

Coventry City Council Core Strategy DPD Examination

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Dear Ms Darke,

1. On the 13 December 2012 an exploratory meeting was held at which I set out my concerns about whether in the preparation of the Coventry Local Development Plan – Core Strategy (the Plan) Coventry City Council (the Council) had discharged its duty to cooperate as required by Section 33A of the Planning and Compulsory Purchase Act 2004 (the 2004 Act).
2. Following this meeting I wrote to the Council on 17 December 2012 confirming my reservations about whether the Council had discharged its duty to cooperate and setting out an agenda for a preliminary hearing session.
3. On the 1 February 2013 a preliminary hearing session was held to consider this matter further. For the reasons set out in the attached annex to this letter I conclude that the Plan does not meet the legal requirements of the 2004 Act in that Council has not engaged constructively with neighbouring local planning authorities on the strategic matter of the number of houses proposed in the Plan and consequently it has not sought to maximise the effectiveness of the plan making process.
4. In reaching my conclusion I have considered carefully all the representations made and have taken into account the potentially significant implications of my decision. However, I consider no alternative conclusion can be reached.
5. The consequence of my conclusion is that in determining section 20(5)(c) of the 2004 Act, the Plan does not comply with the duty imposed on the authority by section 33A in relation to its preparation. It should be noted the terms of sections 20(7B) and (7C) of the 2004 Act do not provide for the rectification of a failure to meet the section 33A duty through pursuing main modifications.
6. The Council may choose to receive my report on the Plan, which will not deal with any soundness issues. Under section 20(7A) I must recommend non adoption of the Plan and give reasons for the recommendation.
7. Alternatively, the Council may choose in advance of a report to withdraw the Plan from submission and so return to an appropriate stage of preparation to enable the Council to seek to remedy any defects which have been identified. In my opinion, this would include preparing a joint SHMA with other local authorities in the Coventry Housing Market Area. This letter and its accompanying annex should ensure that those other local planning authorities will appreciate the importance of cooperating in this matter.
8. This process, in turn, may lead to alterations to the SOCG and to the Plan itself and the need to revisit the Sustainability Appraisal, but, in my opinion, it would constitute an appropriate level of cooperation and should enable the legal duty to cooperate to be fulfilled.

Inspector: Robert Yuille MSc DipTP MRTPI
Programme Officer: Anna Wilson MA

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Yours sincerely,

Robert Yuille

Inspector