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Date: 22<sup>nd</sup> December, 2023

Dear Sir/Madam,

A meeting of the **CABINET** will be held in the Council Chamber, Town Hall, Nuneaton, on **Wednesday, 10<sup>th</sup> January 2024** at **6.00 p.m.**

The public can follow the decision making online:-  
[www.nuneatonandbedworth.gov.uk/virtual-meeting](http://www.nuneatonandbedworth.gov.uk/virtual-meeting).

Please note that meetings are recorded for future broadcast.

Yours faithfully,

BRENT DAVIS

Chief Executive

To: Members of Cabinet

Councillor K. Wilson (Leader of the Council and Business and Regeneration)  
Councillor C. Golby (Deputy Leader and Housing and Communities)  
Councillor S. Croft (Finance and Corporate)  
Councillor S. Markham (Public Services)  
Councillor R. Smith (Planning and Regulation)  
Councillor J. Gutteridge (Health and Environment)

Also invited:

Councillor C. Watkins (Leader of the Main Opposition Group and Observer)

## AGENDA

### PART I

#### PUBLIC BUSINESS

##### 1. EVACUATION PROCEDURE

A fire drill is not expected, so if the alarm sounds, please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside the Lloyds Bank on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.

I would also advise that all or part of the meeting will be live streamed and recorded for future broadcast.

##### 2. APOLOGIES - To receive apologies for absence from the meeting.

##### 3. DECLARATIONS OF INTEREST

To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members' Code of Conduct.

###### Declaring interests at meetings

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non-pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda (**Page 6**). Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Committee Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Audit and Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

4. MINUTES - To confirm the minutes of the Cabinet meeting held on the 6<sup>th</sup> December 2023 (**Page 9**)

5. PUBLIC CONSULTATION – Members of the Public will be given the opportunity to speak on specific agenda items, if notice has been received.

Members of the public will be given three minutes to speak on a particular item and this is strictly timed. The Chair will inform all public speakers that: their comments must be limited to addressing issues raised in the agenda item under consideration: and that any departure from the item will not be tolerated.

The Chair may interrupt the speaker if they start discussing other matters which are not related to the item, or the speaker uses threatening or inappropriate language towards Councillors or officers and if after a warning issued by the Chair, the speaker persists, they will be asked to stop speaking by the Chair.

The Chair will advise the speaker that, having ignored the warning, the speaker's opportunity to speak to the current or other items on the agenda may not be allowed. In this eventuality, the Chair has discretion to exclude the speaker from speaking further on the item under consideration or other items of the agenda.

6. ARTICLE 4 (1) DIRECTIONS report of the Assistant Director – Planning attached (**Page 16**)
7. UPDATE ON THE GYPSY AND TRAVELLER SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT report of the Assistant Director – Planning (**Page 39**)
8. BEDWORTH MARKET report of the Assistant Director – Economy to follow
9. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY PANELS  
None
10. ANY OTHER ITEMS - which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified)
11. EXCLUSION OF PUBLIC AND PRESS  
**RECOMMENDED** that under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item, it being likely that there would be disclosure of exempt information of the description specified in paragraph 3 and 5 of Part I of Schedule 12A to the Act.
12. REGENERATION PROJECTS UPDATE – report of the Strategic Director – Economy & Transformation to follow

# Nuneaton and Bedworth Borough Council

## Building A Better Borough

*Nuneaton and Bedworth 2032: working in partnership, restoring pride in our borough*

### **AIM 1: LIVE**

We want to make our borough a place where our residents enjoy living and in which others choose to make their home.

**Priority 1: Promote residents' health and wellbeing**

**Priority 2: Enable appropriate housing development**

**Priority 3: Sponsor a sustainable green approach**

**Priority 4: Prioritise community safety and empowerment**

### **AIM 2: WORK**

Using our prime location within the national road and rail networks and responding to the needs of private companies, we want to make our borough a place in which businesses choose to locate and where our residents enjoy a range of employment options.

**Priority 1: Grow a strong and inclusive economy**

**Priority 2: Champion education and skills**

**Priority 3: Embrace new and emerging technology**

**Priority 4: Support local businesses**

### **AIM 3: VISIT**

Taking advantage of our open green spaces, our heritage, and our location within the West Midlands, we want our borough to be a vibrant destination for residents and visitors alike. A place where people and families want to spend time relaxing, socialising and taking part in leisure and cultural activities.

**Priority 1: Create vibrant and diverse town centres**

**Priority 2: Stimulate regeneration**

**Priority 3: Celebrate and promote our heritage**

**Priority 4: Improve the physical environment**

## Cabinet - Schedule of Declarations of Interests – 2023/2024

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> <li>- Local Enterprise Partnership</li> </ul>
	S. Croft	Employed at Holland & Barrett Retail Ltd	Treasurer of the Conservative Association Member of the following Outside Bodies: <ul style="list-style-type: none"> <li>• Champion for Safeguarding (Children and Adults)</li> <li>• Local Government Superannuation Scheme Consultative Board</li> </ul> West Midlands Employers	
	C. Golby		Member of Warwickshire County Council  Membership of Other Bodies: <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Safer and Stronger Communities Partnership</li> <li>• Nuneaton and Bedworth Community Enterprises Ltd.</li> <li>• Nuneaton and Bedworth Home Improvement Agency</li> <li>• Safer Warwickshire Partnership Board</li> <li>• Warwickshire Housing and Support Partnership</li> <li>• Warwickshire Police and Crime Panel</li> <li>• George Eliot Hospital</li> </ul>	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			NHS Trust – Public/User Board <ul style="list-style-type: none"> <li>• George Eliot Hospital NHS Foundation Trust Governors</li> <li>• District Leaders (substitute)</li> <li>• Local Enterprise Partnership (substitute)</li> <li>• Coventry, Warwickshire and Hinckley and Bosworth Joint Committee (substitute)</li> </ul>	
	J. Gutteridge		Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Warwickshire Health and Wellbeing Board</li> <li>• Age UK (Warwickshire Branch)</li> <li>• Committee of Management of Hartshill and Nuneaton Recreation Ground</li> <li>• West Midlands Combined Authority Wellbeing Board</li> </ul> Member of NABCEL	
	S. Markham	County Councillor – WCC (Portfolio Holder for Children’s Services)	Governor at Ash Green School Member of the following Outside Bodies: <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Sports Forum</li> <li>• Warwickshire Direct Partnership</li> <li>• Warwickshire Waste Partnership</li> <li>• Sherbourne Asset Co Shareholder Committee</li> <li>• Hammersley, Smith and Orton Charities</li> </ul>	
	R. Smith		Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club; Director of NABCEL; Member of the following Outside Bodies: <ul style="list-style-type: none"> <li>• A5 Member Partnership;</li> <li>• PATROL (Parking and Traffic Regulation Outside of London) Joint Committee;</li> <li>• Building Control Partnership Steering Group</li> <li>• Bulkington Village Community and Conference Centre</li> <li>• West Midlands Combined</li> </ul>	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Authority and Land Delivery Board	
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	<p>Deputy Chairman – Nuneaton Conservative Association</p> <p>Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.</p> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>• Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL)</li> <li>• Coventry, Warwickshire and Hinckley &amp; Bosworth Joint Committee</li> <li>• District Council Network</li> <li>• Local Government Association</li> <li>• LGA People &amp; Places Board (Member)</li> <li>• West Midlands Combined Authority</li> </ul>	



**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**CABINET**

**6<sup>th</sup> December 2023**

A meeting of Cabinet was held on Wednesday 6<sup>th</sup> December, 2023 in the Council Chamber which was recorded and uploaded onto the Council's website.

**Present**

Councillor K. Wilson (Leader and Business and Regeneration)  
 Councillor C. Golby (Deputy Leader and Housing and Communities)  
 Councillor S. Croft (Finance and Corporate)  
 Councillor J. Gutteridge (Health and Environment)  
 Councillor S. Markham (Public Services)  
 Councillor R. Smith (Planning and Regulation)

CB71 **Apologies**  
 None

CB72 **Declarations of Interest**  
**RESOLVED** that the Declarations of Interest for this meeting are as set out in the Schedule attached to these minutes.

CB73 **Minutes**  
**RESOLVED** that the minutes of the Cabinet meeting held on 8<sup>th</sup> November 2023, be approved, and signed by the Chair.

CB74 **Approval of Infrastructure Funding Statement (IFS)**  
 The Assistant Director – Planning submitted a report to Cabinet seeking approval to publish the 2022/23 Infrastructure Funding Statement

**RESOLVED** that

- a) The Infrastructure Funding Statement be approved; and
- b) Delegated authority be given to the Assistant Director of Planning in consultation with the Cabinet Member for planning and Regulation to make any minor changes to the document prior to publication.

**Speakers:**

Councillor Keith Kondakor

**Options**

- a) To endorse the recommendations and publish the IFS
- b) Do not accept the recommendations and do not publish the IFS

**Reasons**

To enable the Council to comply with the requirements of Regulation 121A of the Community Infrastructure Levy Regulations 2010 as amended by The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019.

CB75 **Borough Plan Review**

The Assistant Director – Planning submitted a report to update Members on the Borough Plan Review including responses to the Publication version and to recommend that Cabinet and Full Council approve the Review process so that it can continue to the Regulation 22 stage (Submission).

**RESOLVED** that it be recommended to Council that

- a) to proceed to Regulation 22 stage (Submission) for the Borough Plan Review be approved;
- b) the amendments to the Local Development Scheme be adopted;
- c) the minor amendments required to the Infrastructure Delivery Schedule for the Borough Plan Review be noted;
- d) the Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation be given delegated authority to make any amendments necessary up to the submission stage for the draft documents forming the submission be approved; and
- e) the report be marked not for call in as provided for in paragraph 15(f) of the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution.

**Speakers:**

Mr Peter Smith  
Councillor Keith Kondakor

**Options**

1. To approve the Borough Plan Review (Local Plan) documents to continue to Regulation 22 stage (Submission). To give approval to enable the draft documents to receive any changes required up until the submission under delegated powers of the Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation and
2. To approve the amendments to the Local Development Scheme for adoption and
3. To note the minor amendments required to the Infrastructure Delivery Schedule for the Borough Plan Review or
4. Not to endorse the recommendations but recommend an alternative.

**Reasons**

To enable the Council to comply with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and in line with the timetable established within the amended Local Development Scheme.

CB76 **Delivering a Better Borough – Local Levelling Up Plan**

The Strategic Director – Economy and Transformation presented the final draft of the Delivering a Better Borough – Local Levelling Up Plan to Cabinet for adoption.

**RESOLVED** that the Delivering a Better Borough – Local Levelling Up Plan be adopted.

**Speakers:**

Councillor Keith Kondakor

**Options**

Reject the Plan; or

Provide feedback to the Strategic Director – Economy and Transformation around alternative action.

**Reasons**

Following the Levelling Up and Regeneration Act 2023, Warwickshire County Council has begun work on a County Wide Levelling Up plan. The key focus of this work is to improve the lives, health, and outcomes of the resident of the County. Nuneaton and Bedworth Borough Council has worked directly with Warwickshire County Council to produce a local plan. This work is done in partnership with NBBC.

**CB77 Draft General Fund Budget**

The Strategic Director – Finance & Governance submitted an update to Cabinet on the Chancellor’s Autumn Statement and provided detail regarding the draft Revenue Budget for the General Fund for 2024/25

**RESOLVED** that

- a) the General Fund budget position detailed within the report is noted;
- b) an update on the General Fund 2024/25 budget be presented to Cabinet in February once the NNDR1 is finalised and the Local Government Financial Settlement has been announced.
- c) the potential savings required on the General Fund be noted and an action plan to generate savings is reported to Cabinet in February; and
- d) the Chairs of Overview & Scrutiny Panels are notified of the budget proposals in line with the Constitution.

**Speakers:**

Councillor Keith Kondakor

**Options**

To accept the recommendations; or

To not accept the recommendations and propose alternative suggestions regarding a savings plan.

**Reasons:**

The Council is required to achieve a balanced budget each year.

CB78 **Treasury Management Report 2023/24**

The Strategic Director – Finance & Governance presented an update report on the Council's Treasury Management activities up to 30<sup>th</sup> September 2023 as required by the Prudential Code

**RESOLVED** that it be recommended to Council that the Mid-Year Treasury Management Report for 2023/24 be noted.

**Speakers:**

Councillor Keith Kondakor

Options

None

Reasons

It is a requirement of the CIPFA Prudential Code for the Treasury Outturn to be reported to Council annually following review by the Cabinet.

CB79 **Recommendations From Overview and Scrutiny Panels**

None

CB80 **Any Other Items**

None

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Chair

**PUBLICATION DATE: 14<sup>TH</sup> DECEMBER 2023**

**DECISIONS COME INTO FORCE: 22<sup>ND</sup> DECEMBER 2023**

## Cabinet - Schedule of Declarations of Interests – 2023/2024

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**Cabinet**

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**Report Summary Sheet**

**Date: 10<sup>th</sup> January 2024**

**Subject: Article 4 (1) Directions**

**Portfolio: Cabinet Member for Planning and Regulation (Councillor R. Smith)**

**From: Assistant Director Planning**

**Summary:**

The purpose of the report is to provide details of the consultation responses and to seek Council's approval for the Article 4 Directions made on the 13<sup>th</sup> September 2023 be confirmed and made permanent.

**Recommendations:**

It be recommended to Council that

- The outcome of the public consultation be noted
- The Article 4 Directions in Abbey and Bulkington Conservation Areas be confirmed and made permanent.
- Delegated Authority be given to the Assistant Director – Planning in consultation with the Portfolio Holder of Planning to make, if any, amendments prior to the Council Meeting

**Options:**

To recommend the Article 4(1) Directions for Abbey and Bulkington Conservation Areas be confirmed. Confirmation will ensure that the Council can meet the obligations of the Planning (Listed Buildings and Conservation Areas) Act 1990. Confirmation of the Directions means they will remain in place unless cancelled or



amended by the Council in the future. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires any buildings or other land in a conservation area, special attention is paid to the desirability of preserving or enhancing the character or appearance of that area. It would also ensure compliance with the implementation procedures as set out Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The Council will be able to continue to ensure development in the Conservation Areas conforms with the Conservation Area Management Plans.

To not recommend Article 4(1) Directions for Abbey and Bulkington Conservation Areas be confirmed. If not approved the Directions will lapse and the Council will not be able to manage development in the Conservation Areas effectively. This would mean the Council would not meet the requirements of the Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Reasons:** To comply with Town and Country Planning (General Permitted Development) Order 2015 (as amended), Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Consultation undertaken with Members/Officers/Stakeholders** An internal Consultation has been undertaken between the Council Barrister, Solicitors, Planning Policy Officers and Portfolio Holder. A public consultation has been undertaken with residents affected by the Directions.

**Subject to call-in:** Yes

**Ward relevance:** Abbey and Bulkington

**Forward plan:** Yes

**Building a Better Borough Aim:** All

**Building a Better Borough Priority:** All

**Relevant statutes or policy:** Town and Country Planning (General Permitted Development) Order 2015 (as amended). Town and Country Planning Act 1990. Planning (Listed Buildings and Conservation Areas). The Town and Country Planning (Compensation) (England) Regulations 2015.

**Equalities Implications:** None

**Human resources implications:** The timetable accounts for existing known staffing and resource levels.

**Financial implications:** Section 108 of the Town and Country Planning Act 1990 makes provision for compensation to be payable where an application for planning permission (that would formally have been permitted development) is refused or is granted subject to conditions different from those in the GDPO.

This does not apply to the extent that the development referred to would, while permitted by a development order, have required conservation area consent under the Planning (Listed Buildings and Conservation Areas).

The grounds on which compensation can be claimed are limited to abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights.

The Town and Country Planning (Compensation) (England) Regulations 2015 Regulation 2 sets out what is the prescribed development for the purposes of Section 108(2A)(a) and (3C)(a) of the 1990 Act.

**Health Inequalities Implications:** None

**Section 17 Crime & Disorder Implications:** None

**Risk management implications:** The implementation of targeted Article 4 Directions will ensure development in the Conservation Areas will be considered as part of the Planning process. Applications will be assessed against the requirements of the Council's adopted Conservation Area Management Plans and so reduce the risk of harm occurring to the Borough's heritage.

**Environmental implications:** None

**Legal implications:** The implementation of Article 4 Directions will ensure compliance with Town and Country Planning Act 1990. Planning (Listed Buildings and Conservation Areas). The confirmation of the Directions will require the Council to follow the legislation set out Town and Country Planning (General Permitted Development) Order 2015 (as amended).

**Contact details:** Maria Bailey  
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[maria.bailey@nuneatonandbedworth.gov.uk](mailto:maria.bailey@nuneatonandbedworth.gov.uk)

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Principal Planning Policy Officer  
024 7637 6380  
[sarah.matile@nuneatonandbedworth.gov.uk](mailto:sarah.matile@nuneatonandbedworth.gov.uk)

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**Report to: Cabinet - 10<sup>th</sup> January 2024**

**From: Assistant Director - Planning**

**Subject: Article 4 Directions – Abbey and Bulkington Conservation Areas**

**Portfolio: Planning and Regulation — Councillor R. Smith**

**Building a Better Borough Aim: All**

**Building a Better Borough Priority: All**

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1. Purpose of Report

1.1 The purpose of this report is to feedback the public consultation responses on the introduction of immediate Article 4(1) Directions, served in September 2023, withdrawing permitted development rights on selected properties within the Abbey and Bulkington Conservation Areas. To seek recommendation at the next full Council meeting to confirm and make permanent the Article 4(1) Directions in the Abbey and Bulkington Conservation Areas.

2. Recommendations

It be recommended to Council that

2.1 The outcome of the public consultation be noted

2.2 The Article 4 Directions in Abbey and Bulkington Conservation Areas be confirmed and made permanent.

2.3 Delegated Authority be given to the Assistant Director – Planning in consultation with the Portfolio Holder of Planning to make, if any, amendments prior to the Council Meeting

3. Background

3.3 At a Council meeting on the 13<sup>th</sup> September 2023, it was agreed to follow the Council's legal advice regarding Article 4 Directions and that Directions made in 2008 be rescinded, and 2023 Directions be implemented.

- 3.2 At the meeting on the 13<sup>th</sup> September 2023, the Council resolved to serve an immediate Article 4 (1) Direction which applied from the 20<sup>th</sup> September 2023 (see Appendix A). The Direction is due to lapse after six months unless confirmed by the Council.
- 3.3 In line with the requirements set out in in Schedule 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the Council consulted on the Direction between 20<sup>th</sup> September 2023 and 9<sup>th</sup> November 2023.
4. Body of Report

#### Consultation

- 4.1 The views of residents living in all houses affected by the Direction have been sought. Letters dated the 14<sup>th</sup> September 2023, were sent to every property with a copy of the Direction and Statutory Notice. The period of the consultation initially ran for a period of 28 days. Notices were placed in the Abbey and Bulkington Conservation Areas on the 17<sup>th</sup> October and an advertisement was placed in the Nuneaton News Newspaper on the 18<sup>th</sup> October 2023. Following the newspaper advertisement, to offer further opportunity for potential responses, the consultation was extended for another 21 days. The total period for the consultation was from 14<sup>th</sup> September to 9<sup>th</sup> November 2023. In addition to the Directions sent to affected properties, a copy of the Direction and map defining the affected properties was available to be inspected at the Town Hall Monday to Friday 10am until 2pm and on the Council's website.

#### Findings

- 4.2 A total of 279 letters were sent to property owners, 5 responses were received. 1 response was in support of the Directions, 2 were against the Directions, and 2 requested further information with no further contact following the Council's response. A summary of the responses is presented in Appendix B.

