's location within an area where scale and massing are controlled by important views to the cities three spires.

In addition to the above, it is understood that 12 of the existing allocated sites have capacity remaining without consent, 9 of which have not delivered any of the residential accommodation allocated (according to Table 13 of the HELA November 2024). Just these 9 sites total 2,085 dwellings not yet commenced or consented. Neither the HELAA nor any other evidence document published has appropriately reviewed or assessed the existing allocations to inform the review and ensure a deliverable housing land supply.

### Trajectory

As highlighted above, it is clear that there are significant issues to the delivery of the proposed and carried over allocations, including on the grounds of viability. The Housing Trajectory provided at Appendix 3 suggests neither the existing or proposed allocations without permission will start being delivered until 2029/30. It also includes delivery from sites with outline consent. Until these have detailed consent or are under construction their early delivery should not be assumed. A windfall allowance of 200 dpa is also applied to the latter two years of the first five years of the Plan.

When looking at the projected completions the annual figures are subject to substantial fluctuation, including some years being under or very close to the housing requirement proposed by the Council (which, as set out in representations to Policies H1 and DS1 is not in conformity with national policy and requirements). This occurs as early as 2029/30 and 2030/31. This clearly indicates the difficult nature of delivering a significant amount of much needed new housing (including all the new proposed allocations) on brownfield land where there are viability issues and likely technical constraints.

Were the housing requirement to be increased to 1,964 (the HEDNA figure + uplift), the current trajectory would only see the housing requirement being met once between 2024 to 2041. Were the standard method used (3,188), the housing requirement would only be met once in the 20 year plan period (being in 2021/22). The housing requirement must be increased to comply with national policy and as a result further allocations will be needed. In this case, exceptional circumstances for the release of sites from the Green Belt clearly exist due to the lack of available, achievable and deliverable brownfield land.

#### Viability

The Viability Assessment clearly demonstrates that the majority of the new housing allocations will not be viable without the procurement of grant funding (for which there does not appear to be evidence of).

The Viability Test reviews tests schemes across two scenarios (full 'net zero' policy and 'fabric only' policy). In both scenarios, there are significant viability concerns, especially for the brownfield sites which the Council heavily rely on in the site allocations. Significantly, a site allocated to deliver 1,350 (Friargate) is identified as being unviable, and only deliverable with significant public sector funding. As discussed above, this has not been appropriately addressed and it is unclear whether this site is deliverable.

Additionally, the Viability Study is clear that a significant number of the proposed allocations would only be deliverable with minimum infrastructure contributions. This highlights the need for new greenfield sites to be allocated, which are concluded to be viable under either option to enable the delivery of a range of housing including for recent graduates and small families as well as delivering affordable housing. These sites can also generally accommodate green infrastructure provision as well as make financial contributions to wider infrastructure requirements.

To identify sufficient land, the Green Belt must be reviewed to identify the most suitable sites which would help the Council deliver a sufficient supply and mix of housing as required by national policy. As part of this review, William Davis Homes' site at Duggins Lane must be considered for allocation.

Significantly, the viability evidence is predicated on build costs not increasing significantly and assumes that residual values and costs remain constants (paragraph ES 25). However, the BCIS construction industry forecast for quarter 4 of 2024 to quarter 4 of 2029 suggests that building costs will increase by 17% and tender prices will rise by 19% over the same period. This outstrips sales estimates

for the same period. As such, the viability of the Plan is likely to worsen and fundamentally the Plan will fail to deliver the required infrastructure, including housing.

### **Land at Duggins Lane, Coventry**

William Davis Homes (WDH) has been promoting land at Duggins Lane (the site) for allocation in the Local Plan Review. The site is 3.2ha in size and is located to the west of the Tile Hill area of the city. It forms part of a wider designated Green Belt that tightly wraps the existing urban area and extends into Solihull Metropolitan District to the west. The site Masterplan is attached to these representations and demonstrates the sites suitability, deliverability and capacity for a residential development of around 55 dwellings.

