

## Alison Osborne-Newbold

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**From:** Sarah Matile  
**Sent:** 25 October 2023 14:01  
**To:** Jade Bagley  
**Subject:** FW: Publication version of Borough Plan Review and Main Modifications to Gypsy and Traveller Site Allocations DPD  
**Attachments:** NBBC Local Plan Reg 19 Consultation Response 25.10.23.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed  
**Categories:** Processed

### Sarah Matile

Principal Planning Policy Officer

T: [REDACTED]

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**From:** Russell Gray <[REDACTED]>  
**Sent:** Wednesday, October 25, 2023 1:48 PM  
**To:** Planning Policy <planning.policy@nuneatonandbedworth.gov.uk>  
**Cc:** Sarah Matile <[REDACTED]>; Jacqueline Padbury <[REDACTED]>; Adrian Chadha <[REDACTED]>; Kathryn Simmonite <[REDACTED]>; David Pyner <[REDACTED]>; Patrick Thomas <[REDACTED]>; Babatunde Adekoya-Serrano <[REDACTED]>  
**Subject:** RE: Publication version of Borough Plan Review and Main Modifications to Gypsy and Traveller Site Allocations DPD

Good afternoon,

Thank you for agreeing to the extension of the deadline for National Highways to submit our response to the Regulation 19 consultation and Gypsy and Traveller Site Allocations Development Plan Document (attached).

Kind regards,

**Russell Gray, Spatial Planner**  
**Operations Directorate (Midlands)**

National Highways | The Cube | 199 Wharfside Street | Birmingham | B1 1RN

[www.nationalhighways.co.uk](http://www.nationalhighways.co.uk)

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**From:** Planning Policy <[planning.policy@nuneatonandbedworth.gov.uk](mailto:planning.policy@nuneatonandbedworth.gov.uk)>

**Sent:** Monday, September 4, 2023 8:58 AM

**To:** Sarah Matile <>; Jacqueline Padbury

<>

**Subject:** Consultation notification - Publication version of Borough Plan Review and Main Modifications to Gypsy and Traveller Site Allocations DPD

Dear Sir / Madam,

Nuneaton and Bedworth Borough Council will commence consultation today on the following planning policy documents:

**Borough Plan Review Development Plan Document (DPD) – Publication version (Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012)**

The Borough Plan Review sets out the strategy for the Borough for the plan period up to 2039. This is the final opportunity to have your say before the Plan is submitted to a Government Planning Inspector for independent examination. This is different from previous stages as it no longer seeks views on alternative options. This Regulation 19 consultation will require submissions to specifically focus on the following issues:

- Legal Compliance – does the plan meet the legal requirements made under various statutes?
- Duty to Cooperate – has the Council engaged and worked effectively with neighbouring authorities and statutory bodies?
- Soundness – has the plan been positively prepared, justified, effective, and consistent with national policy?

**Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Main Modifications**

The Gypsy and Traveller DPD plans to provide sufficient sites to meet the Gypsy, Traveller and Travelling Showpeople needs up to 2037. As part of the Examination process, amendments to the DPD have been agreed with the Inspector. ‘Main’ modifications are those recommended by the Inspector to make the DPD sound and legally compliant, and ‘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.

**Taking part**

The documents above will be subject to a 6 week public consultation. The consultation documents, supporting documents and response forms can be found on the Council’s website at [www.nuneatonandbedworth.gov.uk/consult](http://www.nuneatonandbedworth.gov.uk/consult). Hard copies of the documents are also available for inspection at the following: Bedworth Library; Bulkington Community Library; Nuneaton Library and Nuneaton Town Hall, Coton Road, Nuneaton CV11 5AA.

To support the consultation, officers of the Council will be available to answer questions on the consultation at Nuneaton Town, Coton Road, Nuneaton, CV11 5AA on Monday to Friday between 10am and 2pm.

All responses should preferably be sent via email to [planning.policy@nuneatonandbedworth.gov.uk](mailto:planning.policy@nuneatonandbedworth.gov.uk) or in writing to:

Planning Policy  
Nuneaton and Bedworth Borough Council  
Town Hall  
Coton Road

Nuneaton  
CV11 5AA

The consultation will run from the 4<sup>th</sup> September 2023 and all comments should be received by 11:59pm on **16<sup>th</sup> October 2023**.

If you require further information in relation to the consultation, please contact the Planning Policy team on 02476 37 6288.

