

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

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Name or Organisation Keith Whitehead

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

Paragraph  Policy  Sustainability Appraisal

4. Do you consider the Local Plan Review is:

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

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

Regulation 19 representation regarding the Sustainability Appraisal

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.

See separate sheet

(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)

## Regulation 19 representation regarding the Sustainability Appraisal

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

4.108, 4.129, 5.19, 7.16

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

See attached sheets Regulation 19 representation regarding the Sustainability Appraisal

(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:

The Sustainability Appraisal does not provide the protection that it indicates and the hearing would provide the opportunity to answer any objections that are put forward.

***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.***

## Regulation 19 representation regarding the Sustainability Appraisal

The Sustainable Appraisal (SA) is not sound because the claimed protections for sustainability can be effectively removed by the policies that the SA refers to.

*4.108 Nature & Biodiversity: The fragmentation and erosion of habitats remains a threat, and the need to secure biodiversity gain and improve the wider ecological network remain important objectives for plan making in the Coventry area. The current adopted Plan has policies to protect nature and biodiversity, including GB1 Green Belt & Local Green Space, GE1 GI, GE2 Green Space, and GE3 Biodiversity. These will be updated and should provide sufficient mitigation such that effects from new development will be at least neutral with regard to GB land for both options. All development will have to meet with the national requirements for BNG indicating positive effects.*

“secure biodiversity gain and improve the wider ecological network remain important objectives” “that effects from new development will be at least Neutral”. These are admirable statements but as has been already seen in the developments north of Whitley biodiversity net gain assessments, where the assessment was not at least neutral but actually negative.

“The current adopted Plan has policies to protect nature and biodiversity”. This is untrue if the land has a strategic allocation applied to it.

From Policy GE3    2. *Where this is not possible, the net gain must be delivered off site. Only if evidence demonstrates that insufficient gains cannot be made to meet the 10% requirement will statutory credits be allowed to be purchased.* So the developer is given a route to just pay money and not deliver at least neutral biodiversity gain.

From Policy GE2    1. *Development involving the loss of green space that is of value for amenity, recreational and/or community use will not be permitted unless specifically identified as part of a strategic land use allocation.* This gives a developer two avenues to avoid delivering at least neutral biodiversity gain, 1) pay for a report that says the land is of no value for amenity, recreational and/or community use, 2) If land is part of a strategic land use allocation.

*4.129 Nature & Biodiversity: The current adopted Plan has policies to protect nature & biodiversity, including GB1 Green Belt & Local Green Space, GE1 GI, GE2 Green Space, and GE3 Biodiversity. These policies will be updated to reflect the new requirements and this will provide further mitigation measures such that there will be no major significant negative effects. The Council will continue to allocate employment development sites to PDL and new development can create opportunities for enhancing GI and biodiversity with potential positive effects but uncertainty as depends upon locational specificity. All development will need to meet with the national requirements for BNG, indicating positive effects.*

“The current adopted Plan has policies to protect nature & biodiversity”. This is untrue if the land has a strategic allocation applied to it.

## Regulation 19 representation regarding the Sustainability Appraisal

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*5.19 The current adopted Plan has policies to protect nature and biodiversity, including GB1 Green Belt and Local Green Space, GE1 GI, GE2 Green Space, and GE3 Biodiversity. These policies will be updated to reflect the new requirements and this will provide mitigation measures indicating no major significant negative effects. All development will have to meet with the national requirements<sup>75</sup> for Biodiversity Net Gain (BNG) – and Coventry has established practice through such an approach with its BNG SPD (2022)<sup>76</sup>. Therefore, positive effects but uncertainty of precise significance as this depends on detailed project design.*

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## Regulation 19 representation regarding the Sustainability Appraisal

*7.16 A Habitats Regulations Assessment (HRA) Screening (August 2024) concluded that there is no requirement for the Coventry Local Plan to include any policy regarding European and internationally designated sites for nature conservation. Policy GE3 continues to protect national and locally important biodiversity and has been updated to incorporate the new national minimum requirement for 10% net gain in biodiversity for all new development. Policies GE2-3 with minor updating continue to provide information and guidance such that the green/blue infrastructure network in the plan area should be enhanced, particularly in the longer term and networks are linked, widened and become more established with overall positive effects for SA objectives for nature and biodiversity.*

*“Policy GE2 with minor updating continue to provide information and guidance such that the green/blue infrastructure network in the plan area should be enhanced”. This is untrue if the land has a strategic allocation applied to it.*

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