

Enquiries to: Committee Services
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Date: 29th June 2023

Our Ref: MM

Dear Sir/Madam,

A meeting of the **BOROUGH PLAN COMMITTEE** will be held in the Council Chamber, Town Hall, Nuneaton, on **Wednesday 12th July 2023** at 6.00 p.m.

Please note that meetings are recorded for future publication on the Council's website.

Yours faithfully,

BRENT DAVIS

Chief Executive

To: All Members of the Borough
Plan Committee

Councillors: R. Smith (Chair),
R. Baxter-Payne, L. Cvetkovic,
J. Kennaugh, K. Kondakor,
N. Phillips, J. Singh, R. Tromans
and M. Walsh.

AGENDA

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 Lloyds Bank on the opposite side of the road.

Please 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.

This meeting will be live streamed to YouTube and will be available to view via the NBBC website.

2. APOLOGIES - to receive apologies for absence from the meeting.

3. MINUTES - To confirm the minutes of the meeting held on 18th January, 2023 **(Page 4)**.

4. 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 9)**. 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 Democratic 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 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.

5. PUBLIC CONSULTATION - Members of the Public will be given the opportunity to speak on specific agenda items, if notice has been received.
6. BOROUGH PLAN REVIEW UPDATE – a report of the Assistant Director – Planning, attached **(Page 11)**. Appendices to follow.
7. 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).

NUNEATON AND BEDWORTH BOROUGH COUNCIL

BOROUGH PLAN COMMITTEE

18th January 2023

A meeting of the Local Plan Committee was held on Tuesday 18th January 2023. This meeting was held in the Council Chamber and was live streamed and recorded.

Present

Councillor R. Smith (Chair)

Councillors R. Baxter-Payne, L. Cvetkovic, K. Kondakor, N. Phillips, R. Tromans and M. Walsh.

PART I – PUBLIC BUSINESS

BPC13 **Apologies**
Councillor J. Kennaugh

BPC14 **Minutes**

The minutes of the meeting held on 14th October 2022 were confirmed and signed by the Chair.

BPC15 **Declarations of Interest**

RESOLVED that the Declarations of Interest for this meeting are as set out in the schedule attached to the agenda.

BPC16 **Borough Plan Review – Preferred Options**

The Director – Planning and Regulation submitted a report to update Members on the responses received during the Preferred Options consultation on the Preferred Options version of the Borough Plan review and officers draft responses.

Public Speaker: Peter Smith

RESOLVED that the Committee endorses the consideration of the responses received during the Preferred Options consultation in the production of the next version of the Borough Plan Review.

BPC17 **Housing and Economic Developments Needs Assessment**

The Director – Planning and Regulation submitted a report to update Members on the housing need figure and employment land requirement for Nuneaton and Bedworth Borough following publication of the Borough Plan Review housing evidence-based documents ‘Towards a Housing Requirement for Nuneaton and Bedworth’ and the sub-regional ‘Housing and Economic Development Needs Assessment.’

Public Speakers: Peter Smith

Merle Gering

A vote was taken on the recommendations of the report.

Councillor K. Kondakor requested his vote be recorded.
Councillor K. Kondakor - Against

RESOLVED that the contents of the report be noted.

BPC18

Site Assessment for the Publication Version of the Borough Plan Review

The Director – Planning and Regulation submitted a report to update Members on the site selection process going forward which will inform the Regulation 19 version of the Borough Plan Review.

Public Speakers: Peter Smith

A vote was taken on the recommendations of the report.

Councillor K. Kondakor requested his vote be recorded.
Councillor K. Kondakor - Against

RESOLVED that:

- a) the Committee note the contents of the report and the site selection process undertaken to date; and
- b) the Committee endorse the site selection approach moving forward to the Regulation 19 version of the Borough Plan Review

BPC19

Any Other Items

Update on Borough Plan Review Timetable

The Chair noted that the Committee had been provided with an update on the Borough Plan Review Timetable.

A vote was taken on the recommendations of the report.