### **A Sustainable Location**

The site represents an excellent opportunity for sustainable residential development and is extremely well positioned in terms of access by active travel and public transport to the schools and other services and facilities within Tile Hill and to the City Centre and beyond for higher order services and employment opportunities.

The nearest primary school to the site is Leigh Church of England Primary School (circa 0.6m to the east) and the nearest secondary school is West Coventry Academy (around 0.9miles away).

The nearest shops are located within a small local centre on Station Avenue to the north east of the site (around 0.3 miles away). This includes a convenience store and a pharmacy. Further north on Station Avenue are further convenience stores, food and drink outlets and a post office.

Employment opportunities are provided locally at the nearby University of Warwick, the Charter Avenue Industrial Estate and Westwood Business Park, and are also available in the City Centre and wider urban area.

The nearest bus stop is approximately 200m to the east of the site on Duggins Lane, while more frequent services (2 per hour) can be accessed at a 'terminus' on the junction of Station Avenue and Torrington Avenue, 400m to the east. The site is also only 0.4 miles from Tile Hill railway station, located to the south east. This includes a service to Birmingham every 30 minutes, and an hourly service to London Euston via Northampton. These routes include stops at Coventry City, Rugby and Milton Keynes amongst others.

A Transport Appraisal was submitted with the call for site submission for the site (and provided with these representations). It concludes that the sites location would encourage active travel by residents and consequently the development would promote a sustainable community, in accordance with the extant Local Plan and national policy.

### **Green Belt**

The site is closely and well connected to an existing residential area to the east and peri-urban recreational uses to the north. It is well confined by Duggins Lane to the

south and a strong landscaped boundary to the west. As such, it does not a particularly sensitive part of the Green Belt, which in the wider area is generally more open, rural land. Its development would also address some of the stated objectives by, for example, linking to the wider public right of way network and facilitating access to the wider Green Belt for recreational purposes.

Significantly, the removal of the site from the Green Belt would not undermine the purposes of the wider Green Belt as set out in the NPPF and briefly addressed below.

**Purpose a** – The development of the site would form part of a logical and consistent settlement edge, particularly when considered in the round with allocated housing development to the south at Cromwell Lane. It would not result in an unnatural or sprawling urban form.

**Purpose b** – There is no risk of physical coalescence with other settlements and in visual terms, the site is extremely well contained by a combination of the urban form, topography and existing vegetation, so the perception of encroachment or coalescence would be very limited.

**Purpose c** – The Authority area boundary, and the sites mature and robust landscape structure, will provide a clear and defensible long term Green Belt boundary limiting encroachment on the countryside.

**Purpose d** – There are no features of historic interest in the site or its surrounds.

**Purpose e** – The capacity of brownfield sites is insufficient to meet the identified housing needs in the City, including the range and type of housing needed.

As such, it is appropriate to undertake a Green Belt Review and remove the site at Duggins Lane from the Green Belt and allocate it for residential development in the Coventry Local Plan Review.

Additionally, recent updates to National policy has introduced “grey belt” when considering whether a development would be inappropriate development in the Green Belt. This consideration for decision making has no transitional arrangements and is effective from its introduction in December 2024. As set out above, the site does not strongly contribute to purposes a, b or d and as demonstrated below there are no strong reasons for refusal or for Footnote 7 (NPPF 2024) to be engaged. As such, the site should be considered to meet the definition of grey belt as set out in the NPPF glossary.

Whilst the Local Plan is being reviewed under the previous NPPF, the Council should consider the impact of the introduction of grey belt, and indeed should use this to inform its approach to releasing sites from the Green Belt to contribute towards meeting housing needs (NPPF December 2024, paragraph 148).

## **Technical Matters**

### **Access**

A Transport Appraisal has been produced for the site and highlights that the proposed access arrangements, shown on the Masterplan, satisfy local and national requirements including with regards to visibility.