#### Observations on Findings

- 4.3 Given the number of consultation letters sent, the local notifications and the newspaper advertisements, it appears that the Directions are acceptable to the vast majority of those affected.
- 4.4 The findings of the consultation need to be considered along with the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Act requires that any buildings or

other land in a conservation area, that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. The removal of certain permitted development rights is an important part of meeting the legislative requirements.

## 5. Conclusion

- 5.1 The majority of residents find the Directions acceptable. Confirmation of the Directions will ensure that the Council can meet the obligations of the Planning (Listed Buildings and Conservation Areas) Act 1990. Confirmation of the Directions means they will remain in place unless cancelled or amended by the Council in the future. If any amendments prior to the Council Meeting it is requested that these can be carried out under Delegated Powers of the Assistant Director in consultation with the Portfolio Holder of Planning.

## 6. Appendices

- 6.1 Appendix A – Article 4(1) Directions Abbey and Bulkington Conservation Areas.
- 6.2 Appendix B – Summary of consultation responses.

## 7. Background Papers

Council Minutes, 13th September 2023 [Agendas, reports and minutes | Nuneaton & Bedworth \(nuneatonandbedworth.gov.uk\)](#)

Cabinet 10.01.2024

## **Appendix A - Article 4 Directions**

**Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)**

**Direction made under Article 4 (1) To which Paragraph 2 of Schedule 3 of the Order applies (direction with immediate effect).**

**Relating to the Abbey Conservation Area Notice B**

WHEREAS Nuneaton and Bedworth Borough Council ('the Council) being the appropriate local planning authority within the meaning of Article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), is satisfied that it is expedient that development of the description(s) set out in the First Schedule below should not be carried out on the land/buildings shown coloured blue on the attached plans, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended.

NOW THEREFORE the Council in pursuance of the power conferred on it by Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) HEREBY DIRECT that the permission granted by Article 3 of the said Order in respect of development of the description set out in the First Schedule below shall not apply to development on the said land of the description(s) set out in the Second Schedule below.

THIS DIRECTION is made under Article 4 (1) of the said Order and in accordance with paragraph 2 Schedule 3 will come into force on the date on which the notice is served in accordance with paragraph 1(1)(c ). The Direction comes into force on the 20<sup>th</sup> September 2023. This Direction shall remain in force until the 20th March 2024, being six months from the date of this direction) and will then expire unless it has been confirmed by the Nuneaton and Bedworth Borough Council before that date.

NOW THEREFORE the Council in pursuance of the power conferred on them by Article 4(1) and Schedule 3 (1) (13) of the Order hereby directs that the Direction made by Nuneaton and Bedworth Borough Council pursuant to Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) applying to 21, 27, 29, 31, 33, 35, 37, 98, 100, 102 to 104, 106, 108, 110, 112, 114, 115, 116, 117, 118, 119, 120, 122, 123 and 124 to 126 Manor Court Road and 1 Manor Court Avenue, Nuneaton and dated 11th September 1996 is hereby cancelled from the date on which this Direction is confirmed.



NOW THEREFORE the Council in pursuance of the power conferred on them by Article 4(1) and Schedule 3 (1) (13) of the Order hereby directs that the Direction made by Nuneaton and Bedworth Borough Council pursuant to Article 4 of the Town and Country Planning (General Permitted Development Order 1995 (as amended) applying to Earls Road 1, 3, 5, 7, 9, 11, 13, 15, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 68, 70, 72, 74, 76 and 78. Manor Park Road 45. Manor Court Road 11, 13, 15, 17, 80, 82, 101, 103, 105, 107 and 109, Nuneaton and dated 2008 is hereby cancelled from the date on which this Direction is confirmed.

### **Schedule One**

Descriptions of Development Restricted by this Direction.

1. Development within Class G Part I of Schedule 2 to the Order, consisting of the erection, alteration, or removal of a chimney on a dwelling house or on a building within the curtilage of a dwelling house.
2. Development within Class A of Part I of Schedule 2 to the Order consisting of the enlargement, improvement or other alteration of a dwelling house, where any part of the enlargement, improvement or alteration would front a highway or open space.
3. Development within Class C of Part I of Schedule 2 to the Order, consisting of the alteration to a roof slope of a dwelling house which fronts a highway or open space.
4. Development within Class E of Part I of Schedule 2 of the Order, consisting of the provision within the curtilage of a dwelling house of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwelling house as such, or the maintenance, improvement or other alteration of such a building or enclosure where the building or enclosure, swimming or other pool to be provided would front a highway or open space, or where the part of the building or enclosure maintained, improved or altered would front a highway or open space.
5. Development within Class H of Part I of Schedule 2 to the Order, consisting of the installation, alteration or replacement of a satellite antenna on a dwelling house or within the curtilage of a dwelling house where the part of the building or other structure on which the satellite antenna is to be installed, altered or replaced fronts a highway or open space.

6. Development within Class A of Part 2 of Schedule 2 to the Order, where the development consists of the erection, construction, maintenance, improvement, demolition or alteration of a gate, fence, wall or other means of enclosure and would be within the curtilage of a dwelling house and would front a highway or open space.

7. Development within Class C of Part 2 of Schedule 2 of the Order, consisting of the painting of the exterior of any part, which fronts a highway or open space, of –

(i) a dwelling house; or

(ii) any building or enclosure within the curtilage of a dwelling house.

8. Development at Paragraph 2 shall not include the alteration or replacement of windows and doors provided openings are not altered in size, shape or form.

## **Schedule Two**

(Excludes controls over alterations to doors and windows)

The following properties and shown on the attached plan.

### **Earls Road Odd No.s**

1, 3, 5, 7, 9, 11, 13, 15, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45,  
47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69 and 71.

### **Earls Road Even No.s**

2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40,  
42, 44, 46, 48, 50, 52, 54, 56, 58, 68, 70, 72, 74, 76 and 78.

### **Manor Park Road Odd No.s**

No. 45.

### **Manor Court Road Even No.s**

80 and 82

### **Manor Court Road Odd No.s**

11, 13, 15, 17, 101, 103, 105, 107 and 109.

Made under the Common Seal of Nuneaton and Bedworth Borough Council this 13<sup>th</sup> day of September 2023.

The Common Seal of the Nuneaton and Bedworth Borough Council was hereunto affixed in the presence of:

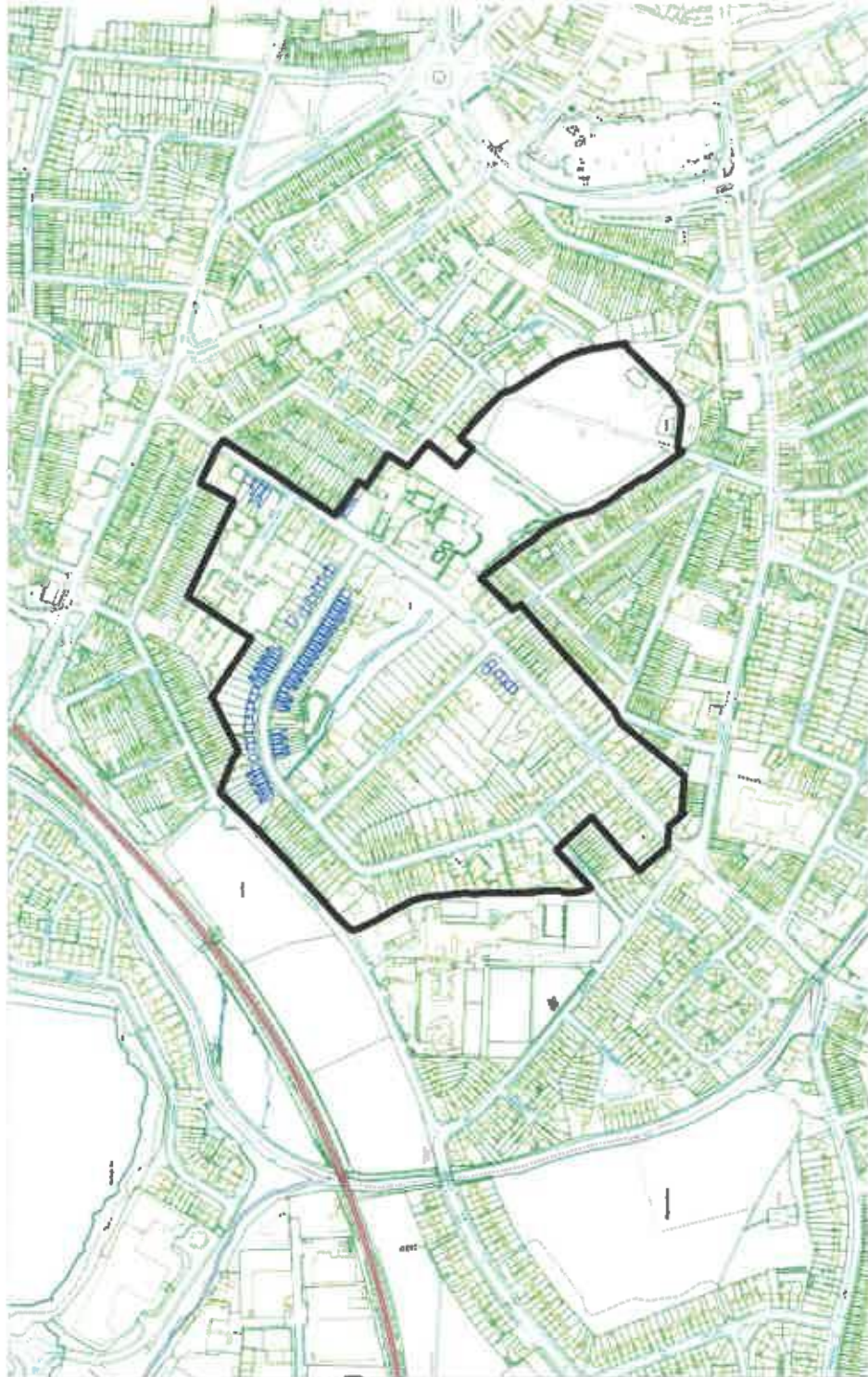
Signature..... *AP* .....  
Authorised Signatory *AMY PITTAM*  
*SOUCITOR*



Confirmed under the Common Seal of Nuneaton and Bedworth Borough Council this ..... day of .....

The Common Seal of Nuneaton and Bedworth Borough Council was hereunto affixed in the presence of:  
Signature.....  
Authorised Signatory

**Abbey Article 4 Direction, Notice B**



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*abta*

NOW THEREFORE the Council in pursuance of the power conferred on them by Article 4(1) and Schedule 3 (1) (13) of the Order hereby directs that the Direction made by Nuneaton and Bedworth Borough Council pursuant to Article 4 of the Town and Country Planning (General Permitted Development Order 1995 (as amended) applying to Earls Road 73, 75, 77, 79, 81, 83, 85, 87, 89, 90, 91, 92, 94, 96, 98, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 117, 119, 121, 123, 124, 125, 126, 127, 128, 129, 130, 134, 136, 138, 139, 140, 142, 144, 157, 159, 161, 163, 165, 167, 169 and 171. Manor Park Road 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 17, 19, 21, 23, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 39, 41, 43. Manor Court Road 21, 27, 29, 31, 33, 35, 37, 98, 100, 102-104, 106, 108, 110, 112, 114, 115, 116, 117, 118, 119, 120, 122, 123, 124, 125, 126, 129, 131, 132, 133, 134, 135, 136, 137, 138, 140, 144, 146, 148, 150, 152, 154, 156, 158 and 160. Manor Court Avenue 1, Nuneaton and dated 2008 is hereby cancelled from the date on which this Direction is confirmed.

#### **Schedule One**

Descriptions of Development Restricted by this Direction.

1. Development within Class G Part I of Schedule 2 to the Order, consisting of the erection, alteration, or removal of a chimney on a dwelling house or on a building within the curtilage of a dwelling house.
2. Development within Class A of Part I of Schedule 2 to the Order consisting of the enlargement, improvement or other alteration of a dwelling house, where any part of the enlargement, improvement or alteration would front a highway or open space.
3. Development within Class C of Part I of Schedule 2 to the Order, consisting of the alteration to a roof slope of a dwelling house which fronts a highway or open space.
4. Development within Class E of Part I of Schedule 2 of the Order, consisting of the provision within the curtilage of a dwelling house of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwelling house as such, or the maintenance, improvement or other alteration of such a building or enclosure where the building or enclosure, swimming or other pool to be provided would front a highway or open space, or where the part of the building or enclosure maintained, improved or altered would front a highway or open space.

5. Development within Class H of Part 1 of Schedule 2 to the Order, consisting of the installation, alteration or replacement of a satellite antenna on a dwelling house or within the curtilage of a dwelling house where the part of the building or other structure on which the satellite antenna is to be installed, altered or replaced fronts a highway or open space.

6. Development within Class A of Part 2 of Schedule 2 to the Order, where the development consists of the erection, construction, maintenance, improvement, demolition or alteration of a gate, fence, wall or other means of enclosure and would be within the curtilage of a dwelling house and would front a highway or open space.

7. Development within Class C of Part 2 of Schedule 2 of the Order, consisting of the painting of the exterior of any part, which fronts a highway or open space, of –

(i) a dwelling house; or

(ii) any building or enclosure within the curtilage of a dwelling house.

## **Schedule Two**

The following properties and shown on the attached plan.

(Includes controls over alterations to doors and windows)

### **Earls Road Even No.s**

90, 92, 94, 96, 98, 100, 102, 104, 106, 108, 110, 112, 114, 124, 126,

128, 130, 134, 136, 138, 140, 142, and 144.

### **Earls Road Odd No.s**

73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 101, 103, 105, 107, 109, 111, 113,

115, 117, 119, 121, 123, 125, 127, 129, 139, 157, 159, 161, 163,

165, 167, 169 and 171.

### **Manor Park Road Even No.s**

2, 6, 8, 10, 12, 28, 30, 32, 34, and 36.

### **Manor Park Road Odd No.s**

1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 29, 31, 33, 35, 37, 39, 41, 43.

**Manor Court Road Even No.s**

98, 100, 102-104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124-  
126, 132, 134, 136, 138, 140, 144, 146, 148, 150, 152, 154, 156, 158  
and 160.

**Manor Court Road Odd No.s**

21, 27, 29, 31, 33, 35, 37, 115, 117, 119, 123, 125, 129, 131, 133, 135  
and 137.

**Manor Court Avenue**

1

Made under the Common Seal of Nuneaton and Bedworth Borough Council this 13<sup>th</sup> day of  
September 2023.

The Common Seal of the Nuneaton and  
Bedworth Borough Council was

hereunto affixed in the presence of:

Signature..... *A.Pittam* .....  
Authorised Signatory *AMY PITTAM*  
*SOLICITOR*



Confirmed under the Common Seal of Nuneaton and Bedworth Borough Council this ..... day of  
.....

The Common Seal of Nuneaton and  
Bedworth Borough Council was

hereunto affixed in the presence of:

Signature.....  
Authorised Signatory

**Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)**

**Direction made under Article 4 (1) To which Paragraph 2 of Schedule 3 of the Order applies (direction with immediate effect)**

**Relating to the Bulkington Conservation Area**

WHEREAS Nuneaton and Bedworth Borough Council ('the Council) being the appropriate local planning authority within the meaning of Article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) , is satisfied that it is expedient that development of the description(s) set out in the First Schedule below should not be carried out on the land/buildings shown coloured red on the attached plans, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended.

NOW THEREFORE the Council in pursuance of the power conferred on it by Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) HEREBY DIRECT that the permission granted by Article 3 of the said Order in respect of development of the description set out in the First Schedule below shall not apply to development on the said land of the description(s) set out in the Second Schedule below.

THIS DIRECTION is made under Article 4 (1) of the said Order and in accordance with paragraph 2 Schedule 3 will come into force in accordance with on the date on which the notice is served in accordance with paragraph 1(1) (c) . The Direction comes into force on the 20<sup>th</sup> September 2023. This Direction shall remain in force until the 20th March 2024, being six months from the date of this direction) and will then expire unless it has been confirmed by the Nuneaton and Bedworth Borough Council before that date.

NOW THEREFORE the Council in pursuance of the power conferred on them by Article 4(1) and Schedule 3 (1) (13) of the Order hereby directs that the Direction made by Nuneaton and Bedworth Borough Council pursuant to Article 4 of the Town and Country Planning (General Permitted Development Order 1995 (as amended) applying to 10&10a, 23, 24, 25, 26, 27, 28, 29, 30 and 31 Church Street and 1 School Road, Bulkington and dated is hereby cancelled from the date on which this Direction is confirmed.



## **Schedule One**

**Part 1 of Schedule 2, Class A – The enlargement, improvement or other alteration of a dwellinghouse where any part of the enlargement, improvement or alteration would front a highway.**

**Part 1 of Schedule 2 Class C – Part I of Schedule 2, Class C – any alterations to the roof of a dwellinghouse - which fronts a highway or open space.**

**Part 1 of Schedule 2, Class D – The erection or construction of a porch outside any external door of a dwellinghouse where the external door fronts a highway.**

**Part 1 of Schedule 2, Class E – consisting of the provision within the curtilage of a dwelling house of any building or enclosure, required for a purpose incidental to the enjoyment of the dwelling house as such, or the maintenance, improvement or other alteration of such a building or enclosure where the building or enclosure, to be provided would front a highway or open space, or where the part of the building or enclosure maintained, improved or altered would front a highway or open space.**

**Part 1 of Schedule 2, Class H – The installation, alteration or replacement of a satellite antenna on a part of a dwellinghouse, or on a building within the curtilage of a dwellinghouse, which in either case fronts a highway.**

**Part 2 of Schedule 2, Class A gates, fences and walls etc , the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure within the curtilage of a dwelling house and fronting a highway.**

**Part 2 of Schedule 2, Class C – exterior painting - The painting of the exterior of any part of dwellinghouse or any building or enclosure within the curtilage of a dwellinghouse which fronts a highway.**

**Schedule Two**

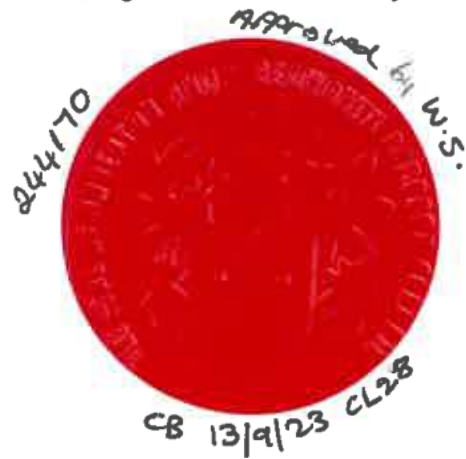
The following properties and shown on the attached plan:

10&10a, 23, 24, 25, 26, 27, 28, 29, 30 and 31 Church Street and 1 School Road, Bulkington

Made under the Common Seal of Nuneaton and Bedworth Borough Council this 13<sup>th</sup> day of September 2023.