Councillor K. Kondakor requested his vote be recorded.
Councillor K. Kondakor - Against

RESOLVED that:

- a) the Portfolio Holder for Planning and Regulation write to the Portfolio Holder for Transport and Planning at Warwickshire County Council seeking a firm confirmation of the dates for submission of the Highways details;
- b) the Leader of the Council write to the Leader of Warwickshire County Council in similar terms;
- c) a revised table providing specific dates be circulated to the Committee Members once the responses have been received; and
- d) a report be brought to the next Borough Plan Committee meeting seeking agreement upon a further revised timetable for approval by Cabinet for submission to Council in April.

Chair

Borough Plan Committee - Schedule of Declarations of Interests – 2022/2023

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	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"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	R. Baxter-Payne	Manager Brinklow Quarry Ltd, Brinklow; County Councillor - WCC	Spouse: Self-employed childminder Member of the following Outside Bodies: <ul style="list-style-type: none"> • West Midlands Combined Audit, Risk and Assurance Committee • Warwickshire Adult Social Care and Health Overview and Scrutiny Committee (substitute) 	
	L. Cvetkovic	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	The Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee) Member on the following Outside Bodies: <ul style="list-style-type: none"> • Building Control Partnership Steering Group 	
	J. Kennaugh	County Councillor W.C.C. Employed by FedEx Express UK Limited.	Member of the W.C.C. Regulatory Committee Member of the Conservative Party Member of UNITE the Union Member on the following Outside Bodies: <ul style="list-style-type: none"> • EQUiP 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	K.A. Kondakor	Electronic Design Engineer (self-employed semi-retired); Statistical data analyst and expert witness (self employed)	Unpaid director of 100PERCENTRENEWABLEUK LTD	
	N. Phillips	Employee of DWP	Member of: <ul style="list-style-type: none"> • Nuneaton Labour CLP • The Fabian Society • The George Eliot Society • The PCS Union • Central Credit Union • Stockingford Sports and Allotment Club • Haunchwood Sports and Social Club 	
	J. Singh	Self-employed – Sedgies News Agents		
	R. Smith (Chair)		Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club; Member of the following Outside Bodies: <ul style="list-style-type: none"> • A5 Member Partnership; • PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • Representative on the Nuneaton and Bedworth Older Peoples Forum • West Midlands Combined Authority and Land Delivery Board 	
	R. Tromans	RTC, Nuneaton AFL, Wellingborough	W.C.C. Warwick Member of the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton Neighbourhood Watch Committee • Hospice Charity 	
	M. Walsh	Employed by MacInnes Tooling Ltd. – UK Sales Manager		

Borough Plan Committee - Schedule of Declarations of Interests – 2023/2024

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	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"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	R. Baxter-Payne	Manager Brinklow Quarry Ltd, Brinklow; County Councillor - WCC	Spouse: Self-employed childminder Member of the following Outside Bodies: <ul style="list-style-type: none"> • West Midlands Combined Audit, Risk and Assurance Committee • Warwickshire Adult Social Care and Health Overview and Scrutiny Committee (substitute) 	
	L. Cvetkovic	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	The Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee) Member on the following Outside Bodies: <ul style="list-style-type: none"> • Building Control Partnership Steering Group 	
	J. Kennaugh	County Councillor W.C.C. Employed by FedEx Express UK Limited.	Member of the W.C.C. Regulatory Committee Member of the Conservative Party Member of UNITE the Union Member on the following Outside Bodies: <ul style="list-style-type: none"> • EQUIP 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	K.A. Kondakor	Electronic and Embedded Software Design Engineer (self-employed)	Unpaid Director of 100% Renewables UK Ltd Green Party (E&W)	
	N. Phillips	Employee of DWP	Member of: <ul style="list-style-type: none"> • Nuneaton Labour CLP • The Fabian Society • The George Eliot Society • The PCS Union • Central Credit Union • Stockingford Sports and Allotment Club • Haunchwood Sports and Social Club 	
	J. Singh	Self-employed – Sedgies News Agents		
	R. Smith (Chair)		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"> • A5 Member Partnership; • PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • West Midlands Combined Authority and Land Delivery Board 	
	R. Tromans	Compliance, GIM, Coventry Warwickshire County Councillor (Weddington) Share in a rental property in Hydes Pastures, Nuneaton	W.C.C Warwick Member of the Conservative Party Member of the Chartered Institute of Credit Management	
	M. Walsh	Employed by MacInnes Tooling Ltd. – UK Sales Manager		