There are no identified highways or transportation reasons which would preclude the residential development of the site. The Masterplan also highlights the potential to link new footpaths to existing rights of way to improve access into the surrounding countryside.

#### *Ecology*

The site is not subject to any statutory nature conservation designations and consists of a single semi-improved neutral grassland field, bounded by species-poor intact hedgerow with trees, plantation broadleaved woodland and broadleaved woodland.

A pond is situated within broadleaved woodland to the south of the site. The ecological value of the site is considered to be at site level only and is not significant in the wider context. A Preliminary Ecology Appraisal was undertaken to support the site submission (and is provided with these representations) and concludes that there are no overriding constraints to the site's development subject to the implementation of appropriate mitigation measures.

#### *Landscape*

The mature landscape framework of the site and wider area provides a great deal of visual containment and would provide a defensible new boundary to the Green Belt.

The arboricultural survey for the site highlights that there is no ancient woodland or tree preservation orders covering any part of the site or immediately adjacent land. Furthermore, the mature broadleaved woodland and boundary trees/ hedgerows can be largely retained in the development and there will be minimal adverse arboricultural impacts as a result of the site's development.

#### *Heritage*

The site does not contain, nor does it lie adjacent to any heritage assets. It is not affected by any heritage constraints.

#### *Flood Risk and Drainage*

The site is entirely within Flood Zone 1 and therefore at low risk of fluvial flooding. The site does contain areas of surface water flood risk, these being largely limited to low risk, except high risk along Duggins Lane and the site's western boundary. A Flood Risk Assessment was included within the call for site submission and demonstrates that the site's development would be acceptable and sequentially preferable in line with national policy and guidance.

The site would include sustainable drainage systems, which has been incorporated into the Masterplan (submitted with these representations) and will ensure that the development of the site does not increase flood risk elsewhere.

#### *Ground Conditions*



A Phase 1 Desk Study Report has been produced for the site and does not identify any significant constraints. It concludes that the site is suitable for residential development.

#### *Utilities*

The Utilities Assessment undertaken for the site does not highlight any significant issues that would limit the site's residential development. No existing services cross the site and there are connections available within the surrounding area to meet future needs.

#### **Conclusion**

WDH's site at Duggins Lane is a well-connected, sustainable site with the potential to deliver around 55 dwellings, including affordable housing provision, open space, landscape and sustainable drainage. The site is owned by WDH, an established and well regarded house builder, and therefore could be delivered early in the plan period to meet housing needs in the city.

The site itself is not particularly constrained, is visually well contained and its location and aspect, combined with the existing urban and landscape structure mean that it does not form a particularly sensitive part of the Green Belt. It is entirely suitable for a sustainable residential development, and is immediately deliverable.

As highlighted in these representations, the Councils approach to housing allocations could mean a number of sites are undeliverable, may not deliver the amount of housing allocated for and/or will not deliver wider benefits in relation to infrastructure provision and a range and mix of housing. Therefore, the housing allocations process must be re-visited including release of appropriate Green Belt sites including land at Duggins Lane.

(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.

Further sites should be allocated for residential development, including a review of Green Belt sites, to ensure a sufficient range of homes can be provided (NPPF paragraph 8b) and housing needs met.

(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. 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.

8. 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)

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

There are complex and inter-related matters raised in William Davis Homes' representations that clearly demonstrate that the Local Plan is currently unsound. These matters need to be fully addressed at the hearing sessions should the Local Plan get to that stage. Moreover, William Davis Homes are promoting land at Duggins Lane for allocation for residential development that can make an appropriate contribution to addressing the significant shortfall in housing that the Local Plan will provide.

***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.

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

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Name or Organisation: Define Planning & Design Ltd on behalf of William Davis Homes

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

Paragraph  Policy

4. Do you consider the Local Plan Review is:

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

Policy H3 proposes significant changes to the adopted policies including setting standards for new dwellings, both market and affordable. Points a, c and d propose to implement optional standards for residential development in the form of Nationally Described Space Standards (NDSS) and accessible and adaptable homes standards. PPG is clear that “*Local Planning Authorities will need to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans*”. Further, it requires that “*Local planning authorities should consider the impact of using these standards as part of their Local Plan viability assessment*”.