The Common Seal of the Nuneaton and  
Bedworth Borough Council was  
hereunto affixed in the presence of:

Signature..... *afate* .....  
Authorised Signatory *AMY PITTAM*  
*SOLICITOR*



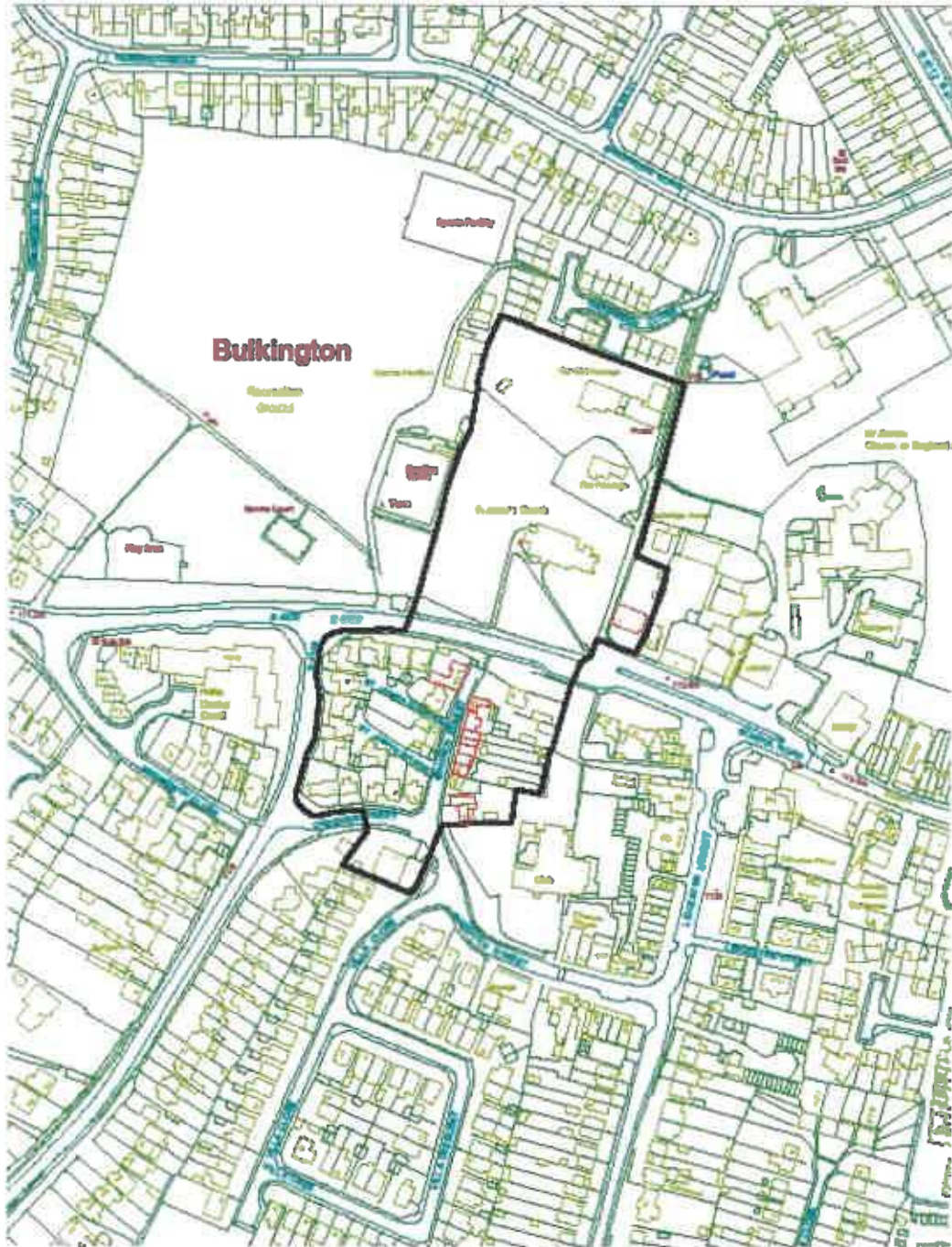
Confirmed under the Common Seal of Nuneaton and Bedworth Borough Council this ..... day of  
.....

The Common Seal of Nuneaton and  
Bedworth Borough Council was  
hereunto affixed in the presence of:

Signature.....  
Authorised Signatory

alt

### Bulkington Article 4 Drection



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Cabinet 10.01.2024

## **Appendix B - Article 4 Directions Consultation Responses**

Ref	Consultation Response	Officer Comment
1	Request further information concerning Article 4 Directions as currently selling property.	Call back arranged to explain the procedures concerning Article 4 Directions.
2	<p>Conservation area legislation limits the ability for homeowners to modernize and insulate their properties adequately. It is imperative that we enable homeowners to make energy-efficient improvements to their homes. The current legislation, with its stringent restrictions, makes it incredibly challenging for residents to upgrade their homes to meet modern energy standards. This not only puts additional financial strain on homeowners but also contributes to unnecessary energy consumption and carbon emissions.</p> <p>The lack of flexibility in the conservation area poses difficulties for residents who wish to adapt their homes to accommodate growing families or changing needs. Modernizing living spaces, adding energy-efficient features, or making homes more accessible to people with disabilities can be prohibitively challenging under the existing regulations.</p> <p>Based on my observation, my suggestion would be to let the Direction lapse as I'd like to see more families move onto my street but most are deterred by the strict conservation laws.</p>	<p>Article 4 Directions remove certain permitted development rights. The Article 4 Directions are used to protect features particular to an area from being lost without the need of permission. The removal of permitted development rights means that planning permission must be sought before development occurs. In determining a planning application, the decision maker would have to decide if the benefits of any proposal would outweigh any potential harm to the heritage value of the building.</p> <p>The permitted development removal on this Article 4 does not introduce any new restrictions from the 2008 Direction that has been in place up to the current time. In that time there does not appear to be evidence of a correlation between the Article 4 Direction and the residents attracted to the area.</p>

3	<p>Concern that the restrictions are only for six months. Would like to ensure the restrictions are continued with beyond the 6 months.</p>	<p>Following a review of the Conservation Areas in the Borough it was decided to update the Article 4 Directions to reflect a change in legislation which had occurred since the implementation of the existing Directions. In day-to-day terms there is no change to the restrictions which were already in place. To maintain the continuity of restrictions between the old and new Directions an 'Immediate Direction' was used. The legislation is such that an Immediate Direction can only last for six months unless confirmed by the Council and made permanent. As part of the process to make the Direction permanent the Council must have regard to the views of the those affected by the Direction. It should be noted that views expressed would have to be balanced by the legal duty of the Council to maintain the heritage assets in the borough.</p>
4	<p>Does the council intend to create funding to help owners effected to conserve the heritage of the area as I think this order will effect house prices unduly.</p> <p>My point would be as the area is a conservation area then there should be some responsibility from the Council to also maintain the area , the financial burden should not be placed on the owners.</p> <p>Within the order I can not see any restrictions on HMOs , for a true conservation area I think any HMO with 6 occupants should also be subject to planning as is the criteria for 7 occupants and more.</p> <p>There are streets in Birmingham that have rows of HMOs and this has become an issue, I am hopeful that we can learn and put in a restriction now so that any new HMOs can go through planning so that the merits can be considered.</p>	<p>The permitted development removal on this Article 4 does not introduce any new restrictions from the 2008 Direction that has been in place up to the current time. Legislation requires that Conservation Areas are reviewed from time to time and therefore the Article 4 Directions have been reviewed on that basis. We take note of the views regarding the value of the property, but this Direction has actually been in place since 2008. The Article 4 simply means that a planning application must be submitted for some types of work that would normally be permitted development. We do not currently have any Article 4 Directions for HMO's but this is something that we are regularly reviewing and is referred to in the Conservation Area Appraisal and Management Plan.</p>
5	<p>Request further explanation concerning notification letter.</p>	<p>Call back arranged to explain the procedures concerning Article 4 Directions.</p>

**Cabinet**

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**Report Summary Sheet**

**Date: 10<sup>th</sup> January 2024**

**Subject: Up-date on the Gypsy and Traveller Site Allocations Development Plan Document (DPD); Consideration of the Planning Inspector's Report and to request adoption of the amended DPD.**

**Portfolio: Cabinet Member for Planning and Regulation (Councilor R. Smith)**

**From: Assistant Director Planning**

**Summary:**

The purpose of this report is to update Members on the Gypsy and Traveller Site Allocations Development Plan Document (DPD); Consideration of the Planning Inspector's Report on the Examination of the DPD and to recommend to Council to approve the DPD now that the Secretary of State – Planning Inspectorate has confirmed the Document is considered sound (appendix A).

This is with the caveat that any minor typing or page numbering errors can be carried out by Delegated Powers of the Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation.

**Recommendations:**

It be recommended to Council that:

- The public consultation responses be noted.
- The Gypsy and Traveller Site Allocations Development Plan Document (DPD) published in January 2022 as amended (appendix B) by:
  - The Inspectors final report (appendix A);
  - The schedule of Main Modifications recommended by the Inspector (appendix C); and
  - The schedule of Additional Modifications (appendix D)

be adopted.

- The above is subject to making available as soon as is practicable and in accordance with regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended):
  - The Inspectors Final Report.
  - The DPD.
  - An Adoption Statement.
  - The Sustainability Report and Addendum and Habitats Regulations Assessment and Main Modifications Habitats Regulations Assessment.
  - Details of where the DPD will be available for inspection and the places and times at which the document can be inspected.
  - Send a copy of the Adoption Statement to any person who has asked to be notified of the adoption of the DPD.
  - Send a copy of the Adoption Statement to the Secretary of State.
- The Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation be given Delegated Authority to make any further amendments such as minor typing or page numbering errors.
- The adopted Local Plan map be amended to include the site allocations.
- The report be marked 'not for call in' as provided for in paragraph 15(f) of the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution.
- The DPD will supersede the third bullet point of Adopted Borough Plan 2011-2031 Policy DS4 – Overall development needs and supersede all of Policy H3 – Gypsies and Travellers.

**Options:**

- For Council to approve the amended Gypsy and Traveller Site Allocations Development Plan Document (DPD) (including the Inspectors Final Report and Modifications required by the Planning Inspector). Subject to the Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation be given Delegated Authority to make any further amendments such as minor typing or page numbering errors
- Not to endorse the recommendations but recommend an alternative.

**Reasons:**

To ensure the Council has Policy in place to allocate sites to meet the Borough's identified need for Gypsy and Traveller pitches and Showpersons plots and to support and in part supersede Policies in the existing Adopted Borough Plan and in line with the timetable established within the amended Local Development Scheme.

**Consultation undertaken with Members/Officers/Stakeholders**

Consultation with the Portfolio Holder – Planning and Regulation and The Chair of the Business, Regeneration and Planning Overview and Scrutiny Panel.

Strategic Director for Public Services and Assistant Director for Planning.



The Document has been taken to the Borough Plan Committee and Cabinet and Council at the appropriate stages.

Consultation with key stakeholders and public consultation for Issues and Options and Publication stages, including some further consultation with statutory consultees between the stages. Final consultation of the requested Main and Additional Modifications.

**Subject to call-in:** No

**Ward relevance:** All

**Forward plan:** Yes.

Adoption of the DPD is a Key Decision. Unfortunately, the DPD has not shown on the Forward Plan for the requisite period, in the belief that the Inspector's report would not be received until the New Year. Because of this and the need to have the DPD adopted at the earliest opportunity, the Urgency Procedure, as set out in the Council's Constitution, has been utilised. The Chair of the Business, Regeneration and Planning Overview and Scrutiny Panel has been consulted and a notice placed on the Council's website and public notice boards.

**Building a Better Borough Aim:** All

**Building a Better Borough Priority:** All

**Relevant statutes or policy:**

Planning and Compulsory Purchase Act 2004 (as amended) and the associated Town And Country Planning (Local Planning) (England) Regulations 2012 (as amended).

National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

**Equalities Implications:** None

**Human resources implications:**

The timetable accounts for existing known staffing and resource levels.

**Financial implications:**

The costs associated with progressing the DPD have been met within existing budgets. If any additional work is required/necessary, this has not been accounted for and may result in budget pressure for 2023/24.

**Health Inequalities Implications:** None**Section 17 Crime & Disorder Implications:** None**Risk management implications:**

If the DPD is not adopted, the Council cannot demonstrate a Five-Year Supply of pitches and plots.

**Environmental implications:**

The DPD document needs to align with the latest Government guidance on preserving and enhancing the natural environment.

**Legal implications:** None**Contact details:**

Maria Bailey  
Assistant Director for Planning  
024 7637 6144  
[maria.bailey@nuneatonandbedworth.gov.uk](mailto:maria.bailey@nuneatonandbedworth.gov.uk)

Jacqui Padbury  
Principal Planning Policy Officer  
024 7637 6162  
[jacqueline.padbury@nuneatonandbedworth.gov.uk](mailto:jacqueline.padbury@nuneatonandbedworth.gov.uk)

## AGENDA ITEM NO. 7

### NUNEATON AND BEDWORTH BOROUGH COUNCIL

**Report to:** Cabinet - 10<sup>th</sup> January 2024

**From:** Assistant Director - Planning

**Subject:** Up-date on the Gypsy and Traveller Site Allocations Development Plan Document (DPD); Consideration of the Planning Inspector's Report and to request adoption of the amended DPD.

**Portfolio:** Planning and Regulation — Councillor R. Smith

**Building a Better Borough Aim:** All

**Building a Better Borough Priority:** All

---

#### 1. Purpose of Report

1.1 The purpose of this report is to update Members on the Gypsy and Traveller Site Allocations Development Plan Document (DPD); Consideration of the Planning Inspector's Report on the Examination of the DPD and to recommend to Council to approve the DPD now that the Secretary of State – Planning Inspectorate has confirmed the Document is considered sound (Appendix A).

1.2 This is with the caveat that any minor typing or page numbering errors can be carried out by Delegated Powers of the Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation.

#### 2. Recommendations

It be recommended to Council that:

2.1 The public consultation responses be noted.

2.2 The Gypsy and Traveller Site Allocations Development Plan Document (DPD) published in January 2022 as amended (Appendix B) by:

- The Inspectors Final Report (Appendix A);
- The schedule of Main Modifications recommended by the Inspector (Appendix C); and
- The schedule of Additional Modifications (Appendix D)

be adopted.

- 2.3 Subject to 2.2 make available as soon as is practicable and in accordance with regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended):
- The Inspectors Final Report.
  - The DPD.
  - An Adoption Statement.
  - The Sustainability Report and Addendum and Habitats Regulations Assessment and Main Modifications Habitats Regulations Assessment.
  - Details of where the DPD will be available for inspection and the places and times at which the document can be inspected.
  - Send a copy of the Adoption Statement to any person who has asked to be notified of the adoption of the DPD.
  - Send a copy of the Adoption Statement to the Secretary of State.
- 2.4 The Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation be given Delegated Authority to make any further amendments such as minor typing or page numbering errors.
- 2.5 The adopted Local Plan map be amended to include the site allocations.
- 2.6 The report be marked 'not for call in' as provided for in paragraph 15(f) of the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution.
- 2.7 The DPD will supersede the third bullet point of Adopted Borough Plan 2011-2031 Policy DS4 – Overall development needs and supersede all of Policy H3 – Gypsies and Travellers.
3. Background
- 3.1 The purpose of this DPD is to allocate sites to meet the Borough's identified need for Gypsy and Traveller pitches and Showpersons plots.
- 3.2 The Publication version of the Gypsy and Traveller Development Plan Document (DPD) was published and consulted upon between the 28<sup>th</sup> January 2022 and the 25<sup>th</sup> March 2022 and the responses received were considered before the DPD and supporting documents were submitted for Examination to the Secretary of State (Planning Inspectorate on the 29<sup>th</sup> June 2022. The Hearing was held with the Planning Inspector on the 27<sup>th</sup> October 2022.

- 3.3 As part of the Examination process, amendments to the Publication were agreed with the Inspector which has resulted in amendments to the DPD. For clarity, these Modifications were split between 'Main Modifications' and 'Additional Modifications'. 'Main Modifications' (Appendix C) are those recommended by the Inspector to make the DPD sound and legally compliant. 'Additional Modifications' (Appendix D) are those which do not materially affect the Policies in the DPD, but which are generally minor factual updates; corrections of any errors or which are considered necessary for clarity.
- 3.4 Once adopted the DPD will supersede the third bullet point of Adopted Borough Plan 2011-2031 Policy DS4 – Overall development needs and supersede all of Policy H3 – Gypsies and Travellers.
- 3.5 The Planning and Compulsory Purchase Act 2004 is the legislation which sets out the process for Local plans and states:  
 “Section 23 Adoption of local development documents ...  
 (2) If the person appointed to carry out the independent examination of a development plan document recommends that it is adopted, the authority may adopt the document—  
 (a) as it is, or  
 (b) with modifications that (taken together) do not materially affect the policies set out in it.  
 (2A) Subsection (3) applies if the person appointed to carry out the independent examination of a development plan document—  
 (a) recommends non-adoption, and  
 (b) under section 20(7C) recommends modifications (“the main modifications”).  
 (3) The authority may adopt the document—  
 (a) with the main modifications, or  
 (b) with the main modifications and additional modifications if the additional modifications (taken together) do not materially affect the policies that would be set out in the document if it was adopted with the main modifications but no other modifications.  
 (4) The authority must not adopt a development plan document unless they do so in accordance with subsection (2) or (3).  
 (5) A document is adopted for the purposes of this section if it is adopted by resolution of the authority.”
- 3.6 The Inspector in this case has recommended that the plan is unsound unless adopted with the Main Modifications as set out in Appendix C. Additional Modifications have also been carried out (Appendix D). No other changes can be made to the plan which alter its contents (beyond minor changes). Any changes which are significant would prevent the Council being able to adopt the plan by virtue of Section 23(4) above.

3.7 The only alternative option available to the Council would be to recommend withdrawal of the plan pursuant to section 22 of the Act. This is outlined below:

“22 Withdrawal of local development documents

(1) A local planning authority may at any time before a local development document is adopted under section 23 withdraw the document.”