Borough Plan Committee

Report Summary Sheet

Date: 12th July 2023

Subject: Borough Plan Review update and to recommend to Cabinet that the Review continues to Regulation 19 stage (Publication). To provide timetable updates on the Local Development Scheme and Gypsy and Traveller Site Allocations Development Plan Document with the view to recommending to Cabinet that the Main Modifications to the Gypsy and Traveller Site Allocations Development Plan Document and addendum to the DPD's Sustainability Appraisal required by the Planning Inspector can be consulted upon.

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

From: Assistant Director – Planning

Summary:

The purpose of this report is to update Members on the Borough Plan Review and associated draft documents forming the new Local Plan and to recommend to Cabinet that the Review continues to Regulation 19 stage (Publication) with the caveat that any amendments can be carried out by Delegated Powers of the Assistant Director in consultation with the Portfolio Holder up to the public consultation stage.

This agenda also seeks to provide timetable updates on both the Local Development Scheme and Gypsy and Traveller Site Allocations Development Plan Document.

Finally, the agenda seeks to recommend to Cabinet that Main Modifications to the Gypsy and Traveller Site Allocations Development Plan Document and addendum to the DPD's Sustainability Appraisal required by the Planning Inspector can be consulted upon with the caveat that any amendments can be carried out by Delegated Powers of the Assistant Director in consultation with the Portfolio Holder.

Recommendations:

- That the Committee endorses the draft documents for the Borough Plan Review Publication and recommend to Cabinet that the Council can continue to Regulation 19 public consultation stage which will be provided over a period of 6 weeks. The Committee agree to the caveat that any amendments can be carried out by Delegated Powers of the Assistant Director in consultation with the Portfolio Holder up to the public consultation stage and:
- The timetable amendments to the Local Development Scheme be noted and:
- The Committee endorses the Main Modifications required to the Gypsy and Traveller Site Allocations Development Plan Document and recommend to Cabinet that the Council can consult on the Main Modifications and Sustainability Appraisal Addendum required by the Planning Inspector with the caveat that any amendments can be carried out by Delegated Powers of the Assistant Director in consultation with the Portfolio Holder.

Options:

- To endorse the draft documents and recommend to Cabinet that the Council continue to Regulation 19 consultation stage on the Borough Plan Review. The consultation stage will be for a period of 6 weeks with the agreement that the draft documents can receive any changes required up until the consultation stage under Delegated Powers of the Assistant Director in consultation with the Portfolio Holder. In addition, that the LDS amendments are noted and finally that the Borough Plan Committee recommend to Cabinet that the Gypsy and Traveller Site Allocations Development Plan Document Main Modifications and addendum to the Sustainability Appraisal (required by the Planning Inspectorate) can be consulted upon with the agreement that any further amendments required by the Planning Inspectorate can be carried out under Delegated Powers of the Assistant Director in consultation with the Portfolio Holder.
- Recommend proceeding to Regulation 19 consultation stage on the Borough Plan Review but that no amendments can be carried out without the Plan being returned to the Local Plan Committee. That the LDS timetables are noted. That the Gypsy and Traveller Site Allocations Development Plan Document can be recommended to Cabinet to allow the Council to consult on the Main Modifications required.
- 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 national planning practice guidance.

Consultation undertaken with Members/Officers/Stakeholders:

Consultation with Portfolio Holder – Planning and Regulation.

Consultation with key stakeholders and public consultation for Issues and Options and Preferred Options of the Borough Plan Review and further consultation with the Infrastructure Providers in May/June 2023. Consultation throughout the process up to and including Examination for the Gypsy and Traveller Development Plan Document

Subject to call-in: Yes.

Ward relevance: All.

Forward plan: Yes.

Delivering Our Future Theme: 1, 2, and 3.