Many thanks  
Planning Policy Team



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[www.nationalhighways.co.uk](http://www.nationalhighways.co.uk)

25 October 2023

Dear Sir/Madam,

**Nuneaton and Bedworth Borough Council (NBBC) Local Plan Review – Regulation 19 Consultation: Publication Version; and Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Main Modifications**

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.

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.

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.

## **Regulation 19 consultation (Publication version)**

We understand that a Regulation 19 consultation is focused upon the legal compliance and soundness of the Local Plan, along with the Council's approach to the 'duty to co-operate'. Whilst we can provide some comments from a transport perspective in relation to the soundness of the Local Plan and the duty to co-operate, we do not consider that we have any comments in relation to the legal compliance of the document.

In responding to local plan consultations, we have regard to the Department for Transport's (DfT) revised Circular 01/2022 - Strategic Road Network and the delivery of sustainable development ('the Circular') which sets out how interactions with the SRN should be considered in the making of local plans. Paragraph 28 of the Circular sets out that:

*The policies and allocations that result from plan-making must not compromise the SRN's prime function to enable the long-distance movement of people and goods. When the company assists local authorities in the development of their plans and strategies, the local authority should ensure that the SRN is not being relied upon for the transport accessibility of site allocations except where this relates to roadside facilities or SRN-dependent sectors (such as logistics and manufacturing). The company will also work with local authorities to explore opportunities to promote walking, wheeling, cycling, public transport and shared travel in plan-making, in line with the expectations set out in the NPPF and the Transport Decarbonisation Plan.*

In addition to the DfT Circular 01/2022, the response set out below is also in accordance with the National Planning Policy Framework (NPPF) and other relevant policies, which helps to ensure the soundness of the Local Plan is being appropriately considered (from a transport perspective).

### **Housing and employment requirement – "DS3 – Overall development needs"**

National Highways has previously been engaged during the 'Issues and Options' and 'Preferred Options' stage of the consultation process for the Local Plan. As part of the Preferred Options consultation in 2022, a total of 9,690 dwellings and 82.5 ha of employment land was identified as a minimum requirement to come forward during the plan period.

In the current Publication Version, we note that a revised assessment has been undertaken wherein, the minimum requirement has increased slightly to 9,810 dwellings and 87.85ha of employment land during the plan period, as set out in

Strategic Policy DS3 – *Overall development needs*. This could rise to 12,127 dwellings based on the development of windfall sites and taking into account the allocation of a buffer to provide flexibility in the housing supply across the plan period.

Strategic allocations – “DS4 – Residential allocations” and “DS5 – Employment allocations”

A large proportion of the housing supply is expected to be delivered through a number of strategic housing allocations set out as part of Strategic Policy DS4 – *Residential allocations*. We have reviewed these sites against those set out at the Preferred Options stage and note that there are a few small changes in the scale of growth at individual sites, but the overall quantum of growth to be delivered across all strategic housing allocations remains the same at 4,769 dwellings.

Due to the scale and location of some of these allocations, in particular SHA1 – Top Farm for 1,700 dwellings and located just south of the A5; and SHA4 & SHA6, located to the north of M6 J3, we expect that these sites are likely to impact upon the capacity of our network. This in-turn can create potential congestion and safety issues.

In terms of employment land, it is also expected that a large proportion of the supply will be delivered through a series of strategic employment allocations. At the Preferred Options stage, there were six sites identified. Four of these have been carried forward to the current consultation as part of Strategic Policy DS5 – *Employment allocations* (with very minor changes to their quantum), whilst the other two sites (SEA1 – Faultlands and SEA5 – School Lane/Longford Road) are now under construction and therefore form part of the pipeline supply. The cumulative total of these remaining strategic allocations equates to over 50ha of land. The majority of these sites are located close to M6 J3 which could add further demand on the performance of the SRN in this location.

Transport evidence base and Infrastructure Delivery Plan (IDP)

We would expect that the growth proposals put forward as part of the Local Plan be supported by a robust transport evidence base and we acknowledge that a Strategic Transport Assessment (STA) has been prepared in this regard. Whilst we understand that the STA does not specifically form part of the Regulation 19 consultation, we would welcome the opportunity to review the document to ensure its suitability for underpinning the transport evidence base.

The STA highlights the transport implications of bringing forward the strategic allocations and identifies that they should adopt a 15% modal shift target to ensure that the transport network continues to operate to a satisfactory level.

In this regard, we welcome the inclusion of Policy HS2 – *Strategic accessibility and sustainable transport* within the Publication Version of the Local Plan. This sets out that planning applications should demonstrate how the development maximises sustainable transport options and also states that proposals should target a minimum 15% modal shift to no car-based uses by including provisions which promote more sustainable transport options. Adherence to this policy will help to support the STA findings for the network to continue to operate at a satisfactory level. The inclusion of this policy within the Local Plan also aligns with NPPF guidance and [National Highways' Net Zero Strategy](#) which helps to ensure the soundness of the Plan.