4 Consultation and responses received to the Main and Additional Modifications and communication with the Planning Inspectorate

4.1 The Modifications were consulted on between 4<sup>th</sup> September 2023 to the 16<sup>th</sup> October 2023.

4.2 There were seven responses to the Modifications all which were viewed positively. One was from a member of the public and the remaining ones were specific or statutory consultees. The responses are as follows:

Type of consultee response and organisation	Initials	Consider legally compliant	Consider sound	Comments
Member of public	DB	yes	yes	I support the modifications set out in the Gypsy & Traveller DPD to be included as part of the revised Borough Plan. In particular, I support the revised data in respect of the pitch requirements and the proposals to revise the layout of existing sites and/or locate any expansion of capacity within existing sites or adjacent where practicable.
Specific and statutory consultation body - Coal Authority	ML	Not stated	Not stated	<p>The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.</p> <p>Our records indicate that within the Nuneaton and Bedworth DPA area, there are coal mining features present at surface and shallow depth including: mine entries, coal workings and reported surface hazards. These recorded features may pose a potential risk to surface stability and public safety.</p> <p>The Coal Authority's records also indicate that</p>

				<p>surface coal resource is present in the area, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning process consideration should be given to such advice in respect of the indicated surface coal resource.</p> <p>I have reviewed the Main Modifications proposed and can confirm that the Planning team at the Coal Authority have no specific comments to make on these.</p>
Specific and statutory consultation body - Environment Agency	TJ	Not stated	Not stated	<p>Thank you for consulting the Environment Agency on the above local plan consultation, which we received via email on 4 September 2023.</p> <p>Based on our records we previously provided comments at the formal pre-submission stage of the process, in letter dated 15 March 2022 (letter reference UT/2007/101886/OT-04/SB1-L01).</p> <p>For completeness, we note the following main modification documents have been published for comment:  - CD 6.2 Schedule of Main Modifications (June 2023) &amp; - CD 6.3 Schedule of Additional Main Modifications (June 2023)</p> <p>In light of the proposed Main (and Additional Main) Modifications and our previous representations, we note our comments have been incorporated into modifications MM13 and Additional Modification M12.</p> <p>As such we have no further comments to make at this stage.</p>
General consultation body - Equality and Human Rights Commission		Not stated	Not stated	<p><u>Case 7975320</u>  <u>Subject: Consultation on Site Allocation Document for Gypsies and Travellers</u></p> <p>Thank you for your email dated 4 September 2023. The Commission does not have the resources to respond to all consultations, and will respond to consultations only where it considers they raise issues of strategic importance.</p> <p>While unfortunately we are unable to respond in</p>

			<p>this particular instance, the Commission has engaged in a wide range of work related to Gypsy and Travellers issues and therefore to assist I have referred you to some of the most relevant below.</p> <p><u>Public Sector Equality Duty</u> Councils have duties under the Public Sector Equality Duty (PSED) set out in section 149 Equality Act. In the exercise of all its functions, it has a duty to have 'due regard' to three statutory equality needs:</p> <ul style="list-style-type: none"> <li>• to eliminate discrimination and harassment;</li> <li>• to advancing equality of opportunity between members of protected groups and others; and</li> <li>• to foster good relations between persons who share a relevant protected characteristic and persons who do not.</li> </ul> <p>We provide advice for public authorities on how to apply the PSED, which is an on-going legal obligation and must be complied with as part of the planning process.</p> <p>The PSED is the mechanism through which public authorities involved in the planning process should consider the potential for planning proposals to have an impact on equality for different groups of people. You can find our technical guidance <a href="#">here</a>.</p> <p><u>Commission research</u> Our research has shown that Gypsy and Traveller communities in Britain experience wide-ranging inequalities. Many stereotypes about Gypsy Travellers already exist, and negative attitudes and ingrained prejudices within parts of wider society can be hard to tackle. In addition, racism towards Gypsies and Travellers is still common and seen as justified. The Royal Town Planning Institute Guidance Notes also point out that Gypsies and Travellers are often treated as a group against whom it is acceptable to be prejudiced in the planning process.</p> <p>Please see links below to our research reports on Gypsies and Travellers below: 'Inequalities experienced by Gypsies and Travellers' <a href="http://www.equalityhumanrights.com/en/gypsies-">http://www.equalityhumanrights.com/en/gypsies-</a></p>
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				<a href="http://www.equalityhumanrights.com/en/gypsies-and-travellers-simple-solutions-living-together/gypsies-and-travellers-research-reports">and-travellers-simple-solutions-living-together/gypsies-and-travellers-research-reports</a> . 'Simple Solutions for living together' <a href="http://www.equalityhumanrights.com/en/gypsies-and-travellers-simple-solutions-living-together">http://www.equalityhumanrights.com/en/gypsies-and-travellers-simple-solutions-living-together</a> .
Specific and statutory consultation body - Historic England	EB	Not stated	Not stated	In relation to Nuneaton & Bedworth Borough Council's Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Main Modifications, I can confirm that Historic England has no comments to make.
Specific and statutory consultation body - National Highways	RG	Not stated	Not stated	<p>National Highways welcomes the opportunity to comment on the Publication Version of the Borough Local Plan which covers the plan period from 2021 to 2039. The document provides a vision for the future of the area and sets out a number of key objectives and planning policies that will be used to help support growth across the region. Alongside this, we also welcome the opportunity to respond to the Main Modifications consultation on the Gypsy and Traveller Site Allocations DPD which sets out to allocate sufficient land to meet the Gypsy, Traveller and Travelling Showpeople needs up to 2037.</p> <p>National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth.</p> <p>In relation to this consultation, National Highways' principal interest is in safeguarding the operation of the M6 and M69 motorways and the A5 trunk road which route through the area.</p> <p><u>Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Main and Additional Modifications</u></p> <p>We note that the Publication Version of the Gypsy and Traveller DPD was consulted upon in early 2022 before it was submitted for Examination to the Secretary of State later that year. As part of the examination process, a series of amendments to the DPD have been agreed with the Inspector to make the DPD both sound and legally compliant (Main</p>

				<p>Modifications) and factually correct (Additional Modifications). The Main and Additional Modifications form the subject of this latest consultation.</p> <p>We note that 'Policy H3 – Gypsies and Travellers' set out within the adopted Borough Plan (2011-2031) will be superseded by the Gypsy and Traveller Site Allocations DPD. The DPD allocates sufficient land to meet the Gypsy, Traveller and Travelling Showpeople needs up to 2037.</p> <p>The following Gypsy and traveller sites are allocated within the amended DPD.</p> <p>1. GTSA1 - Sunrise Cottage for three additional pitches  2. GTSA2 - The Old Nursery for five to six new pitches  3. GTSA3 - Winter Oak for six additional pitches</p> <p>We note that GTSA3 is located in the close vicinity of the A5 which forms part of the SRN in the area. As part of the Publication Version, we recommended that text should be included within Policy GT3 – Site Allocations to outline the need for the applicant to liaise with National Highways prior to the submission of a planning application. We welcome the fact that this has been included as part of the Additional Modifications response and therefore have no further comments to provide.</p> <p><u>Summary</u>  In relation to the Gypsy and Traveller Site Allocations DPD, we note that our previous comments have been incorporated into the document as part of the Additional Modifications consultation and this is welcomed.</p>
Specific and statutory consultee WCC Flood Risk Management		Not stated	Not stated	<p>Thank you for consulting Warwickshire County Council as Lead Local Flood Authority (LLFA).</p> <p>We have reviewed both the Borough Plan review DPD and G&amp;T Site Allocations DPD. We have no specific comments to raise in relation to these documents.</p>

4.3 These consultation responses were then sent to the Planning Inspector.

## 5 The Inspectors Report

- 5.1 The Inspectors Final Report concludes that the Nuneaton and Bedworth Gypsy and Traveller Site Allocations Development Plan Document ('DPD') 2021-2037 provides an appropriate basis for addressing the accommodation needs of Gypsies and Travellers in the Borough, provided that a number of Main Modifications are made to it.
- 5.2 There was a caveat to the agenda report in May 2022 that was requesting approval to submit to the Secretary of State which stated that:  
'Delegated Authority be given to the Head of Planning and Building Control in consultation with the Cabinet Member for Planning and Regulations to make any minor modifications to the Document that the Planning Inspector deems necessary to make the plan sound'. Therefore, it is considered that these Modifications can be made. The schedule of Modifications is provided in Appendices C and D.
- 5.3 The Inspectors report includes several requirements that have to be made in order for the Document to be considered appropriate for adoption. He divides the report into areas, a summary of each section is set out below:
- 5.4 *Non-Technical Summary*  
Concluding the DPD is appropriate subject to Modifications (as agreed between the Council and Planning Inspector) and which were subject to consultation. This also provides a precis of the Main Modifications.
- 5.5 *Introduction*  
That the report is the Planning Inspectors assessment of the DPD and other documents submitted as part of the Examination process.
- 5.6 *Main Modifications*  
Confirming the Council requested the Inspector to recommend any Main Modifications and confirming these were open to consultation.
- 5.7 *Policies Map*  
Confirms the Council will need to update the adopted Policies map to include all the changes in the DPD.
- 5.8 *Context of the Plan*  
Confirms that the DPD sets out the Policies and sites proposed and that some Policies in the adopted Borough Plan will be superseded by the DPD.
- 5.9 *Assessment of Duty to Co-Operate*

The methods and communication the Council had with other Local Authorities and statutory consultees. States that the Inspector is satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the DPD and that the duty to co-operate has therefore been met.

5.10 *Public Sector Equality Duty*

The Inspector considers that the Equality Act 2010 has been met including general needs, needs of particular age groups, concealed households, future household formation and for those who have ceased to travel.

5.11 *Assessment of Other Aspects of Legal Compliance*

That the DPD complies with the Council's Local Development Scheme and that consultation was carried out on the DPD and Main Modifications in compliance with the Council's Statement of Community Involvement. That the Council carried out a Sustainability Appraisal and Habitat Regulations Assessment at the relevant stages. That the DPD includes policies designed to secure that the development and use of land contribute to the mitigation of, and adaptation to, climate change and policies are contained within the adopted Borough Plan. The Report also details where adopted Policies are to be superseded.

5.12 *Assessment of Soundness*

Identifies the main issues upon which the soundness of the DPD depends and that subject to Main Modifications the proposed site allocations are justified and identifies a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against the requirement.

5.13 Within the assessment of soundness 3 issues were considered as follows:

5.14 *Issue 1 – Whether the Council's overall strategy for meeting Gypsy and Traveller and Travelling Showpeople accommodation needs is justified and whether it is consistent with the adopted Borough Plan (2019).*

5.15 This refers to the distribution of sites, the need including hidden households and that whilst the sites requirement could potentially be met on the WCC owned site, the further identified sites provide a robust approach. The issue also discusses the need to supersede some of the Borough Plan Policies and the decision not to remove the sites from the Green Belt. The monitoring arrangement has also been assessed and the Report concludes that subject to the Main Modifications, the Council's overall strategy for meeting G&T accommodation needs is justified and consistent with the adopted Borough Plan.

- 5.16 *Issue 2 – whether the proposed site allocations are justified and whether the DPD identifies a supply of specific deliverable sites sufficient to provide 5 years’ worth of sites against the requirement.*
- 5.17 Considers the justifications of the existing underutilised existing sites and the proposed site including the Showperson plots are robust subject to Main Modifications.
- 5.18 The Inspector then assesses the discussions held during the Examination process and he states that:  
 “In terms of transit provision, the GTTSAA recommended that the Council make use of negotiated stopping arrangements. In this regard, the Council has already made use of negotiated stopping in the Borough and has developed a standard agreement that both it and the Gypsies and Travellers in question sign in such circumstances. This includes the condition the site will be left in, the services that will be provided to it (refuse collection, portable toilets, etc), and includes a financial bond. The Council intends to roll out this approach going forward. In light of the evidence before me, including that given at the hearing session, I am satisfied that this is a sensible approach to transit provision and that the DPD is therefore sound in the absence of allocating sites for this purpose.”  
 The Inspector would not have considered the DPD sound without this requirement.
- 5.19 The Inspector concludes that subject to Main Modifications that issue 2 is considered acceptable and that the DPD identifies a supply of specific deliverable sites sufficient to provide 5 years’ worth of sites against the requirement.
- 5.20 *Issue 3 – Whether the proposed criteria-based policy is necessary, justified, effective, and consistent with national policy.*
- 5.21 The Inspector in issue 3 refers to the necessity for having a criteria based policy to provide a basis for planning applications. He agrees the sequential approach taken to proposals is appropriate and concludes that subject to Main Modifications the Policy is acceptable.
- 5.20 *Overall Conclusion and Recommendation.*  
 The DPD has a number of deficiencies which means it could not be adopted in its original form but subject to the Modifications, the DPD is capable of adoption; that the duty to cooperate has been met, and therefore complies with Section 20(5)(a) of the 2004 Act and is sound.

## 6 Conclusion

- 6.1 That the responses to the Main and Additional Modifications are noted. That Cabinet recommend to Council that The Gypsy and Traveller Site Allocations Development Plan Document (DPD) published in January 2022 as amended (Appendix B) by:
- The Inspectors Final Report (Appendix A);
  - The schedule of Main Modifications recommended by the Inspector (Appendix C); and
  - The schedule of Additional Modifications (Appendix D) be adopted.
- 6.2 This is with the caveat that any minor typing errors or page numbering errors can be carried out by Delegated Powers of the Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation

## 7 Appendices

Appendix Reference	Details of Appendix document
A	Planning Inspectors Report considering the document is sound subject to Modifications.
B	Gypsy and Traveller Site Allocations Development Plan Document 2021 - 2037
C	Main Modifications necessary to make the DPD sound
D	Additional Modifications.

## 8 Background Papers

The published documents for the Gypsy and Traveller Site Allocations Development Plan Document can be viewed at:

[Proposed Gypsy and Traveller Site Allocations Development Plan Document | Proposed Gypsy and Traveller Site Allocations DPD | Nuneaton & Bedworth \(nuneatonandbedworth.gov.uk\)](#)

## **Report to Nuneaton and Bedworth Borough Council**

**by Thomas Hatfield BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Date 18 December 2023

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Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

## **Report on the Examination of the Nuneaton and Bedworth Gypsy and Traveller Site Allocations Development Plan Document 2021-2037**

The Plan was submitted for examination on 29<sup>th</sup> June 2022

The examination hearing was held on 27<sup>th</sup> October 2022

File Ref: PINS/W3710/429/5

## **Abbreviations used in this report**

the Council	Nuneaton and Bedworth Borough Council
DPD	Development Plan Document
GTTSA	Gypsy and Traveller and Travelling Showperson Accommodation Assessment
MM	Main Modification
NPPF	National Planning Policy Framework
PPTS	Planning Policy for Traveller Sites
SAC	Special Area of Conservation



## Non-Technical Summary

This report concludes that the Nuneaton and Bedworth Gypsy and Traveller Site Allocations Development Plan Document ('DPD') 2021-2037 provides an appropriate basis for addressing the accommodation needs of Gypsies and Travellers in the Borough, provided that a number of main modifications ('MMs') are made to it. Nuneaton and Bedworth Borough Council ('the Council') has specifically requested that I recommend any MMs necessary to enable the DPD to be adopted.

Following the hearing, the Council prepared schedules of proposed modifications and carried out sustainability appraisal and habitats regulations assessment of them. The MMs were subject to public consultation over a six-week period. I have recommended their inclusion in the DPD after considering the sustainability appraisal and habitats regulations assessment and all the representations made in response to the consultation on them.

The Main Modifications can be summarised as follows:

- Changes to ensure consistency with the adopted Nuneaton and Bedworth Borough Plan 2011-2031 (2019) and to clarify which policies are superseded;
- Amendments to Policy GT2 for effectiveness and to incorporate criteria from Policy H3 of the adopted Borough Plan (which is to be superseded);
- Additional criteria added to some site-specific policies;
- Some re-wording to improve clarity and effectiveness;
- A number of other modifications to ensure that the DPD is positively prepared, justified, effective and consistent with national policy.

## Introduction

1. This report contains my assessment of the Nuneaton & Bedworth Gypsy and Traveller Site Allocations DPD in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers firstly whether the DPD's preparation has complied with the duty to co-operate. It then considers whether the DPD is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework ('the Framework') (paragraph 35) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound plan. The Nuneaton & Bedworth Gypsy and Traveller Site Allocations DPD, submitted in June 2022 is the basis for my examination. It is the same document as was published for consultation in January 2022.

## Main Modifications

3. In accordance with Section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications ('MMs') necessary to rectify matters that make the DPD unsound and/or not legally compliant and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearing, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal and habitats regulations assessment of them. The MM schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report.

## Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the changes to the policies map comprise the inset plans beneath policies GT3 and GT4 of the DPD.
6. When the DPD is adopted, in order to comply with the legislation and give effect to its policies, the Council will need to update the adopted policies map to include all the changes proposed in the DPD.

## Context of the Plan

7. The Nuneaton & Bedworth Gypsy and Traveller Site Allocations DPD sets out policies relating to Gypsy and Traveller and Travelling Showpeople proposals, and also allocates sites for these purposes. It is intended to supersede Policy H3, and the third bullet point of Policy DS4, of the adopted Borough Plan. A DPD of this nature is also envisaged in Policy H3 of the Borough Plan.

## Assessment of Duty to Co-operate

8. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council has complied with any duty imposed on it by Section 33A in respect of the DPD's preparation.
9. The DPD focuses on meeting the Borough's own needs and does not rely on neighbouring authorities to assist. Moreover, the Council has not been asked to help meet the needs of any neighbouring local planning authority. In this regard, the DPD is based on a strategy that seeks to meet the needs of the Borough only, which is consistent with the approach taken to Gypsy and Traveller and Travelling Showpeople sites in the adopted Borough Plan.
10. Prior to updating the 2016 Gypsy, Traveller, and Travelling Showperson Accommodation Assessment ('GTTSA'), the Council contacted all adjoining planning authorities to see if there was any interest in jointly commissioning this study. However, no such interest transpired and an update covering just Nuneaton and Bedworth was therefore commissioned. The subsequent 2021 GTTSA update was informed by feedback and input from neighbouring planning authorities as is set out at paragraphs 5.22-5.26 of that document.
11. In preparing the DPD, the Council consulted and actively engaged with neighbouring planning authorities as well as with Warwickshire County Council, who have responsibility for education, highways, transport planning, waste disposal, etc. The County Council also own and manage a Gypsy and Traveller site in the Borough.
12. No local planning authority or other prescribed body claim that the Council has failed to comply with the Duty. The Council has prepared a Duty to Cooperate Statement, and based on what is set out in this document, I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the DPD and that the duty to co-operate has therefore been met.

## Public Sector Equality Duty

13. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination, including the allocation of Gypsy and Traveller and Travelling Showpeople sites to meet identified need. The DPD also addresses the need of particular age groups within the travelling community by taking account of issues such as concealed households and future household formation. In addition, the DPD makes an allowance in its requirement for new pitches for those who have ceased to travel due to educational or health needs, or age.

## Assessment of Other Aspects of Legal Compliance

14. The DPD has been prepared in accordance with the Council's Local Development Scheme. Consultation on the DPD and the MMs was carried out in compliance with the Council's Statement of Community Involvement.
15. The Council carried out a sustainability appraisal of the DPD, prepared a report of the findings of the appraisal, and published the report along with the DPD and other submission documents under Regulation 19. The appraisal was updated to assess the main modifications.
16. The Habitats Regulations Assessment Report (December 2021) sets out why an Appropriate Assessment is not necessary. In this regard, it finds that there is a general absence of impact pathways and there are significant distances from the proposed allocations to designated sites. Accordingly, no likely significant effects will result on either Ensor's Pool SAC or the River Mease SAC as a result of the DPD. Such a conclusion was also supported by Natural England. The Habitat Regulations Assessment of the MMs also concluded that they will not lead to likely significant effects on these SACs, either alone or in combination with other plans and projects.
17. The Development Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area. It also includes policies designed to secure that the development and use of land contribute to the mitigation of, and adaptation to, climate change. Those policies are contained within the adopted Borough Plan.
18. Regulation 8(5) of The Town and Country Planning (Local Planning) (England) Regulations 2012 requires that where it is intended to supersede another policy in the adopted development plan, this fact must be stated and the superseded policy identified. **MM1, MM3, MM5, MM7, MM9, MM10, MM11, MM16, and MM17** ensure that the DPD complies with this requirement.

## Assessment of Soundness

### Main Issues

19. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearing, I have identified a number of main issues upon which the soundness of the DPD depends. This report deals with these main issues. It does not respond to every point or issue raised by representors, nor does it refer to every policy criterion in the DPD.

### **Issue 1 – Whether the Council’s overall strategy for meeting Gypsy and Traveller and Travelling Showpeople accommodation needs is justified and whether it is consistent with the adopted Borough Plan (2019).**

20. The Strategy set out in the DPD is to fully meet the need for Gypsy and Traveller and Travelling Showpeople sites in the Borough. This is consistent with national planning policy and is a sound approach. In terms of the spatial distribution of sites within the Borough, 2 of the proposed Gypsy and Traveller allocations are intensifications of existing sites, and the third is close to an existing site. These are distributed across the Borough and are generally in more rural locations. The Gypsy and Traveller Site Assessment (2021) indicates that only 1 of these sites was put forward specifically to accommodate family members, and these sites would therefore be capable of meeting the identified need, which will largely arise from household growth and in-migration. No other potential sites were identified through either the Call for Sites, the GTTSAA process, or a review of Council owned sites. In these circumstances, I consider this approach to be sound.
21. The DPD proposes a requirement for the provision of 11 Gypsy and Traveller pitches over the plan period to 2037. This is based on meeting the overall ‘cultural need’ for pitches identified in the updated GTTSAA (2021), which includes need arising from those within the Travelling community who do not meet the Planning Policy for Traveller Sites (‘PPTS’) definition of “gypsies and travellers”. In my view, this assessment is based on robust assumptions, including with regard to migration and need arising from those currently living in bricks and mortar housing. Whilst the GTTSAA states that turnover on an existing Council owned site could meet the identified shortfall in its entirety, there is no guarantee that these pitches will become available at the rate envisaged. Accordingly, the allocation of sites is necessary to ensure that need is met, and the requirement figure in Strategic Policy GT1 is therefore sound.
22. The DPD is intended to sit alongside the adopted Borough Plan and complement it regarding Gypsy and Traveller and Travelling Showpeople site allocations and policy. The submitted DPD proposed a hybrid approach to this whereby DPD Policy GT1 would effectively supersede parts of Borough Plan

Policies H3 and DS4, and DPD Policy GT2 would effectively add criteria to Borough Plan Policy H3. This approach would be confusing and unclear, and modifications are therefore necessary for effectiveness. This is addressed by **MM1, MM3, MM5, MM7, MM9, MM10, MM11, MM16, and MM17**, which ensure that the policies in the DPD will entirely supersede Policy H3 and the third bullet point of Policy DS4 in the adopted Borough Plan.