Delivering Our Future 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)/National Planning Policy Guidance (NPPG).

Equal opportunity implications: None.

Human resources implications: Addressed in the report. The proposed LDS timetable accounts for existing known staffing and resource levels.

Financial implications: Addressed in the report. The costs associated with progressing the Borough Plan Review and Gypsy and Traveller Site Allocations Development Plan Document would be met within existing budgets. If any additional evidence base is required/necessary, this has not been accounted for and may result in a budget pressure for 2023/24.

Health Inequalities Implications: N/A

Section 17 - Crime and Disorder Implications: N/A

Risk management implications: Addressed in the report, but risks primarily relate to potential changes to national policy, possible issues arising under the Duty to Co—operate, and potential staff shortages.

Environmental implications: The Borough Plan Review and draft documents and Gypsy and Traveller Site Allocations Development Plan Document need to align with the latest Government guidance on preserving and enhancing the natural environment.

Legal implications: The Borough Plan Review Reg 19 publication stage and consultation of the Main Modifications to the Gypsy and Traveller Site Allocations DPD are a statutory requirement under the Planning & Compulsory Purchase Act 2004 and the (Local Planning) (England) Regulations 2012 (as amended).

Contact details:

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Principal Planning Policy Officer
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AGENDA ITEM NO. 6

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Borough Plan Committee – 12th July 2023

From: Assistant Director - Planning

Subject: Borough Plan Review update and to recommend to Cabinet that the Review continues to Regulation 19 stage (Publication). Also, to provide timetable updates on the Local Development Scheme and finally to update Members on the Gypsy and Traveller Site Allocations Development Plan Document with the view to recommending to Cabinet that the Main Modifications and addendum to the DPD's Sustainability Appraisal required by the Planning Inspector to the Gypsy and Traveller Site Allocations Development Plan Document can be consulted upon.

Portfolio: Planning and Regulation

Delivering Our Future Themes: 1, 2, and 3.

Delivering Our Future Priority: All.

1. Purpose of Report

- 1.1 The purpose of this report is to update Members on the Borough Plan Review and associated draft documents forming the new Local Plan and to recommend to Cabinet that the Review continues to Regulation 19 stage (Publication) with the caveat that any amendments can be carried out by Delegated Powers of the Assistant Director in consultation with the Portfolio Holder up to the public consultation stage.
- 1.2 This agenda also seeks to provide timetable updates on the Local Development Scheme and finally to give updates on the Gypsy and Traveller Site Allocations Development Plan Document (DPD) with the view to recommending to Cabinet that Main Modifications and Sustainability Appraisal addendum required by the Planning Inspectorate to this DPD can be consulted upon. This is with the caveat that any amendments can be carried out by Delegated Powers of the Assistant Director in consultation with the Portfolio Holder in the event that in the meantime the Planning Inspector requires further changes to the Modifications.

2. Recommendations

2.1 The recommendations are as follows:

- That the Committee endorses the draft documents for the Borough Plan Review Publication and recommends to Cabinet that the Council continue to Regulation 19 public consultation stage. The Committee agree to the caveat that any amendments to the documents can be carried out up until Regulation 19 consultation stage by Delegated Powers of the Assistant Director in consultation with the Portfolio Holder and
- The timetable amendments to the Local Development Scheme be noted and
- The Committee endorses the main modifications required to the Gypsy and Traveller Site Allocations Development Plan Document and recommend to Cabinet that the Council can consult on the Main Modifications and Sustainability Appraisal addendum both required by the Planning Inspectorate with the caveat that any further amendments required by the Inspector, can be carried out by Delegated Powers of the Assistant Director in consultation with the Portfolio Holder.

3. Background

3.1 Background to the Borough Plan Review

3.2 The Council consulted on a Borough Plan Review 'Preferred Options' document from 13th June to 22nd July 2022. The Preferred Options consultation followed on from the 'Issues and Options' consultation held in May 2021 and the Council's 'call for sites' in October 2021.