We note that the STA also identifies a total of 11 highway mitigation schemes to be delivered across the plan period in order to facilitate the Local Plan growth. We acknowledge that these have been included in the Infrastructure Delivery Plan (IDP) which supports the Publication Version of the Plan.

Three of these schemes; A5/Woodford Lane, Redgate Roundabout scheme and M6 J3 Interim Scheme will provide mitigation along the SRN. In the STA, it is stated that the Core assessment identified a number of schemes which were deemed essential and required prior to 2031, which includes A5/Woodford Lane and M6 J3 Interim Scheme. It also identifies the Redgate Roundabout scheme as being necessary for delivery by 2031.

However in the IDP, the timescale for the A5/Woodford Road and Redgate Roundabout schemes is set out as “Assumed by 2039”. The IDP is therefore inconsistent with the findings of the STA and we consider that this should be updated.

Alongside the publication of the STA, we note that the draft Local Plan sets out the requirement for a transport assessment to be carried out in support of any planning application to develop each of the strategic allocations, alongside some of the non-strategic residential sites. It will be expected that the transport assessment will identify measures to deal with any anticipated transport impacts of the site, and this is welcomed by National Highways as a means of safeguarding the efficient operation of the SRN.

We recommend that the requirement for a transport assessment (or transport statement if more appropriate) be extended to include any site which is expected to have a likely impact (traffic and/or boundary related) on the SRN in the area. We would expect to be engaged in the consultation exercise for these sites to determine the suitability of the assessment and understand the extent of the potential impacts on the SRN. This approach is in accordance with both the DfT Circular 01/2022 and NPPF guidance, which further helps to ensure the soundness of the Local Plan.

## Duty to Co-operate

We acknowledge the reference in the Publication Version of the Local Plan to the legal requirement for the Council to engage in the duty to co-operate process. It is stated in the document that the Council has positively engaged with partner organisations, such as statutory consultees and other relevant local authorities and that collaboration between the Council and partners will be documented through Statements of Common Ground (SoCG). We would welcome engagement with the Council in the development of a SoCG and will continue to work positively with the Council under the 'Duty to Co-operate' as the Local Plan progresses.

For any developments which have an impact on neighbouring local authorities, we advise a joined-up approach in which National Highways, NBBC and the other local authorities attend joint meetings with the future developer or applicants. This will ensure all parties interests are protected and a combined solution is derived. We have noted below the key SRN schemes listed in the Council's IDP that are relevant to the Plan area and are likely to cross into other local authority areas:

- *A5/Woodford Lane Scheme* – the works at this site fall into the North Warwickshire local authority area.
- *M6 Junction 3 Interim Scheme* – the works at this site border the Coventry City Council area.
- *Redgate Roundabout Scheme* – the works at this site fall into the North Warwickshire local authority area.

## **Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Main and Additional Modifications**

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 Modifications) and factually correct (Additional Modifications). The Main and Additional Modifications form the subject of this latest consultation.

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.

The following Gypsy and traveller sites are allocated within the amended DPD.

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

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.

### **Summary**

From our review of the growth proposals put forward as part of the Publication Version of the Local Plan, we consider that due to the scale of growth being proposed and the proximity of some sites to the SRN, that there is likely to be some impacts on the operation of the SRN. We welcome the development of an evidence base in the form of the STA to assess the cumulative impact of the strategic allocations and the identification of a number of schemes which aim to provide traffic mitigation along the A5 and M6 J3. We have identified some inconsistencies in the timescales for delivery of these schemes between the STA and IDP which the Council should look to address. We would also welcome further engagement in the development of the STA to ensure its suitability for underpinning the transport evidence base for the Local Plan.

We acknowledge the commitment in the Local Plan for a transport assessment to be submitted alongside any planning application for each of the strategic allocations, alongside some of the non-strategic residential sites. This will help to ensure that any potential impacts on the SRN are identified and managed, thereby safeguarding the operation of our network. The emphasis on encouraging modal shift as part of future proposals by including provisions which promote more sustainable transport options is also welcomed by National Highways as a means of reducing trip demand on our network.

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.

We have no further comments to provide at this stage and would welcome continued engagement with the Local Planning Authority in order to support the delivery of the planned growth.

Yours sincerely,

Russell Gray  
Spatial Planner  
Email: [REDACTED]