23. The submitted DPD proposes 2 site allocations that are currently within the Green Belt. In this regard, Policy DS7 of the adopted Borough Plan states that the remaining Green Belt will be protected by restricting development to only that which is considered by national planning policy to be not inappropriate development. It would therefore be inconsistent with the adopted Borough Plan to remove the proposed allocations in the DPD from the Green Belt at this stage. However, the Borough Plan is currently being reviewed, and this matter is therefore capable of being addressed as part of that review. As submitted, the DPD is unclear whether these allocations are proposed to be removed from the Green Belt, and this is remedied by **MM4, MM10, and MM12** which clarify that the allocations remain in the Green Belt. Subject to the MMs identified above, the DPD would be consistent with the adopted Borough Plan except where a DPD policy is intended to supersede an existing policy.
24. In terms of the monitoring arrangements, a number of detailed changes are also necessary for clarity and effectiveness, as is set out in **MM2 and MM15**.
25. Subject to the abovementioned MMs, the Council's overall strategy for meeting G&T accommodation needs is justified and consistent with the adopted Borough Plan.

## **Issue 2 – whether the proposed site allocations are justified and whether the DPD identifies a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against the requirement.**

26. DPD Policy GT3 identifies 3 proposed site allocations for Gypsy and Traveller pitches. Sites GTSA1 and GTSA3 are intensification opportunities to existing consented sites that were identified in the GTTSAA. Both are currently under-utilised and are capable of accommodating additional pitches within the existing site boundary. The availability, capacity, and intension of the landowner to pursue intensification, were established through the GTTSAA, and I consider these assumptions to be robust.
27. With regard to site GTSA2, this is a mostly open site that does not currently contain any Gypsy and Traveller pitches. It is located on the B4109 and relates well to the existing pattern of development along the road. It is not subject to any other over-riding constraint. The site was put forward as a potential

allocation through the GTTSAA and its availability and capacity have been agreed with the landowner.

28. I consider each of the 3 site allocations identified under Policy GT3 to be suitable locations for Gypsy and Traveller pitches. Notwithstanding this, additional policy criteria for each of the allocated sites are necessary for effectiveness and to address soundness issues. These criteria relate to drainage, contamination, children's play provision, air quality and noise, which are addressed in **MM13**. Given the evidence regarding availability and landowner intentions to develop these sites, I also consider them to be deliverable. In addition, a windfall site for 3 additional pitches was approved in June 2022, and taken together, these sites will provide a 5-year supply on adoption of the DPD.
29. Separately, Policy GT4 safeguards the existing Travelling Showpeople site at Spinney Lane/Whittleford Road, Nuneaton for use by Travelling Showpeople. This is consistent with the recommendations of the GTTSAA and is a sound approach. However, several detailed changes to the policy wording are necessary for effectiveness, which is addressed in **MM14**.
30. In terms of transit provision, the GTTSAA recommended that the Council make use of negotiated stopping arrangements. In this regard, the Council has already made use of negotiated stopping in the Borough and has developed a standard agreement that both it and the Gypsies and Travellers in question sign in such circumstances. This includes the condition the site will be left in, the services that will be provided to it (refuse collection, portable toilets, etc), and includes a financial bond. The Council intends to roll out this approach going forward. In light of the evidence before me, including that given at the hearing session, I am satisfied that this is a sensible approach to transit provision and that the DPD is therefore sound in the absence of allocating sites for this purpose.
31. Subject to the abovementioned MMs, the proposed site allocations are justified and I consider that the DPD identifies a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against the requirement.

### **Issue 3 – Whether the proposed criteria-based policy is necessary, justified, effective, and consistent with national policy.**

32. A criteria-based policy is necessary to ensure that the DPD is positively prepared, flexible, and to provide a basis for determining planning applications on Gypsy and Traveller sites not allocated in the DPD. In this regard, submitted Policy GT2 set out additional criteria that would have effectively supplemented adopted Policy H3 of the Borough Plan. For the reasons set out above, Policy GT2 should entirely supersede adopted Policy H3. Modifications are therefore

necessary to incorporate most of the criteria from adopted Policy H3 into Policy GT2, which is addressed in **MM10**.

33. As submitted, Policy GT2 sought to direct windfall Gypsy and Traveller pitches firstly to intensification opportunities on existing sites, then to extensions to existing sites, followed by sites within 1.6 km of services and facilities. However, it is not clear how this approach would have worked in practice, including how it could be demonstrated that expansion opportunities had been exhausted. Such an approach would also have excluded sites within the urban area from consideration until intensification and expansion opportunities had been ruled out. Moreover, it contained no reference to the proposed site allocations. Accordingly, further modifications in **MM6**, **MM8**, and **MM10** are necessary for effectiveness and to highlight those site types where new pitches / plots will be permitted, subject to compliance with other local and national policies.
34. Subject to the abovementioned MMs, I consider that the proposed criteria-based policy is necessary, justified, effective, and consistent with national policy.

## Overall Conclusion and Recommendation

35. The DPD has a number of deficiencies in respect of soundness, for the reasons set out above, which mean that I recommend non-adoption of it as submitted in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.
36. The Council has requested that I recommend MMs to make the DPD sound and capable of adoption. I conclude that the duty to cooperate has been met, and that with the recommended main modifications set out in the Appendix, the Gypsy and Traveller Site Allocations Development Plan Document satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

*Thomas Hatfield*

INSPECTOR

This report is accompanied by an Appendix containing the Main Modifications.



# Gypsy and Traveller Site Allocations DPD

2021 - 2037



Nuneaton and Bedworth Borough Council

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## 1.0 Introduction

- 1.1 Nuneaton and Bedworth Borough Council adopted a Borough Plan on 11<sup>th</sup> June 2019 which planned for new development in the borough until 2031. The Borough Plan plans, principally, for new commercial, employment, and residential uses. In terms of residential uses the Borough Plan must plan for all parts of the community and thus deals with provision for Gypsies and other Travellers.
- 1.2 Policies DS4 – Overall development needs and H3 – Gypsies and Travellers set out the need for new pitches by 2031/2032 to be at least 39 residential and 5 transit pitches. Policy H3 does not set out where the new pitches would be provided but sets out the criteria that will be used to identify potential locations for residential and permanent pitches through the Gypsy and Traveller Site Allocations Development Plan Document (DPD). It is through this DPD that land is identified and allocated for future traveller sites. Policy H3 of the current adopted Borough Plan (2011-2031) is superseded entirely by the DPD and in the emerging Borough Plan Policy H3 will purely refer to the DPD for Policies relating to **Gypsy, Travellers and Showperson pitches and plots**.
- 1.3 The current Local Development Scheme (2020) sets out the timetable for the production of Gypsy and Traveller Site Allocations DPD which is as follows:
- May 2021 – consultation on an Issues and Options document;
  - January 2022 – consultation on a publication document;
  - July 2022 – submission of the document to the Secretary of State;
  - January 2023 – receipt of Inspector’s report on the examination of the document; and
  - February 2023 – adoption of the document.
- 1.4 This adopted DPD was preceded by-the Publication version of the Gypsy and Traveller Site Allocations DPD; which was the formal document required by Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012. This was consulted on between 28<sup>th</sup> January 2022 and 25<sup>th</sup> March 2022. A consultation on the previous version of the Gypsy and Traveller Site Allocations DPD, the Issues and Options consultation draft, took place between 11<sup>th</sup> June 2021 and 6<sup>th</sup> August 2021. This document was that required by Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012. A consultation statement has been produced which sets out the responses received and how they were considered in producing the DPD.
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- 1.5 The document is set out in four subsequent chapters addressing the vision and objectives of the DPD, followed by the need for new pitches, the locations of these new pitches and a monitoring schedule for the DPD.
- 1.6 To support this document the Council has commissioned a consultant to produce a new Gypsy, Traveller, and Travelling Showpersons Accommodation Assessment (GTAA) and this can be viewed alongside this document. The most recent study prior to this new GTAA dates from 2016 and it concluded that the evidence base is refreshed on a five-yearly basis to ensure that the level of pitch and pitch provision remains appropriate. The DPD is also supported by a 'Site Assessments and the Green Belt' document, a Sustainability Appraisal Report, and an Appropriate Assessment, the contents of which have been considered in the production of this DPD. All supporting documents can be seen on the Borough Council's website alongside this DPD as part of the formal consultation.

## 2.0 Vision & Objectives

### Vision

- 2.1 The vision was contained within the Issues and Options consultation draft of the DPD. Since that document the vision has been amended so that reference to the environment is made thereby linking the vision more to objective 3.
- 2.2 The vision for this DPD is for the needs of the travelling community in and visiting the borough to be provided with sufficient pitches so that they can live, work, and rest in the borough. Pitches will be well located and integrated into the environment and the local community thereby providing good access to essential services.

### Objectives

- 2.3 The following objectives will help achieve the vision for the DPD. Three objectives were consulted upon and although no issues were raised by consultation responses on the content of the objectives, objective 3 has been amended. The intent of the objective remains the same, but the terminology has been changed so that it aligns better with the language used in the adopted Borough Plan.

Objective 1 - to provide sufficient pitches for the needs of the travelling community.

Objective 2 - to provide provision in sustainable locations with good access to local services.

Objective 3 - to provide provision in such a way that the local environment is protected and, where appropriate, enhanced.

These objectives are interrelated and in combination they will contribute to realising the vision for the DPD.

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## 3.0 Need

### Introduction

- 3.1 The evidence base that supported the formation of the need for new pitches in the Borough Plan was the 2016 Gypsy, Traveller, and Travelling Showpersons Accommodation Assessment (GTAA). Since the 2016 GTAA was produced the 2016 Housing and Planning Act introduced the need to conduct a wider assessment of all caravan and houseboat accommodation needs, not just those from Gypsy and Traveller ethnicities. A new assessment of accommodation needs has been produced, dated from 2021. This assessment updates the need for new pitches to those published in the Borough Plan and addresses the implications of the 2016 Housing and Planning Act.
- 3.2 The Issues and Options consultation proposed four options for the number of pitches to provide ranging from that in the 2021 GTAA through to figures above those in the GTAA from 2016 (and published in the Borough Plan). After careful consideration it is considered that the figures from the 2021 GTAA should be used as the basis for the need. Even though representations on the DPD were low, the newer figures were clearly preferred over those that were now nearly six years old by respondents. Not only are these figures more recent, but the interview rate was also much higher giving greater confidence that the assessment of need is more robust and closer to that actually required. These four options were assessed in the accompanying sustainability appraisal to the issues and options document and these four options all came out the same, partly because all reasonable options considered would achieve the number of pitches set in the 2021 GTAA as a minimum (which is the most recent data source) but also because there were many unknowns of the likely impacts that would result from these different sets of figures for new pitch numbers.
- 3.3 Using the requirement for new pitches from the 2021 GTAA as a minimum rather than the higher figures in the extant Borough Plan means that this document will need to supersede the requirements for new pitches set out in Policies DS4 and H3 of the Borough Plan.

### Gypsies and Travellers

- 3.4 The first part of the 2021 GTAA was to assess the current occupancy of pitches within the borough, then to assess how much capacity remains above this, so, how many pitches are unoccupied but are available, followed by calculating how many more pitches are needed to fulfil the need for new pitches within the borough. The new GTAA advises that with the current

occupied and vacant pitches within the borough there is a need for 16 additional residential and no transit pitches to meet the needs of those who meet the definition of travellers as set out in the Planning Policy for Traveller Sites, August 2015; this increases by four to a total of 20 additional residential pitches to meet a cultural need (that is, people who do not meet the definition of a traveller but nevertheless live on pitches). For travellers, this is change of 23 residential pitches and 5 transit pitches from those figures published in the Borough Plan (both decreasing). Table 1 below repeats the figures from Table 6.3 of the 2021 GTAA in which the need for new pitches is set out.

Table 1 - Plan period Gypsy and Traveller pitch need 2021/22 to 2036/37.

Time period	Cultural need	Of which: PPTS need
5yr Authorised Pitch Shortfall (2021/22 to 2025/26) (A)	8	6
Longer-term need		
<i>Over period 2026/7 to 2030/31 (B)</i>	4	3
<i>Over period 2031/32 to 2036/37(C)</i>	8	7
<i>Longer-term need TOTAL to 2036/37 (12 years) D=(B+C)</i>	12	10
NET SHORTFALL 2021/22 to 2036/37 (A+D) (11 years)	20	16

PPTS = Planning Policy for Traveller Sites (2015) within which the definition of Gypsies and Travellers is provided.

- 3.5 The 2021 GTAA assumes that some of this provision for additional pitches can be found through turnover on the site at The Griff and by a combination of intensification and expansion of three existing sites to provide 11 pitches. Table 2 below repeats the figures from Table 6.4 of the 2021 GTAA which sets out these assumptions. Thus, the table shows that through the provision of 11 new additional pitches the need up to 2036/37 is met is and, therefore, this meets the need evidenced in the 2021 GTAA.

Table 2 - Addressing Gypsy and Traveller pitch need.

Time period	Cultural need	Of which: PPTS need
5yr Authorised Pitch Shortfall (2021/22 to 2025/26) (A)	8	6

Anticipated minimum turnover on council site (B)	7	7
Potential intensification/expansion of existing sites (C)	6	6
Residual need 2021/22 to 2025/26 after turnover and potential intensification/expansion (D) = A-B-C	-5 Need met	-7 Need met
Longer-term need 2026/27 to 2036/37 (E)	12	10
Anticipated minimum turnover on council site (F)	15	15
Potential intensification/expansion of existing sites (G)	5	5
Residual need 2025/26 to 2036/37 after turnover (H) = E-F-G	-8 Need met	-10 Need met
Residual need 2021/22 to 2036/37 after turnover and potential pitch development considered (I) = D+H	-13 Need Met	-17 Need met
Summary	Cultural need	Of which: PPTS NEED
Plan period Authorised Pitch Shortfall (2021/22 to 2036/37) (J = A+E)	20	16
Anticipated minimum turnover on council site (K) = B+F	22	22
Potential intensification/expansion of existing sites (L)=C+G	11	11
Residual need 2021/22 to 2036/37 after turnover (M=J-K-L)	-13 Need met	-17 Need met

- 3.6 Although turnover has been considered and has the potential to meet need based on past trends, this cannot be wholly relied upon as the future level of turnover at The Griff is not guaranteed. Instead, turnover is one element of supply but there remains a need to take positive steps to increase the number of pitches available to households across the borough to meet the needs identified and to plan positively for the area. This is particularly important for the Council to achieve a 5-year land supply of new pitches. So, turnover can be relied upon to meet some of the forecast need but not to the exclusion of allocating new pitches. The GTAA of 2021 identified 11 pitches that could be found in the Borough and this should be used to form



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the basis of the minimum new pitches to provide, the remainder will be met by turnover.

### Travelling Showpeople

- 3.7 The GTAA from 2021 states that there is 1 occupied and 3 vacant pitches in the Borough for use by Travelling Showpeople. The 2016 GTAA set out that there were 4 private owned pitches, and plots on site/yards of which 4 were occupied and 0 were vacant. Therefore, plot numbers have remained the same but vacant plot numbers have increased. No additional provision is recommended by the current GTAA.

### Bargee Travellers

- 3.8 In the 2016 GTAA bargee Travellers were accounted for by one family present in the borough. No change to bargee Traveller numbers are contained within the updated GTAA.

### Future Need

- 3.9 In the 2021 GTAA it is recommended that the *"...evidence base is refreshed on a 5-yearly basis to ensure that the level of pitch and pitch provision remains appropriate for the Gypsy, Traveller and Travelling Showpeople population across Nuneaton and Bedworth."* This is an important element of confirming that the need in this DPD remains as required. It is therefore the Council's intention that the number of new pitches will be assessed each year at the Authority Monitoring Report (AMR) stage and landowners contacted to encourage the sites to come forwards. The DPD will be reviewed five years after adoption and subsequently five years thereafter on an ongoing basis, to ensure the document meets the current needs. The update of the GTAA is referenced in Table 3 of Chapter 5.0 on Monitoring of this document. Should need be found to have changed beyond that set out in this DPD (or indeed for another reason such as undeliverability of a site or sites) then this should trigger a review of this DPD.

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## Strategic Policy GT1 – Overall Need

The following levels of development will be planned for and provided within Nuneaton and Bedworth Borough between 2021 and 2037:

- At least 6 permanent residential pitches to accommodate Gypsies and Travellers by 2025 and
- At least a further 5 permanent residential pitches beyond those required by 2025 so that, in total, at least 11 permanent residential pitches to accommodate Gypsies and Travellers by 2037.

This Policy supersedes the third bullet point of DS4 of the adopted Borough Plan (2011-31).

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## 4.0 Location of Pitches

### Green Belt

- 4.1 Two of the sites to receive new pitches are within the Green Belt, namely Sunrise Cottage and The Old Nursery. Nuneaton and Bedworth Borough sits within the wider West Midlands Green Belt and Green Belt forms a large part of the borough. The Green Belt is mostly located to the south of Nuneaton, but also surrounds the main areas of Bedworth, Bulkington, and Ash Green. Nationally, the government attaches great importance to the Green Belt. The five key purposes of Green Belts are:
- to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns merging into one another;
  - to assist in safeguarding the countryside from encroachment;
  - to preserve the setting and special character of historic towns; and
  - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 4.2 Alterations to the Green Belt boundary are only approved in exceptional circumstances and must be done during the local plan making process. In reviewing land to be released from the Green Belt for development, the exceptional circumstances should be weighed up against any potential adverse effects on the overall integrity of the Green Belt, according to an assessment of the whole of the Green Belt based around the five purposes set out above. Traveller sites are inappropriate development in the Green Belt. Furthermore, subject to the best interests of the child, personal circumstances, and unmet need Traveller sites in the Green Belt are unlikely to clearly outweigh harm to the Green Belt.
- 4.3 Sunrise Cottage and The Old Nursery are not currently being considered for the removal of their Green Belt status. The removal of the two sites from the Green Belt would not be consistent with Policy DS7 of the current Borough Plan (and would be noncompliant with Regulation 8(4) of the 2012 Regulations) which is the Part 1 plan. Notwithstanding this, the Borough Plan is currently being reviewed and the Green Belt status of these two sites may be revisited, if necessary, when the Borough Plan is updated as part of a wider review of the Green Belt. However, the Site Assessments and the Green Belt document explains how the Green Belt sites may be considered suitable for development subject to meeting national policy for the Green Belt.
- 4.4 If future planning applications on these sites are considered to be inappropriate development in the Green Belt, then it would be necessary to demonstrate 'very special circumstances' in accordance with the
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Framework. In this regard, the allocation of these sites for new Gypsy and Traveller pitches in this DPD will be an important consideration in any such assessment.

### Sustainability

- 4.5 Beyond the issue of the Green Belt, which is a significant matter, there are other factors that may need consideration for the locating of new Gypsy and Traveller pitches. Sites should have reasonable access to services, such as shops, schools, GP surgeries, and pharmacies, and this access should be capable of being done by modes of transport other than private car. Walking is the easiest and cheapest way to access services and thus is the focus for accessibility. However, many of the current sites are limited by their options for modes of travel.
- 4.6 Sites should also avoid locations that would impact upon land that has been designated for its interest, so, sites of ecological, heritage, or geological value. Similarly, contaminated land, land prone to flooding, and land in a sensitive landscape should also be avoided. These and other criteria for selecting new Gypsy and Traveller sites are set out in Policy GT2 – Strategy.