3.3 The Preferred Options was a non-statutory consultation as part of the plan preparation (Regulation 18) stage. Since the Preferred Options document, the comments received have been considered and along with the emerging evidence base, this has formed the Publication version to meet the Borough's needs for the plan period up to 2039.

4 Body of Report

4.1 The draft Publication document (appendix A – to follow) has now been prepared with the plan period for the Borough Plan Review been amended to 2021 - 2039. A precis but not definitive list of the differences between the Preferred Options and Publication draft has been provided (appendix B to follow).

- 4.2 Many of the final drafts of the evidence base are to be received in the latter part of June and early July. Discussions have been held with the consultants forming these documents so that the Policies are based on this evidence. However, until all of these are finalised there could be some minor adjustments required. Appendix C (to follow) gives a broad description of the emerging evidence base.
- 4.3 In addition to the emerging evidence base, the Council are working with the Planning Advisory Service (PAS), Planning Inspectorate (PINS) and Counsel to ensure that the document is as complete and as 'sound' as possible and continuing to liaise with other Local Authorities under the Duty to Co-operate and to complete a Memorandum of Understanding.
- 4.4 For all the above reasons, it is therefore considered necessary to caveat that any further amendments can be carried out under Delegated Powers of the Assistant Director in consultation with the Portfolio Holder up to the public consultation stage. The very earliest that the consultation stage can be carried out is September 2023. Once the Council have reached the final 'Publication' stage any further amendments will need to be agreed at Examination level with the Planning Inspector as Modifications to the Plan as the document will need to be submitted to the Secretary of State for independent examination by the Planning Inspectorate. It is intended, that this will be by the end of this calendar year.
- 4.5 Further documents required for the Local Plan
- 4.6 The following supporting documents, which are still in draft form, are required to go to Cabinet, with the same caveat as the draft Borough Plan Publication document in terms of any amendments required. These include:
- Borough Plan Policies map (appendix D to follow).
 - Sustainability Appraisal (appendix E to follow).
 - Habitat Regulations Assessment (appendix F to follow).
- 4.7 The Council are also required to provide an Infrastructure Delivery Plan and associated Infrastructure Delivery Schedule related to the Borough Plan Review Development Schemes. Whilst these documents will be required to go to Cabinet, they are still being created due to the ongoing negotiation with the Infrastructure Consultees so therefore cannot be assessed by the Borough Plan Committee in this Agenda. It is proposed that this will be available by the time that Review goes to Cabinet.
- 4.8 Statement of Community Involvement
- 4.9 The Statement of Community Involvement is also part of the Local Plan Scheme. The Statement of Community Involvement, also known as the

SCI, sets out how we consult whilst preparing and revising planning policy documents, as well as how we consult on planning applications. This has been updated from the previous document which was dated 2020. The updated SCI is scheduled to go to the 26th July Cabinet as a separate agenda item, as the document will also need to go to Full Council on the 13th September 2023. A draft of this has been provided in appendix G – (to follow) and needs to be subject to the caveat that any changes can be carried out up until it is approved at Cabinet as it may require updates following consultation with PAS and PINS.

4.10 Local Development Scheme

- 4.11 The Local Development Scheme document is an important document within the Local Plan framework. The LDS has two main functions:
- To identify the current planning policy documents that are being applied in Nuneaton and Bedworth.
 - To provide a three-year project plan that outlines what the replacement planning policy documents will be and their stages of preparation.

- 4.12 The LDS needed to be updated to include the proposed new timetables for both the Borough Plan Review but also to show the time frames for the Gypsy and Traveller Site Allocations Development Plan Document. The Development Scheme needs to be approved by Cabinet and Full Council and needs to be adopted before consultation can take place. This was approved at Cabinet on the 21st June 2023 and will be considered by Full Council on the 5th July 2023. Appendix H (to follow) provides a copy of this amended LDS.