None of the Councils evidence justifies the setting of such standards in the Local Plan such as whether the existing accommodation being provided is inadequate or not meeting needs in its design. In fact the Council’s Housing Background Paper notes that minimum space standards are essential to ensure quality of life, without any relevant context to support this statement; and states that the viability work has factored in NDSS compliance and the plan is deliverable taking these standard into account, which is fundamentally incorrect.

The Viability Report for the Local Plan Review has demonstrated that there are significant viability issues for development in the area. The Council, in requiring all

dwellings both affordable and market, to comply with NDSS and accessible and adaptable dwellings standards, will impact the viability of development as well as the densities and affordability achievable on site. The policy should take a flexible approach that will allow for some new dwellings to depart from these standards where there are site-specific constraints or viability issues which provide sufficient justification.

Specifically in relation to accessibility requirements the PPG states that “*Local Plan policies should also take into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable*”. The policy fails to provide sufficient flexibility and therefore is inconsistent with National policy.

Point b of the policy requires development to comply with a number of Supplementary Planning Documents and the standards set out within. The PPG is very clear that “*Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development*”. Therefore, the approach the Council take at point b of Policy H3 is unsound in relying on SPD’s to set standards which not only have additional financial burdens but have not been sufficiently tested through evidence work and examination.

Policy H3 as proposed is not sufficiently justified as required by National policy and could unduly restrict the delivery of much needed homes including due to the impact on densities achievable, the type of homes and viability impact.

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

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Flexibility must be added into the policy itself to ensure sustainable development is not unduly restricted where appropriate justification is provided.

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

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Paragraph

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

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

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

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This is a critical issue for the deliverability of the proposed housing allocations and other sites required to address the identified housing need that must be fully considered at the Examination hearing sessions.

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

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Please tick as appropriate.

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NPPF paragraph 158 states that plans should take a proactive approach to mitigating and adapting to climate change and support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts.

Policy requirements must be achievable. Policy EM11 as written is overly onerous and requires higher standards relating to energy infrastructure. The evidence base published does not sufficiently justify the standards proposed, and indeed it is unlikely that the majority of allocated development sites will be able to comply with the policy, given the viability constraints. Further, the level of detail provided in the policy could become out of date. Therefore, the policy is unsound as it is not justified nor will it be effective.

A more justified approach would be to support the requirements of national policy and legislation, including Future Homes Standard. This will ensure consistency as well as provide clear requirements to development which can then be implemented in a cost-effective and consistent manner. By referring to national policy the Local Plan will be kept up to date in this regard, and be flexible enough to reflect updated standards as and when they are published.



In regards to setting higher standards, a 13<sup>th</sup> December 2023 Written Ministerial Statement (WMS) confirmed that “*the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned building regulations*” because “*the proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexities and undermining economies of scale*”. The WMS confirmed that “*any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned building regulations **should be rejected at examination** if they do not have a well-reasoned and robustly costed rationale*”.

The December 2023 WMS was challenged, but a judgement by the High Court of Justice dismissed all three grounds for challenge. The December 2023 WMS should, therefore, be taken as the most recent guidance on this matter, particularly given that the new Government has not sought to depart from that position despite setting out its intentions for planning reform in the coming years.

Critically, the Local Plan Review Regulation 19 proposes to set higher and additional standards which have not been sufficiently assessed or acknowledged, particularly with regard to viability impact. When viability testing sites under the full ‘net zero’ policy (meaning an uplift in base build costs of 4.8% for houses and 7.9% for apartments) in the Coventry Council Local Plan Viability Report October 2024 (particularly sections 7 and 8), a significant number of allocations would be unviable. Further, the Government plan to introduce Development Management Policies that will address matters such as this consistently across the Country.

As such, this policy should be modified.

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

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