### Locational Strategy

- 4.7 The fundamental purpose of the Gypsy and Traveller Site Allocations DPD is to allocate land to provide for the number of pitches identified for the required need to 2037. The Issues and Options consultation draft proposed four strategies for allocating new pitches. These were all assessed within the accompanying sustainability appraisal and two of the options were found to be the most sustainable, namely the following:
- A. Seek to allocate new pitches firstly within the permitted area of existing sites and/or adjacent to these sites, then based on walking distances to services, and then by existing Policy H3.
  - D. Seek to allocate new pitches firstly within the permitted site area of existing sites, then adjacent to these existing pitches, then based on the criteria set out in the latter part of the policy.
- 4.8 Respondents to the issues and options selected only options A and D – with an even split of numbers to these two options from respondents. Options A and D – the first difference is that option A uses extant Policy H3 to assess sites at the outset whilst option D only uses extant Policy H3 once insufficient sites have been found via other means. The second difference is that option D separates out the permitted areas of existing sites from land adjacent to existing sites whereas option A does not and treats them together. It is considered that option D should form the basis of the

allocation of new pitches as it allows for the consideration of the permitted site area of existing sites first (and in isolation) and this has the potential for the least impact. However, in hindsight, the use of the word 'adjacent' could give rise to some ambiguity and the word 'adjoining' will be used instead to emphasise that there should be a physical relationship between the new and the existing. It should be noted that should planning applications be made for new pitches on unallocated sites then the strategic policy in this DPD would be used as the starting point to assess their suitability.

- 4.9 Policy GT2 identifies that new Gypsy and Traveller pitches will generally be supported within the sites allocated within GT3 or within the permitted area of existing lawful, authorised Gypsy and Traveller sites. In addition, to ensure that consideration is given to sustainability, any new sites that come forwards within the urban area (as shown within the settlement boundary of Policy DS2 of the Borough Plan). In addition, land adjoining the permitted area of existing lawful, authorised Gypsy and Traveller sites will be considered as long as these are in proportion appropriate to the scale of the existing site. The intention is to supersede entirely Policy H3 in the current adopted Plan (2011 – 2031). Within the emerging Borough Plan (2024 – 2039) emerging Policy H3 will simply signpost to the adopted DPD for guidance on any new pitches or plots.

### Strategic Policy GT2 – Strategy

Planning permission will be granted for new Gypsy and Traveller pitches subject to compliance with other policies of the development plan and with national policy, including in relation to Green Belt, on the following land:

- a) Sites allocated in Policy GT3 or within the permitted area of existing lawful, authorised Gypsy and Traveller sites;
- b) Sites within the urban area (as shown within the settlement boundary of Policy DS2 of the Borough Plan);
- c) Extensions adjoining the permitted area of existing lawful, authorised Gypsy and Traveller sites that are proportionate in scale to the existing site.

Any proposed sites considered must comply with all of the following:

- a) The site should have reasonable access to essential services including health and education facilities and access to local shops;
- b) The number of pitches or plots is in proportion to the size and scale of the site;
- c) The number of pitches or plots is in proportion to the size and density of the nearest settled community;
- d) The site is not located in areas of high flood risk;

- e) The site avoids adverse impact on historic and important open spaces, landscape or local nature conservation designations, ecology and biodiversity assets;
- f) The site is located where the privacy, visual and residential amenity for both site residents and neighbouring land uses are protected;
- g) The site has suitable access to the highway network;
- h) The site is located where air or noise pollution will not significantly affect the health and well-being of site residents; and
- i) The site has suitable connection to the foul sewage system or can demonstrate that connection is unviable and alternative arrangements can be made.

This Policy supersedes Policy H3 of the adopted Borough Plan (2011-31).

- 4.10 Where alternative methods for foul water treatment such as septic tanks or cesspits are required; consent will be required from the Environment Agency for an Environmental Permit (Regulations 2016). This is to enable the discharge of polluting substances (including sewage effluent) into surface waters or the ground. It is the Applicants responsibility to make the appropriate enquiries regarding any Environmental Permit requirements. (Environmental Permitting Guidance can be found at: <https://www.gov.uk/environmental-permit-check-if-you-need-one>)

#### Allocation of Sites

- 4.11 Using the strategy above as the basis for allocating new pitches, the starting point is within existing sites. The 2021 GTAA identified two privately owned sites within the Borough which had the potential to accommodate new additional pitches within their existing approved extent. These are Winter Oak, Watling Street, Nuneaton and Sunrise Cottage, Mile Tree Lane, Bulkington. The GTAA indicated that these could accommodate up to 11 additional pitches. These have been independently assessed and it was concluded that they could accommodate 9 additional pitches without detriment to the existing occupiers. The sites have also been assessed by the Council, with input from key technical stakeholders, and there are no outright technical reasons why this form of development would be unacceptable in these locations (this can be viewed in the 'Site Assessments and the Green Belt' document).
- 4.12 The 2021 GTAA also identified another site that had the potential to accommodate new pitches through the physical expansion of the site. This was the privately owned site at Fella's Acre, Mile Tree Lane, Bulkington which it was considered could accommodate an additional two pitches. This was also independently assessed and following this the site was deemed to be unsuitable for expansion – mainly relating to deliverability. However, the

landowner expressed an interest in developing another site for new pitches, namely The Old Nursery, Parrotts Grove, Coventry. This has been independently assessed and it was concluded that the site could be developed to provide five to six new pitches. The site has also been assessed by the Council, with input from key technical stakeholders, and there are no outright technical reasons why this form of development would be unacceptable in this location.

- 4.13 The number of pitches provided by the three sites found acceptable for allocation would provide 14-15 pitches which would, firstly, meet the minimum 11 pitches required and, secondly, build in some resilience should the anticipated levels of turnover at The Griff not take place.
- 4.14 To support the production of this document the Council ran a call for sites between 17<sup>th</sup> September 2021 and 22<sup>nd</sup> October 2021 which included Gypsy and Traveller sites. No sites were put forward for this type of use as a result of this call for sites. Therefore, the three assessed independently for the Council remain the only sites for consideration.
- 4.15 Further to the independent assessment and the Council's 'Site Assessments and the Green Belt' document the sites (and the policies) were assessed in the Sustainability Appraisal Report and the Habitats Regulations Assessment. This latter document is a risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The Habitats Regulations Assessment concludes that due to the location of the allocated sites and the general absence of realistic linking impact pathways that there would be no likely significant effects on either Ensor's Pool Special Area of Conservation (SAC) or the River Mease SAC either alone or in combination.
- 4.16 The need for new Gypsy and Traveller pitches set out in Strategic Policy GT1 – Overall Need is for at least 11 permanent residential pitches to accommodate Gypsies and Travellers. The sites that have been found acceptable to allocate would provide up to 15 pitches at three locations and these are set out in Policy GT3 – Site Allocations. Below the policy an accompanying plan is provided showing the area to which the allocation relates.
- 4.17 As a result of the assessments of the sites a number of matters are considered important for any subsequent planning application to address, and these have been set out as key development requirements in the relevant policy. The basis of these principles are the responses received

during the informal consultation with key technical stakeholders on the three sites (the details of which can be viewed in the supporting 'Site Assessments and the Green Belt' document) and analysis of the site's context.

- 4.18 It is considered that to make additional use of the accesses at The Old Nursery and Sunrise Cottage sites some key development principles are required to ensure the use of the access is safe. Related to this is a requirement to ensure any new layout encompasses suitable bin storage to ensure these do not end up being stored outside the site. The sites have been assessed against the Wildlife Assessment Check tool as advised by the Open Spaces and Green Infrastructure SPD and in all cases a Preliminary Ecological Assessment is required to ascertain if further ecological survey work is required. The sites of Winter Oak and The Old Nursery both have boundary hedgerows and these help in reducing the site's impact on the local landscape and, thus, any development of the site should not result in these being affected.
- 4.19 The 'Designing Gypsy and Traveller sites: good practice guide' of 2008, although withdrawn on 1<sup>st</sup> September 2015 and replaced by the 'Planning policy for Traveller sites' document remains a useful guide setting out broad principles to consider in Traveller and Gypsy sites. With regard to communal recreation areas for children the good practice guide set out that it is considered that such areas should be provided where suitable provision is not available within walking distance on a safe route or using easily accessible public transport.
- 4.20 The independent assessment of the sites highlighted that the site at Sunrise Cottage already had provision of a small play area within the site. The Winter Oak site does not but on the other side of the A5 land is being developed for residential uses (reference 034076) which includes a play area, and this would be accessible nearby and thus provision within the site is not considered essential. However, the new site at The Old Nursery has no obvious communal play area in proximity to it and, thus, should be provided within the site – the independent assessment set out that there was sufficient space to accommodate it.
- 4.21 The matter of flooding is not addressed because at this time it is not considered to be relevant as sites are in flood zone 1 and there is no indication that they suffer inundation. However, climate change means that this could change and should this be the case then extant Policy NE4 – Managing flood risk and water quality (Borough Plan) would be used.



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## Policy GT3 – Site Allocations

Planning permission will be granted for new Gypsy and Traveller pitches at the following sites and as denoted with a solid red line on the accompanying site plans:

GTSA1 – Sunrise Cottage for three additional pitches within the existing site as shown as a solid red line on the accompanying plan.

GTSA2 – The Old Nursery for five to six new pitches within the site as shown as a solid red line on the accompanying plan.

GTSA3 - Winter Oak for six additional pitches within the existing site as shown as a solid red line on the accompanying plan.

### Key Development Requirements

Planning applications at the allocated sites shall contain the details as set out below:

#### GTSA1 – Sunrise Cottage

- Provision of visibility splays of 160 metres.
- Suitable bin collection points should be provided within the site so that bins are not stored within the highway.
- Preliminary Ecological Assessment.
- Where possible foul sewage for new pitches/plots should connect to existing foul mains drainage. Where connection to mains drainage is not possible, the potential impact on the water environment will need to be considered.

#### GTSA2 – The Old Nursery

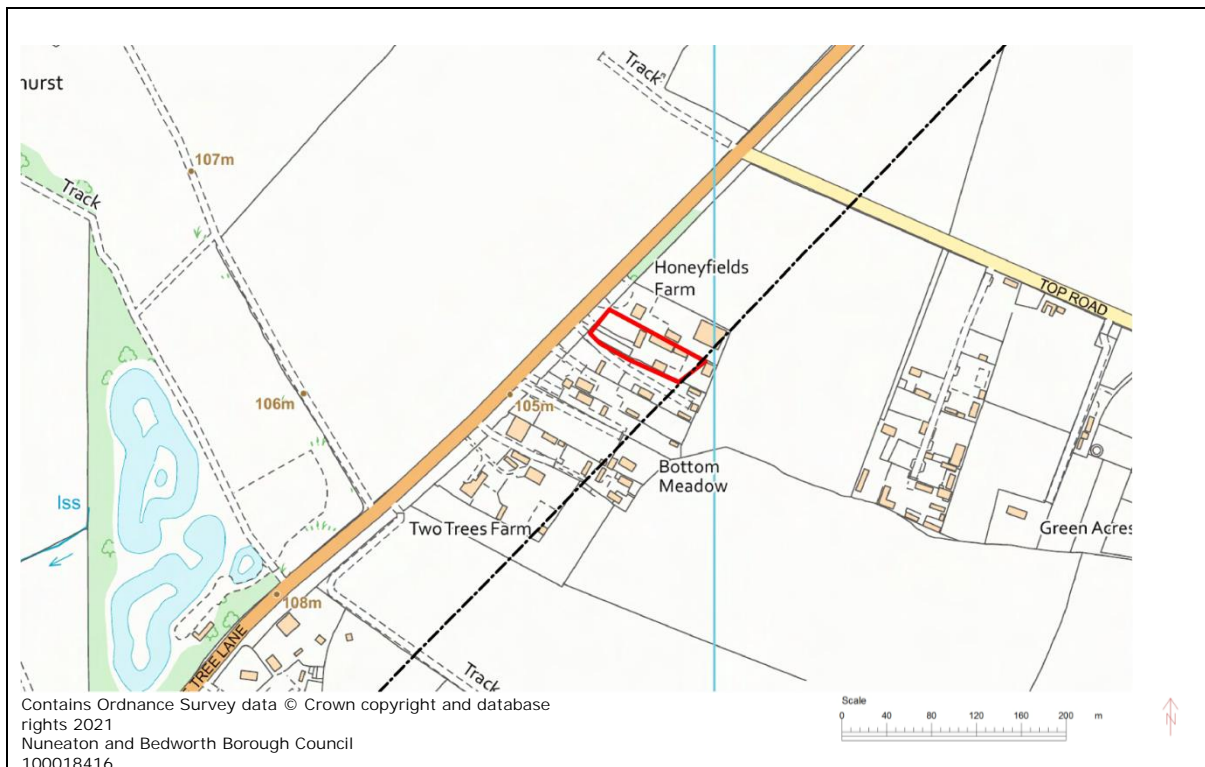
- Closure of the northern access within the site.
- Access to be made in and out of the site from the southern access within the site.
- Configuration of an access that allows for sufficient manoeuvring room for any vehicles entering/exiting the site.
- Any gates within the access to be setback sufficient distance to allow any vehicle entering the site to exit the highway completely whilst the gates are opened or closed.
- Provision of visibility splays of 160 metres.
- Suitable bin collection points should be provided within the site so that bins are not stored within the highway.
- Landscaping of the site boundary to soften the appearance of the pitches from external views.

- Preliminary Ecological Assessment.
- Retention of existing boundary vegetation.
- Provision of communal play area within the site.
- Address any contamination on the site.
- Where possible foul sewage for new pitches/plots should connect to existing foul mains drainage. Where connection to mains drainage is not possible, the potential impact on the water environment will need to be considered.

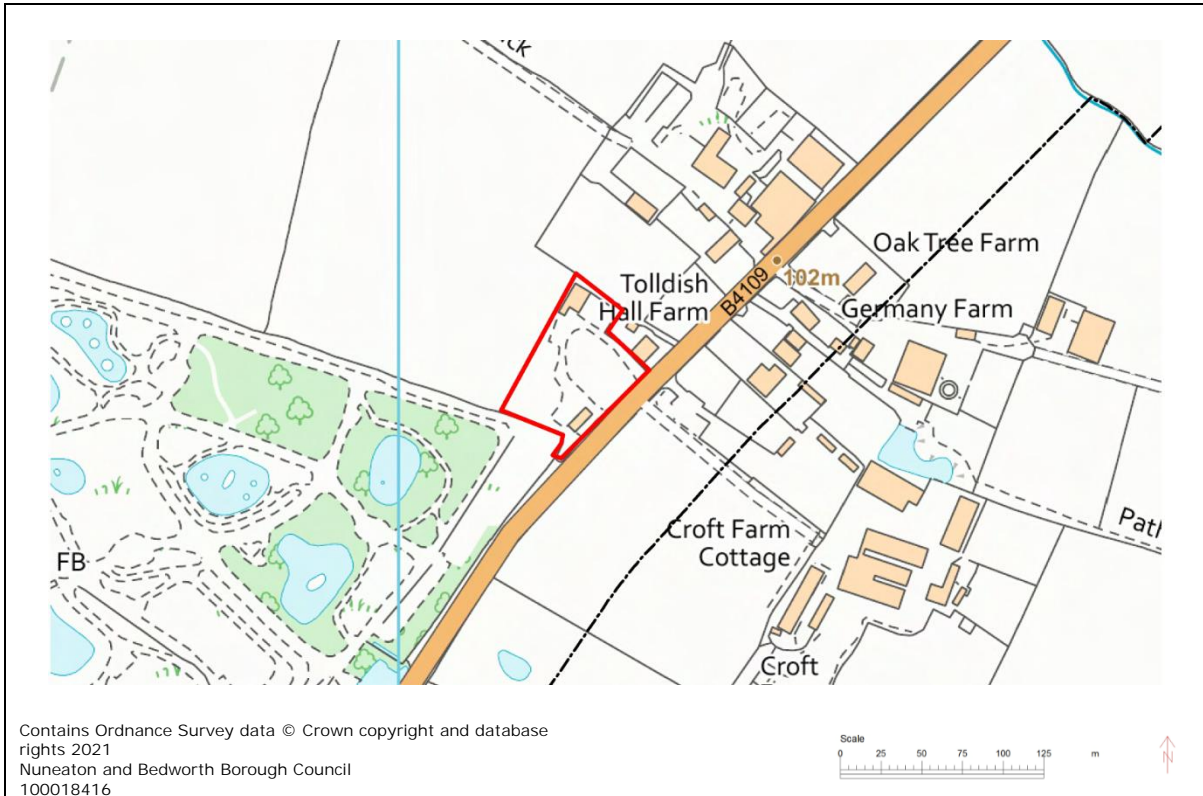
GTSA3 – Winter Oak

- Suitable bin collection points should be provided within the site so that bins are not stored within the highway.
- Preliminary Ecological Assessment.
- Retention of existing boundary vegetation.
- Provision of communal play area within the site.
- Ensure air and noise quality to future residents of the site is acceptable.
- Where possible foul sewage for new pitches/plots should connect to existing foul mains drainage. Where connection to mains drainage is not possible, the potential impact on the water quality will need to be considered.

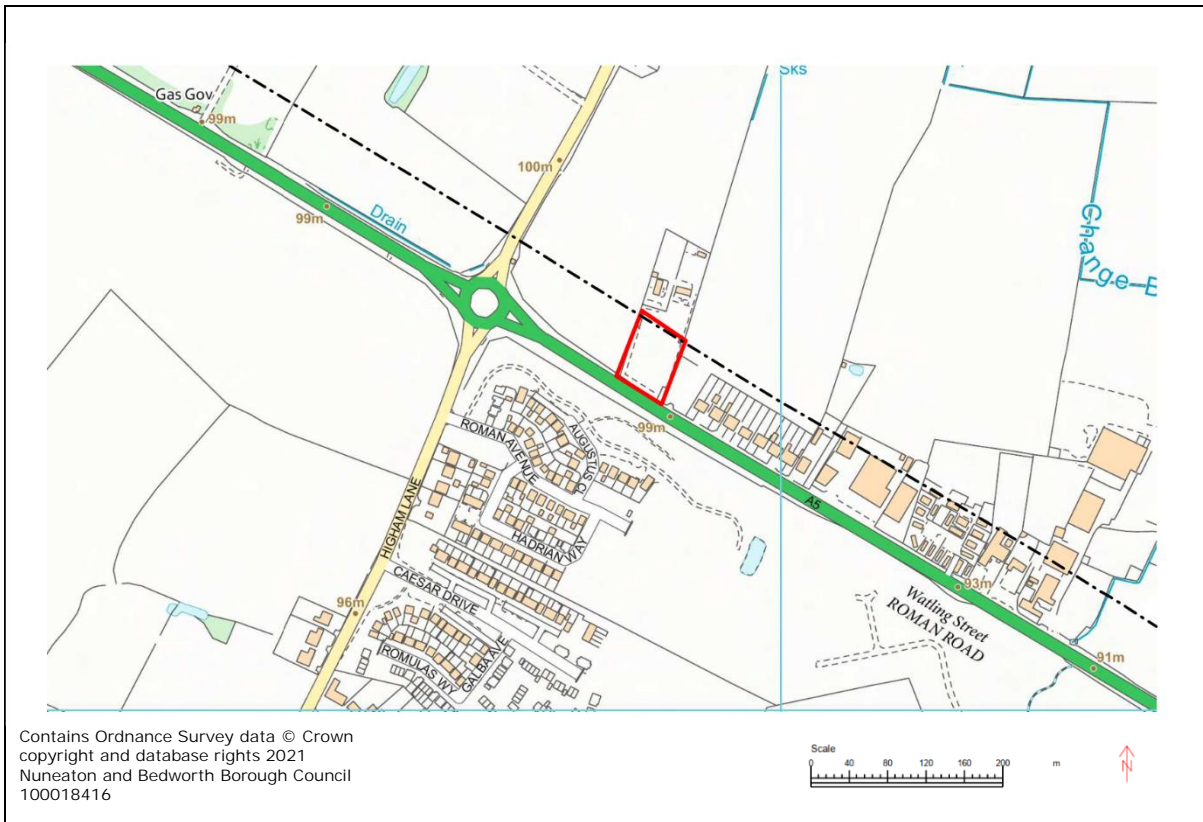
GTSA1 – Sunrise Cottage



G TSA2 – The Old Nursery



GTSA3 – Winter Oak



4.22 For site GTSA3 – Winter Oak, it is suggested that prior to any submission of a planning application, that the Applicant contacts National Highways to discuss the access and the information they may require to be submitted for any formal submission. In addition, for this particular site, an Air Quality Exposure Assessment and Noise Assessment may be required to determine any formal planning application to inform of any mitigation required.