4.13 Background to the Gypsy and Traveller Site Allocations Development Plan Document

- 4.14 The Gypsy and Traveller Site Allocations Development Plan Document (DPD) underwent a Hearing by PINS on the 27th October 2022. As part of the Examination process, amendments to the Publication have been discussed with the Inspector which has resulted in proposed amendments to the DPD (Appendix I - to follow). These are described as either proposed Main Modifications (appendix J – to follow) or Additional Modifications (appendix K – to follow). These have initially been agreed with the Inspector but are waiting on the final agreement.
- 4.15 Main Modifications are those recommended by the Inspector to make the DPD sound and legally compliant. Additional Modifications 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.
- 4.16 The amendments to the DPD and Main Modifications will be considered by the Planning Inspector, but the Additional Modifications

will not be formally considered by them, as these are required for clarity rather than to address legal or soundness issues.

- 4.17 The Main Modifications also meant that the Sustainability Appraisal and Habitat Regulations Assessment had to be screened to ensure that these were not impacted upon by the amendments. Appendix L (to follow) shows the screening of the Sustainability Appraisal for the Main Modifications. This has subsequently meant that whilst the Habitat Regulations Assessment has not required changes (appendix N – to follow), the Sustainability Appraisal (appendix M – to follow) required an addendum (appendix O – to follow). These are currently with the Planning Inspector for consideration.
- 4.18 The Main Modifications are required to be consulted upon and once the Inspector has formally confirmed that the Modifications and Sustainability Appraisal Addendum are acceptable, a new public consultation period will need to be carried out. Borough Plan Committee is therefore requested recommending to Cabinet that the Main Modifications to the Gypsy and Traveller Site Allocations Development Plan Document and addendum to the DPD's Sustainability Appraisal required by the Planning Inspector can be consulted upon with the caveat that any amendments can be carried out by Delegated Powers of the Assistant Director in consultation with the Portfolio Holder in the event the Planning Inspector requires further amendments.

5 Conclusion

- 5.1 Having regard to the final emerging stages of the evidence base, ongoing discussions with Counsel, PAS and PINS, it is requested that the recommendations as set out at the beginning of the agenda are agreed so that the documents can proceed to Cabinet for approval and where necessary Full Council with the caveat that amendments can take place under Delegated Powers of the Assistant Director in consultation with the Portfolio Holder. This is to ensure that the tight deadline for public consultation which in the case of the Borough Plan Publication is proposed to be for six weeks during September/October 2023; in order to progress to submission (Regulation 20) to the Planning Inspectorate by the end of the calendar year.

6 Appendices

- 6.1 The appendices are listed below, and which are to follow:

Borough Plan Review	
Appendix reference	Details of appendix document
A	Borough Plan Publication Draft – Regulation 19 consultation
B	Precis, but not definitive list, of the differences between the Preferred Options and Publication version.
C	Draft Emerging Evidence Base documents
D	Draft Borough Plan Map
E	Draft Sustainability Appraisal
F	Draft Habitat Regulations Assessment
Borough Plan Review and Publication of the Gypsy and Traveller Site Allocations Development Plan Document	
G	Draft Statement of Community Involvement
H	Local Development Scheme
Publication of the Gypsy and Traveller Site Allocations Development Plan Document	
I	Draft Gypsy and Traveller Site Allocations Development Plan Document
J	Draft Main Modifications
K	Draft Additional Modifications
L	Draft screening for the Sustainability Appraisal for the Main Modifications.
M	Sustainability Appraisal
N	Habitat Regulations Assessment
O	Sustainability Appraisal addendum

7 Background Papers

The existing adopted Local Development Scheme can be found at:
https://www.nuneatonandbedworth.gov.uk/downloads/download/410/local_development_scheme

The existing Statement of Community Involvement can be found at:
[Consultations on planning policy | Planning Policy consultations | Nuneaton & Bedworth \(nuneatonandbedworth.gov.uk\)](#)

The Cabinet agenda that the Local Development Scheme went to can be found at:
[Cabinet | Nuneaton & Bedworth \(nuneatonandbedworth.gov.uk\)](#)

The published documents for the Gypsy and Traveller Site Allocations Development Plan Document can be found at:
[Proposed Gypsy and Traveller Site Allocations Development Plan Document | Proposed Gypsy and Traveller Site Allocations DPD | Nuneaton & Bedworth \(nuneatonandbedworth.gov.uk\)](#)