Policy GT4 – Site Safeguarding

The Travelling Showpeople site at Spinney Lane/Whittleford Road, Nuneaton as denoted on plan GTSA4 with a solid red line will be safeguarded for use by Travelling Showpeople.

Alternative uses will only be permitted if it is clearly demonstrated that the site is no longer required for Travelling Showpeople accommodation.

GTSA4 – Spinney Lane/Whittleford Road, Nuneaton



4.23 As well as the allocation of sites for new Gypsy and Traveller pitches the Council has considered the ongoing need for a Travelling Showperson’s yard within the Borough, currently at Spinney Lane/Whittleford Road, Nuneaton. This is the only such type of accommodation in Warwickshire and thus has considerable importance to the County as an asset and also by ensuring continuity and availability of these plots within the Borough it contributes towards provision. The issues and options consultation document proposed the safeguarding of the site for its current use given its special status in the County. Comments were sparse on this matter, but no responses were received stating that safeguarding of this site for this purpose was

incompatible with surrounding land uses or unacceptable. The Habitats Regulations Report and the Sustainability Appraisal Report both conclude that there would be no significant adverse impacts from the identified land continuing to be used for its current use.

## 5.0 Monitoring

- 5.1 The Council produces annually an Authority Monitoring Report (AMR). Within the AMR the performance of the policies in the Borough Plan are reported as well as those in other DPDs (Development Plan Documents). Therefore, the AMR will need to report on the policies of the performance of this DPD once it has been adopted. Table 3 below sets out the indicators and targets that will be used to monitor the policies of this DPD.

Table 3 - Monitoring indicators and targets for the policies of the Gypsy and Traveller Site Allocations Development Plan Document (DPD).

Policy	Indicator	Target
Strategic Policy GT1 – Overall Need	Monitor the continued need for additional pitches.	Within five years of adoption of this DPD undertake a new Gypsy, Traveller, and Showpeople Accommodation Assessment.
Strategic Policy GT2 – Strategy	Sites permitted in accordance with the criteria mentioned in policy GT2.	100%. Timescales as below.
Policy GT3 – Site Allocations	Monitor the supply and delivery of allocated sites and report annually through the Authority Monitoring Report. Contact the proposed sites on a yearly basis after the AMR to encourage the sites to come forwards and answer any concerns the owners may have on bringing the sites forwards at that time.	A minimum of six additional residential pitches permitted and available for use by 2025 and a minimum of 11 additional residential pitches permitted and available by 2037.
Policy GT4 – Site Safeguarding	Monitor the use of the safeguarded site.	The identified site at Spinney Lane/Whittleford Road, Nuneaton to remain used for Travelling Showpeople unless it is clearly demonstrated that the site is no longer required for Travelling Showpeople accommodation.

## Appendix 1

Relationship between the policies in this DPD and the extant Borough Plan.

Existing Borough Plan policies	Effect of Gypsy and Traveller Site Allocations DPD policies
Policy DS4 – Overall development needs (third bullet point only).	Superseded by Strategic Policy GT1 – Overall Need.
Policy H3 – Gypsies and Travellers.	Superseded by Strategic Policy GT2– Strategy.

For reference Policy DS4 Overall development needs should now read:

*The following levels of housing and employment development will be planned for and provided within Nuneaton and Bedworth Borough between 2011 and 2031:*

- *At least 14,060 homes*
- *At least 107.8 ha of employment land*
- ~~*At least 39 residential pitches and 5 transit pitches to accommodate Gypsies and Travellers*~~



# **Nuneaton & Bedworth Gypsy and Traveller Site Allocations DPD**

**Inspector: Thomas Hatfield BA (Hons) MA MRTPI**

**Programme Officer: Helen Wilson**

**Reference: PINS/W3710/429/5**

## **CD 6.2 - Schedule of Main Modifications**

(Further Additional Modifications are provided in CD 6.3).

**June 2023**

This document (CD 6.2) provides details of the Main Modifications that are recommended by the Inspector to make the DPD sound and legally compliant.

The Additional Modifications found in the separate document (CD 6.3) are those which do not materially affect the Policies in the DPD, but which are generally minor factual updates; corrections of any errors or which are considered necessary for clarity.

Main Modification Reference	DPD Sub Section/ Paragraph/Policy box/table/Page number of amended DPD	Proposed Main Modification. (New words added in bold and underlined. Deletions stricken through.)	Reasons for modification
MM1	'1.0 Introduction'/ Paragraph1.2/ Page 1	Alter minor wording and add text at end of paragraph to read: "1.2 Policies DS4 – Overall development needs and H3 – Gypsies and Travellers set out the need for new pitches by 2031/2032 to be at least 39 residential and 5 transit pitches. Policy H3 does not set out where the new pitches would be provided but sets out the criteria that will be used to identify potential locations for residential and permanent pitches through the Gypsy and Traveller Site Allocations Development Plan Document (DPD). It is through this DPD that land <u>is</u> identified and allocated for future traveller sites. <b><u>Policy H3 of the current adopted Borough Plan (2011-2031) is superseded entirely by the DPD and in the emerging Borough Plan Policy H3 will purely refer to the DPD for Policies relating to Gypsy, Travellers and Showperson pitches and plots.</u></b> "	To make clear that Policy H3 of the current adopted Borough Plan (2011-2031) is superseded by the Gypsy and Traveller Site Allocations DPD. To state that Policy H3 of the emerging Borough Plan will be amended purely to refer to Policies within the Gypsy and Traveller Site Allocations DPD.
MM2	'3.0 Need/Future Need'/ Paragraph 3.9/ Page 7	Add text within paragraph to read: "3.9 In the 2021 GTAA it is recommended that the <i>"...evidence base is refreshed on a 5-yearly basis to ensure that the level of pitch and pitch provision remains appropriate for the Gypsy, Traveller and Travelling Showpeople population across Nuneaton and Bedworth."</i> This is an important element of confirming that the need in this DPD remains as required. <b><u>It is therefore the Council's intention that the number of new pitches will be assessed each year at the Authority</u></b>	To clearly set out what will be carried out at the AMR stage in order to encourage sites coming forwards and when the DPD will be reviewed.

		<p><b><u>Monitoring Report (AMR) stage and landowners contacted to encourage the sites to come forwards. The DPD will be reviewed five years after adoption and subsequently five years thereafter on an ongoing basis, to ensure the document meets the current needs.</u></b> The update of the GTAA is referenced in Table 3 of Chapter 5.0 on Monitoring of this document. Should need be found to have changed beyond that set out in this DPD (or indeed for another reason such as undeliverability of a site or sites) then this should trigger a review of this DPD.”</p>	
MM3	Strategic ‘Policy GT1 – Overall Need’/ Page 8	<p>Add text at end of Policy to read:  “The following levels of development will be planned for and provided within Nuneaton and Bedworth Borough between 2021 and 2037:</p> <ul style="list-style-type: none"> <li>• At least 6 permanent residential pitches to accommodate Gypsies and Travellers by 2025; and</li> <li>• At least a further 5 permanent residential pitches beyond those required by 2025 so that, in total, at least 11 permanent residential pitches to accommodate Gypsies and Travellers by 2037.</li> </ul> <p><b><u>This Policy supersedes the third bullet point of Policy DS4 of the adopted Borough Plan (2011-31).”</u></b></p>	<p>To make clear that the numbers for pitches within the existing Borough Plan (2011-2031) and the period of cover.</p> <p>This modification is also necessary to clarify which section of the existing Local Plan is superseded by the DPD.</p>
MM4	‘4.0 Location of Pitches’/ Under new sub section ‘Green Belt’/ Paragraph 4.3 and new paragraph 4.4/ Pages 9 and 10	<p>Delete whole paragraph as follows:  “4.3 <del>Notwithstanding the above, of all the occupied pitches, and plots on site/yards for gypsies and travellers all but one (that at Watling Street) are within the Green Belt including the local authority provision at Griff. The</del></p>	<p>Clarity of the position of the sites in relation to Green Belt Policy and to be consistent with existing Borough Plan.</p>

		<p>travelling showperson's yard is also outside of the Green Belt.”</p> <p>Replace paragraph 4.3 to read:</p> <p><b><u>“4.3 Sunrise Cottage and The Old Nursery are not currently being considered for the removal of their Green Belt status. The removal of the two sites from the Green Belt would not be consistent with Policy DS7 of the current Borough Plan (and would be noncompliant with Regulation 8(4) of the 2012 Regulations) which is the Part 1 plan. Notwithstanding this, the Borough Plan is currently being reviewed and the Green Belt status of these two sites may be revisited, if necessary, when the Borough Plan is updated as part of a wider review of the Green Belt. However, the Site Assessments and the Green Belt document explains how the Green Belt sites may be considered suitable for development subject to meeting national policy for the Green Belt.</u>”</b></p> <p>Add complete new paragraph to read:</p> <p><b><u>“4.4 If future planning applications on these sites are considered to be inappropriate development in the Green Belt, then it would be necessary to demonstrate ‘very special circumstances’ in accordance with the Framework. In this regard, the allocation of these sites for new gypsy and traveller pitches in this DPD will be an important consideration in any such assessment.”</u>”</b></p>	
MM5	‘4.0 Location of Pitches’/ Now under new sub section	<p>Amend and add to paragraph to read:</p> <p>“4.6 Sites should also avoid locations that would impact upon land that has been designated for its interest, so, sites of</p>	Reference to Policy H3 removed as to be superseded. Instead

	'Sustainability'/ Previously Paragraph 4.5 now 4.6/ Page 10	ecological, heritage, or geological value. Similarly, contaminated land, land prone to flooding, and land in a sensitive landscape should also be avoided. These and other criteria for selecting new gypsy and traveller sites are set out in Policy H3— <del>Gypsies and Travellers of the current Borough Plan.</del> <b><u>GT2 Strategy.</u></b>	refers to Policies within DPD.
MM6	'4.0 Location of Pitches'/ under sub section 'Locational Strategy'/ Previously Paragraph 4.6 now 4.7/ Page 10	Delete, add and amend some wording in paragraph as follows: "4.7 The fundamental purpose of the Gypsy and Traveller Site Allocations DPD is to allocate land to provide for the number of pitches identified as <del>the need by 2036/37.</del> <b><u>for the required need to 2037.</u></b> The Issues and Options consultation draft proposed four strategies for allocating new pitches. These were all assessed within the accompanying sustainability appraisal and two of the options were found to be the most sustainable, namely the following: A. Seek to allocate new pitches firstly within the permitted area of existing sites and/or adjacent to these sites, then based on walking distances to services, and then by existing Policy H3. D. Seek to allocate new pitches firstly within the permitted site area of existing sites, then adjacent to these existing pitches, then based on <del>walking distances to services. Use existing Policy H3 only once sites have been allocated by any of the other means and then only if insufficient has been allocated.</del> <b><u>the criteria set out in the latter part of the policy.</u></b> "	Make clear the cover period of the DPD. Remove reference to acceptability of walking distance as the location of the sites is unable to comply with this.
MM7	'4.0 Location of Pitches'/ under sub section 'Locational	Amend typing error from 'of' to "is". Delete one sentence to read:	To remove reference to the future use of

	Strategy'/Previously Paragraph 4.7 now 4.8/ Pages 10-11	<p>“4.8 Respondents to the issues and options selected only options A and D – with an even split of numbers to these two options from respondents. Options A and D – the first difference is that option A uses extant Policy H3 to assess sites at the outset whilst option D only uses extant Policy H3 once insufficient sites have been found via other means. The second difference if <u>is</u> that option D separates out the permitted areas of existing sites from land adjacent to existing sites whereas option A does not and treats them together. It is considered that option D should form the basis of the allocation of new pitches as it allows for the consideration of the permitted site area of existing sites first (and in isolation) and this has the potential for the least impact. However, in hindsight, the use of the word ‘adjacent’ could give rise to some ambiguity and the word ‘adjoining’ will be used instead to emphasise that there should be a physical relationship between the new and the existing. Also, another benefit of using option D is that Policy H3 is only used as a fallback if insufficient pitches have been found via other means rather than from the outset. It should be noted that should planning applications be made for new pitches on unallocated sites then the strategic policy in this DPD would be used as the starting point to assess their suitability.”</p>	Policy H3 of extant Borough Plan.
MM8	‘4.0 Location of Pitches’/ under sub section ‘Locational Strategy’/ Previously Paragraph 4.8	<p>Delete whole paragraph as follows:  “4.8 <del>In terms of walking distances to services a number of different ways in which this could be measured were suggested in the issues and options document and these ranged from 2-3 miles for school to 800 metres to a town centre. The intermediate distance was 1.6 kilometres to</del></p>	Remove reference to walking distance of sites to services to reflect revised policy wording

		<p>GPs (General Practitioners) and pharmacies. Given the above range of different ways to measure walking distances to specific services and that, ideally, access should be all of these, it seems a good compromise to use the intermediate distance, and this shall be used within the strategic policy.”</p>	
MM9	<p>‘4.0 Location of Pitches’/under sub section ‘Locational Strategy’/ Paragraph 4.9/ Page 11</p>	<p>Omit and amend wording to read:  “4.9 <del>Based on the above the strategy is a tiered approach whereby land that is being developed for new pitches will be assessed against the three priority land uses. In terms of allocations, land will be allocated in the order set out in the policy so that the priority will be to allocate land that meets priority one in the first instance. If insufficient pitches to meet the Borough’s needs are found to be acceptable then land use priority two will be used and then land use priority three. If insufficient remains allocated, then Policy H3 will be used. In terms of planning applications these are standalone parcels of land that cannot be dealt with by the same process and, thus, any of the three priority land uses would be acceptable subject to all other matters of the proposal being found acceptable. Policy H3 of the extant Borough Plan is only utilised if there is insufficient provision to meet the identified need for new pitches. <b><u>Policy GT2 identifies that new gypsy and traveller pitches will generally be supported within the sites allocated within GT3 or within the permitted area of existing lawful, authorised gypsy and traveller sites. In addition, to ensure that consideration is given to sustainability, any new sites that come forwards within the urban area (as shown within the settlement boundary of</u></b></del></p>	<p>Deleted reference to H3 of the extant Borough Plan and to clarify the criteria in GT2 and GT3 is instead used for allocating acceptable sites.</p>



		<p><b><u>Policy DS2 of the Borough Plan). In addition, land adjoining the permitted area of existing lawful, authorised gypsy and traveller sites will be considered as long as these are in proportion appropriate to the scale of the existing site. The intention is to supersede entirely Policy H3 in the current adopted Plan (2011 – 2031). Within the emerging Borough Plan (2024 – 2039) emerging Policy H3 will simply signpost to the adopted DPD for guidance on any new pitches or plots.”</u></b></p>	
MM10	Strategic ‘Policy GT2 Strategy’/ Pages 11 and 12	<p>Amend, omit, and add to read:  “Planning permission will be granted for new gypsy and traveller pitches subject to compliance with other policies of the development plan <b><u>and with national policy including in relation to Green Belt</u></b> in the following priority land uses <b><u>on the following land:</u></b></p> <ul style="list-style-type: none"> <li>a) <b><u>Sites allocated in Policy GT3 or</u></b> within the permitted area of existing lawful, authorised gypsy and traveller sites; <del>or</del></li> <li>b) <b><u>Sites within the urban area (as shown within the settlement boundary of Policy DS2 of the Borough Plan);</u></b> <del>or</del></li> <li>c) <del>then land adjoining the permitted area of existing lawful, authorised gypsy and traveller sites; ___</del> d) <del>then land within 1.6 kilometres of appropriate services, such as schools, GP surgeries, shops, and these services being capable of being accessed safely by foot. <b><u>Extensions adjoining the permitted area of existing lawful, authorised gypsy and traveller sites that are proportionate in scale to the existing site.</u></b></del></li> </ul>	<p>See note above. Instead of having to demonstrate the priority land uses all the criteria is equally acceptable. Thus, negating a staged approach to the criteria.</p>

**Any proposed sites considered must comply with all of the following:**

- a) **The site should have reasonable access to essential services including health and education facilities and access to local shops;**
- b) **The number of pitches or plots is in proportion to the size and scale of the site;**
- c) **The number of pitches or plots is in proportion to the size and density of the nearest settled community;**
- d) **The site is not located in areas of high flood risk;**
- e) **The site avoids adverse impact on historic and important open spaces, landscape or local nature conservation designations, ecology and biodiversity assets;**
- f) **The site is located where the privacy, visual and residential amenity for both site residents and neighbouring land uses are protected;**
- g) **The site has suitable access to the highway network;**
- h) **The site is located where air or noise pollution will not significantly affect the health and well-being of site residents; and**
- i) **The site has suitable connection to the foul sewage system or can demonstrate that connection is unviable and alternative arrangements can be made.**

~~If there is insufficient provision to meet the minimum needs identified in Strategic Policy GT1 – Overall Need then extant Policy H3 – Gypsies and Travellers of the Borough Plan will be used to determine the acceptability of the new development.~~

**This Policy supersedes Policy H3 of the adopted Borough Plan (2011-31)."**

MM11	Supporting text under Strategic 'Policy GT2 Strategy'. Under subheading 'Allocation of Sites'/ Previously Paragraph 4.12 now 4.13/ Page 13	Sentences omitted at beginning of paragraph to read: <del>"4.13 This site does not meet the three bullet points of Strategic Policy GT2 – Strategy but the policy allows for sites in other locations that accord with Policy H3 where the need set out in Strategic Policy GT1 – Overall Need has not been met. The other two sites would provide nine pitches, leaving a shortfall of two pitches to meet the identified need. An assessment of the site against Policy H3 has concluded that the site would be acceptable for allocation. The number of pitches provided by the three sites found acceptable for allocation would provide 14-15 pitches which would, firstly, meet the minimum 11 pitches required and, secondly, build in some resilience should the anticipated levels of turnover at The Griff not take place."</del>	Removed reference to Policy H3 of Borough Plan so reference to this has been removed for clarity.
MM12	Supporting text under Strategic 'Policy GT2 Strategy'. under subheading 'Allocation of Sites'/ Previously Paragraph 4.15 now 4.16/ Page 13	Deleted sentences at end of paragraph to read: <del>"4.16 The need for new gypsy and traveller pitches set out in Strategic Policy GT1 – Overall Need is for at least 11 permanent residential pitches to accommodate Gypsies and Travellers. The sites that have been found acceptable to allocate would provide up to 15 pitches at three locations and these are set out in Policy GT3 – Site Allocations. Below the policy an accompanying plan is provided showing the area to which the allocation relates." Two of the sites are within the Green Belt, namely Sunrise Cottage and The Old Nursery, and these have been found to meet the terms of exceptions and thus allowable development in the Green Belt. The extant proposals map will need to be updated to remove these two sites from the Green Belt.</del>	Omitted the requirement to remove sites from the Green Belt as there is no intention of removing these sites within the extant Borough Plan which would have meant the DPD conflicted with the extant Local Plan.

MM13	Strategic 'Policy GT3 – Site Allocations'/ Pages 15 and 16	<p>Additions to the Policy to read:</p> <p>“Planning permission will be granted for new gypsy and traveller pitches at the following sites and as denoted with a solid red line on the accompanying site plans:</p> <p>GTSA1 – Sunrise Cottage for three additional pitches within the existing site as shown as a solid red line on the accompanying plan.</p> <p>GTSA2 – The Old Nursery for five to six new pitches within the site as shown as a solid red line on the accompanying plan.</p> <p>GTSA3 - Winter Oak for six additional pitches within the existing site as shown as a solid red line on the accompanying plan.</p> <p><u>Key Development Requirements</u></p> <p>Planning applications at the allocated sites shall contain the details as set out below:</p> <p>GTSA1 – Sunrise Cottage</p> <ul style="list-style-type: none"> <li>• Provision of visibility splays of 160 metres.</li> <li>• Suitable bin collection points should be provided within the site so that bins are not stored within the highway.</li> <li>• Preliminary Ecological Assessment.</li> <li>• <b><u>Where possible foul sewage for new pitches/plots should connect to existing foul mains drainage. Where connection to mains drainage is not possible, the potential impact on the water environment will need to be considered.</u></b></li> </ul>	Added requirements that became apparent during the Publication consultation process.
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GTSA2 – The Old Nursery

- Closure of the northern access within the site.
- Access to be made in and out of the site from the southern access within the site.
- Configuration of an access that allows for sufficient manoeuvring room for any vehicles entering/exiting the site.
- Any gates within the access to be setback sufficient distance to allow any vehicle entering the site to exit the highway completely whilst the gates are opened or closed.
- Provision of visibility splays of 160 metres.
- Suitable bin collection points should be provided within the site so that bins are not stored within the highway.
- Landscaping of the site boundary to soften the appearance of the pitches from external views.
- Preliminary Ecological Assessment.
- Retention of existing boundary vegetation.
- Provision of communal play area within the site.
- **Address any contamination on the site.**
- **Where possible foul sewage for new pitches/plots should connect to existing foul mains drainage. Where connection to mains drainage is not possible, the potential impact on the water environment will need to be considered.**

GTSA3 – Winter Oak

		<ul style="list-style-type: none"> <li>• Suitable bin collection points should be provided within the site so that bins are not stored within the highway.</li> <li>• Preliminary Ecological Assessment.</li> <li>• Retention of existing boundary vegetation.</li> <li>• <b><u>Provision of communal play area within the site.</u></b></li> <li>• <b><u>Ensure air and noise quality to future residents of the site is acceptable.</u></b></li> <li>• <b><u>Where possible foul sewage for new pitches/plots should connect to existing foul mains drainage. Where connection to mains drainage is not possible, the potential impact on the water quality will need to be considered.”</u></b></li> </ul>	
MM14	Strategic ‘Policy GT4 – Site Safeguarding’/ Page 19	<p>Amend and omit some wording to read:  “The travelling showpeople site at Spinney Lane/Whittleford Road, Nuneaton as denoted on plan GTSA4 with a solid red line will be safeguarded for use by travelling showpeople.</p> <p>Alternative uses will <b><u>only</u></b> be permitted if it is <b><u>clearly demonstrated</u></b> <del>proven that either there is no longer a requirement</del> <b><u>the site is no longer required</u></b> for travelling showpeople accommodation.” <del>or that an alternative site for travelling showpeople is available within Warwickshire.</del></p>	Reworded Policy in order to require demonstration if the site is no longer required and deleted reference to the removal of the protection in the event a new site is located in Warwickshire which is unlikely to happen.
MM15	‘5.0 Monitoring’/Table 3/ Page 21	<p>Omit and amend some wording in the table to read:  “Table 3 - Monitoring indicators and targets for the policies of the Gypsy and Traveller Site Allocations Development Plan Document (DPD).</p>	Make clearer the monitoring process and requirement for a new Accommodation Assessment Survey to see if the number of

			Policy	Indicator	Target	
			Strategic Policy GT1 – Overall Need	Gypsy and traveller accommodation.	11 residential pitches Provided.	pitches has changed and therefore requires amending. Amend wording to replicate the wording within Policy GT4.
				Monitor the continued need for additional pitches.	Within five years of adoption of this DPD undertake a new Gypsy, Traveller, and Showpeople Accommodation Assessment.	
			Strategic Policy GT2 – Strategy	Sites permitted in accordance with the <u>policy criteria mentioned in policy GT2.</u>	100%. <u>Timescales as below.</u>	

			<p>Policy GT3 – Site Allocations</p> <p>Monitor the supply and delivery of allocated sites and report annually through the Authority Monitoring Report. <b><u>Contact the proposed sites on a yearly basis after the AMR to encourage the sites to come forwards and answer any concerns the owners may have on bringing the sites forwards at that time</u></b></p>	<p>A minimum of six additional residential pitches permitted and available for use by 2025/26 and a minimum of 11 additional residential pitches permitted and available by 2036/37.</p>	
			<p>Policy GT4 – Site Safeguarding</p> <p>Monitor the use of the safeguarded site.</p>	<p>The identified site at Spinney Lane/Whittleford Road, Nuneaton to remain used for travelling showpeople unless it <b>is was</b></p>	



					proven to be no longer required. <b><u>clearly demonstrated that the site is no longer required for travelling showpeople accommodation</u></b>	
MM16	'Appendix 1'/Table/Page 22	Omit and amend some wording to read: "Relationship between the policies in this DPD and the extant Borough Plan.				To make clearer what is to be superseded in the extant Borough Plan when the DPD is adopted.
		<b>Superseded Existing</b> Borough Plan policies		<b>Superseding Effect of</b> Gypsy and Traveller Site Allocations DPD policies		
		Policy DS4 – Overall development needs (third bullet point only).		<b>Superseded by</b> Strategic Policy GT1 – Overall Need.		
		Policy H3 – Gypsies and Travellers. (figures contained in first sentence)		<b>Superseded by</b> Strategic Policy GT1 – Overall Need. GT2 – Strategy" –.		
MM17	'Appendix 1'/ Supporting text to table / Page 22	Add to appendix to read: "For reference Policy DS4 Overall development needs should now read: <b><u>The following levels of housing and employment development will be planned for and provided within Nuneaton and Bedworth Borough between 2011 and 2031:</u></b>				To make clear that reference to pitches in third bullet point of Policy DS4 of the extant Borough Plan is to be deleted.
		<ul style="list-style-type: none"> <li>• <b><u>At least 14,060 homes</u></b></li> <li>• <b><u>At least 107.8 ha of employment land</u></b></li> </ul>				

- |  |  |   |  |
|--|--|---|--|
|  |  | <ul style="list-style-type: none"><li>• <u>At least 39 residential pitches and 5 transit pitches to accommodate Gypsies and Travellers”</u></li></ul> |  |
|--|--|---|--|

## **Nuneaton & Bedworth Gypsy and Traveller Site Allocations DPD**

**Inspector: Thomas Hatfield BA (Hons) MA MRTPI**

**Programme Officer: Helen Wilson**

**Reference: PINS/W3710/429/5**

### **CD 6.3-Schedule of Additional Modifications**

(Main Modifications provided in CD 6.2)

**December 2023**

The separate document (CD 6.2) provides details of the Main Modifications that are recommended by the Inspector to make the DPD sound and legally compliant.

The Additional Modifications found in this document (CD 6.3) are those which do not materially affect the Policies in the DPD, but which are generally minor factual updates; corrections of any errors or which are considered necessary for clarity.

### Additional Modifications considered necessary

Additional Modification Reference	DPD Sub Section/ Paragraph/Policy box/table/Page number of amended DPD	Proposed Main Modification. (New wording added in bold and underlined. Deletions stricken through.)	Reasons for modification
Additional Modification M1	Front page	Omit text as follows: “ <del>Publication consultation draft</del> ”.	Once adopted the document will not be the Publication version or draft.
Additional Modification M2	Front page	Add text as follows: “ <u>2021 – 2037</u> ”	To clarify the cover period proposed.
Additional Modification M3	‘Table of contents’/ Page i	Pages numbers need to be amended once finalised. Delete reference to ‘Conclusion’ from table.	To show changes to the page numbering and the proposed deletion of the conclusion section.
Additional Modification M4	‘1.0 Introduction’/ Paragraph 1.4/ Page 1	Amending wording to read: “1.4 <b><u>This adopted DPD was preceded</u></b> <del>This document is by</del> the Publication <b><u>version</u></b> of the Gypsy and Traveller Site Allocations DPD; <b><u>which was</u></b> <del>this is</del> the formal document as required by Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012. <b><u>This was consulted on between 28<sup>th</sup> January 2022 and 25<sup>th</sup> March 2022.</u></b> A consultation on the previous version of the Gypsy and Traveller Site Allocations DPD, the Issues and Options consultation draft, took place between 11 <sup>th</sup> June 2021 and 6 <sup>th</sup> August 2021. This document was that required by Regulation 18 of The	The original paragraph was for the Publication version during consultation and needs to be changed to reflect the DPD, with modifications agreed with the Planning Inspectorate in order to be adopted.

		Town and Country Planning (Local Planning) (England) Regulations 2012. A consultation statement has been produced which sets out the responses received and how they <u>were</u> <del>have been</del> considered in producing <u>the</u> <del>is next version of the</del> DPD.”	
Additional Modification M5	‘1.0 Introduction’/ Paragraph 1.5/ Page 1	Delete reference to conclusion to read: “1.5 The document is set out in <del>five</del> <b>four</b> subsequent chapters addressing the vision and objectives of the DPD, followed by the need for new pitches, the locations of these new pitches <u>and</u> a monitoring schedule for the DPD.”; <del>and a conclusion.</del>	To delete reference to the conclusion as conclusion has been deleted as not considered necessary.
Additional Modification M6	‘3.0 Need’ under sub section ‘Introduction’/ Paragraph 3.3/ Page 4	Delete last sentence to read: “3.3 Using the requirement for new pitches from the 2021 GTAA as a minimum rather than the higher figures in the extant Borough Plan means that this document will need to supersede the requirements for new pitches set out in Policies DS4 and H3 of the Borough Plan. <del>The Borough Plan is being reviewed and these policies will be looked at, but this process is running behind this document so for an interim period the policy on need in this document will have to take precedence over that in the adopted Borough Plan.</del> ”	Deleted as contradicts paragraph 4.9
Additional Modification M7	‘4.0 Location of Pitches’ under sub section ‘Introduction’/ First sub section title / Page 9	Amend sub section heading from “Introduction” to: “ <b><u>Green Belt</u></b> ”	To make clearer the reference to Green Belt within the document.
Additional Modification M8	‘4.0 Location of Pitches’/Under sub section ‘Green Belt’/ Paragraph 4.1/Page 9	Add to beginning of paragraph to read: “4.1 <b><u>Two of the sites to receive new pitches are within the Green Belt, namely Sunrise Cottage and The Old</u></b>	To make clearer that two of the sites are within Green Belt.

		<p><b>Nursery.</b> Nuneaton and Bedworth Borough sits within the wider West Midlands Green Belt and Green Belt forms a large part of the borough. The Green Belt is mostly located to the south of Nuneaton, but also surrounds the main areas of Bedworth, Bulkington, and Ash Green. Nationally, the government attaches great importance to the Green Belt. The five key purposes of Green Belts are:</p> <ul style="list-style-type: none"> <li>• to check the unrestricted sprawl of large built-up areas;</li> <li>• to prevent neighbouring towns merging into one another;</li> <li>• to assist in safeguarding the countryside from encroachment;</li> <li>• to preserve the setting and special character of historic towns; and</li> <li>• to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”</li> </ul>	
Additional Modification M9	‘4.0 Location of Pitches’/ Heading before Paragraph 4.4 now 4.5/ Page 10	Add subsection heading as follows: “ <b>Sustainability</b> ”.	Added sub section as consideration needed to be given to sustainability of the sites.
Additional Modification M10	‘4.0 Location of Pitches’/Under sub section ‘Sustainability’ and ‘Locational Strategy’/ Paragraphs 4.3 to 4.8/ Pages 9 -11	Paragraphs renumbered.	
Additional Modification M11	‘4.0 Location of Pitches’/Under sub section ‘Sustainability’/ Previously Paragraph 4.4 now Paragraph 4.5/ Page 10	Replace one word to read: “4.5 Beyond the issue of the Green Belt, which is a significant matter, there are other factors that may need consideration for the locating of new gypsy and traveller pitches. Sites should have good <b>reasonable</b> access to	To reflect the wording in Policy GT2

		services, such as shops, schools, GP surgeries, and pharmacies, and this access should be capable of being done by modes of transport other than private car. Walking is the easiest and cheapest way to access services and thus is the focus for accessibility. However, many of the current sites are limited by their options for modes of travel.”	
Additional Modification M12	Supporting text under ‘Strategic Policy GT2 Strategy’/ New paragraph number 4.10/ Page 12	Add new paragraph as follows: <b><u>“4.10 Where alternative methods for foul water treatment such as septic tanks or cesspits are required; consent will be required from the Environment Agency for an Environmental Permit (Regulations 2016). This is to enable the discharge of polluting substances (including sewage effluent) into surface waters or the ground. It is the Applicants responsibility to make the appropriate enquiries regarding any Environmental Permit requirements. (Environmental Permitting Guidance can be found at: <a href="https://www.gov.uk/environmental-permit-check-if-you-need-one">https://www.gov.uk/environmental-permit-check-if-you-need-one</a>”</u></b>	Paragraph required due to response from the Environment Agency to the Publication version.
Additional Modification M13	Supporting text under Strategic ‘Policy GT2 Strategy’. Under subheading ‘Allocation of Sites’/ Paragraphs 4.10 to 4.20/ Pages 12-14	Paragraphs renumbered.	
Additional Modification M14	Supporting text under Strategic ‘Policy GT2 Strategy’. Under subheading ‘Allocation of Sites’. Previously paragraph 4.11 now paragraph 4.12/ Page 12 and 13	Two words deleted to read: “4.12 The 2021 GTAA also identified another site that had the potential to accommodate new pitches <del>but this</del> through the physical expansion of the site. This was the privately owned site at Fella's Acre, Mile Tree Lane, Bulkington	Words deleted as no longer required.



		<p>which it was considered could accommodate an additional two pitches. This was also independently assessed and following this the site was deemed to be unsuitable for expansion – mainly relating to deliverability. However, the landowner expressed an interest in developing another site for new pitches, namely The Old Nursery, Parrotts Grove, Coventry. This has been independently assessed and it was concluded that the site could be developed to provide five to six new pitches. The site has also been assessed by the Council, with input from key technical stakeholders, and there are no outright technical reasons why this form of development would be unacceptable in this location.”</p>	
Additional Modification M15	Previously Paragraph 4.20 now 4.21/ Page 14	<p>Amend wording and some deletions to read:  “4.21 The matter of flooding is not addressed because at this time it is not considered to be relevant as sites are in flood zone 1 and there is no indication that they suffer inundation. However, <del>areas prone to flooding change</del> <b><u>climate change means that this could change</u></b> and should this <del>then</del> be the case <b><u>then</u></b> extant Policy NE4 – Managing flood risk and water quality (<u>Borough Plan</u>) would be used.” Similarly, <del>sewage connection is not a key development requirement as this is already addressed by bullet point number 9 of extant H3 – Gypsies and Travellers.</del></p>	Include reference to climate change that could mean the sites change from Flood Zone 1 in the future.
Additional Modification M16	Supporting text to Strategic ‘Policy GT3 – Site Allocations’/ Page 18	<p>Add new paragraph to read:  <b><u>“4.22 For site GTSA3 – Winter Oak, it is suggested that prior to any submission of a planning application, that the Applicant contacts National Highways to discuss the access and the information they may</u></b></p>	Required following the response from National Highways during the consultation of the

		<p><b><u>require to be submitted for any formal submission. In addition, for this particular site, an Air Quality Exposure Assessment and Noise Assessment may be required to determine any formal planning application to inform of any mitigation required.”</u></b></p>	<p>Publication document.</p>
<p>Additional Modification M17</p>	<p>Supporting text to Strategic ‘Policy GT3 – Site Allocations’ Previously Paragraph 4.21 now 4.23/ Page 19</p>	<p>Delete paragraph from under red line plan of GTSA3 – Winter Oak as follows:</p> <p><del>4.23 As well as the allocation of sites for new gypsy and traveller pitches the Council has considered the ongoing need for a travelling showperson’s yard within the Borough, currently at Spinney Lane/Whittleford Road, Nuneaton. This is the only such type of accommodation in Warwickshire and thus has considerable importance to the County as an asset and also by ensuring continuity and availability of these plots within the Borough it contributes towards provision. The issues and options consultation document proposed the safeguarding of the site for its current use given its special status in the County. Comments were sparse on this matter, but no responses were received stating that safeguarding of this site for this purpose was incompatible with surrounding land uses or unacceptable. The Habitats Regulations Report and the Sustainability Appraisal Report both conclude that there would be no significant adverse impacts from the identified land continuing to be used for its current use.”</del></p> <p>Instead add as text under red line plan of GTSA4 – Site Safeguarding the following supporting text: <b><u>“4.23 As well as the allocation of sites for new gypsy and traveller pitches the Council has considered the</u></b></p>	<p>Amended position of paragraph to be within Policy GT4.</p>

		<p><u>ongoing need for a travelling showperson’s yard within the Borough, currently at Spinney Lane/Whittleford Road, Nuneaton. This is the only such type of accommodation in Warwickshire and thus has considerable importance to the County as an asset and also by ensuring continuity and availability of these plots within the Borough it contributes towards provision. The issues and options consultation document proposed the safeguarding of the site for its current use given its special status in the County. Comments were sparse on this matter, but no responses were received stating that safeguarding of this site for this purpose was incompatible with surrounding land uses or unacceptable. The Habitats Regulations Report and the Sustainability Appraisal Report both conclude that there would be no significant adverse impacts from the identified land continuing to be used for its current use.”</u></p>	
Additional Modification M18	6.0 Conclusion	<p>Delete entire section:</p> <p><del>“6.0 Conclusion</del></p> <p><del>6.1 The issues and options document of the Gypsy and Traveller Site Allocations Development Plan Document (DPD) was the first stage of producing this DPD. It set out the key issues for the locating of new traveller sites, namely how many and where and the reasonable options for approaching these issues. The document contained 10 questions that the answers to helped inform this next (publication) version of the DPD.</del></p>	Conclusion not deemed necessary so deleted.

		<p><del>6.2 This document seeks to provide for a minimum of 11 residential pitches in the borough for gypsies and travellers by 2036/37. To achieve these three parcels of land have been identified and allocated to provide at least 14 residential pitches. Also, the existing travelling showpeople site in Nuneaton has been safeguarded from alternative uses."</del></p>	
<p>Additional Modification M19</p>	<p>Throughout document.  Paragraphs 1.1, 3.7, 3.8, 4.2, 4.4, 4.5, 4.6, 4.9, 4.14, 4.16, 4.19, 4.23  Title for table 1, within table 3.  Policy GT2 – Strategy  Policy GT3 – Site Allocations  Policy GT4 – Site Safeguarding</p>	<p>Capitalised throughout document "Gypsies and Travellers and Travelling Showperson/Showpeople"</p>	<p>For consistency</p>