

Habitats Regulations Assessment of the Nuneaton and Bedworth Borough Council Gypsy and Traveller Site Allocations DPD

Nuneaton and Bedworth Borough Council

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Quality information

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1. Introduction

Scope of Project

- 1.1 Under the Conservation of Habitats and Species Regulations 2017 (as amended), an Appropriate Assessment is required, where a plan or project is likely to have a significant effect upon a European Site, either individually or 'in combination' with other projects.
- 1.2 AECOM was appointed by Nuneaton and Bedworth Borough Council to undertake a Habitats Regulations Assessment of its Gypsy and Traveller Site Allocations Development Plan Document (December 2021 Version). The objective of this assessment was to identify any aspects of the DPD that would cause an adverse effect on the integrity of European sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs), candidate Special Areas of Conservation (cSACs), potential Special Protection Areas (pSPAs) and, as a matter of Government policy, Ramsar sites), either alone or in combination with other plans and projects, and to advise on appropriate policy mechanisms for delivering mitigation where such effects were identified.

Legislation

- 1.3 The UK left the EU on 31 January 2020 under the terms set out in the European Union (Withdrawal Agreement) Act 2020 ("the Withdrawal Act"). This established a transition period, which ended on 31 December 2020. The Withdrawal Act retains the body of existing EU-derived law within our domestic law, meaning that legislation relating to nature conservation continues to apply to and in the UK post-Brexit.
- 1.4 The need for Appropriate Assessment (Figure 1) is set out by the Conservation of Habitats and Species Regulations 2017 (as amended) and is retained in the EU Exit Regulations 2019. The Regulations apply the precautionary principle¹ to assessments of European Sites, which form part of the newly coined National Site Network. Consent should only be granted for plans and projects once the relevant competent authority has ascertained that there will either be no likelihood of significant effects, or that a mechanism is in place to ensure that no adverse effect on the integrity of the European Site(s) in question arises. Where an Appropriate Assessment has been carried out and results in a negative assessment, or if uncertainty remains over the significant effect, consent can only be granted if there are no alternative solutions and there are Imperative Reasons of Over-Riding Public Interest (IROPI) for the development and compensatory measures have been secured.
- 1.5 To ascertain whether site integrity will be affected, an Appropriate Assessment should be undertaken of the plan or project in question.

¹ The Precautionary Principle, which is referenced in Article 191 of the Treaty on the Functioning of the European Union, has been defined by the United Nations Educational, Scientific and Cultural Organisation (UNESCO, 2005) as: "When human activities may lead to morally unacceptable harm [to the environment] that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm. The judgement of plausibility should be grounded in scientific analysis".

1.6 Figure 1 provides the legislative basis for an Appropriate Assessment.

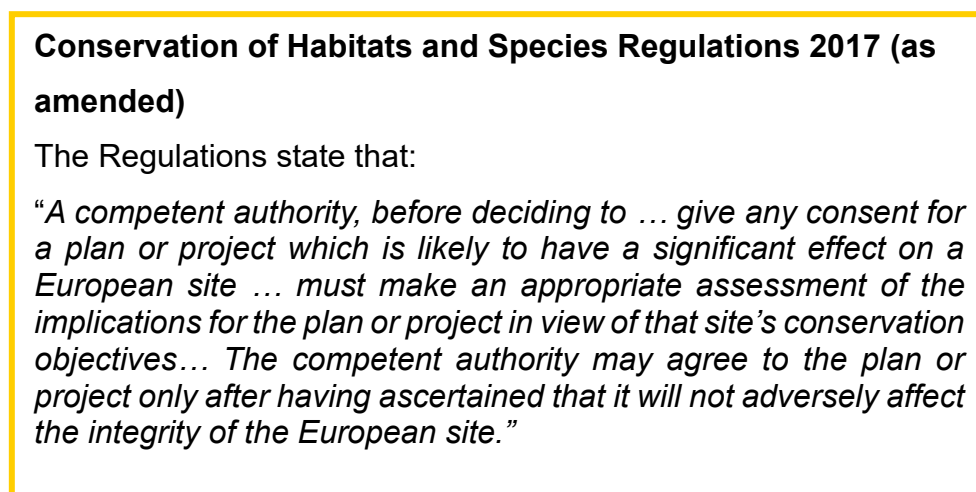


Figure 1. The legislative basis for the HRA process.

1.7 Over the years, the term 'Habitats Regulations Assessment' (HRA) has come into wide currency to describe the overall process set out in the Habitats Regulations, from screening through to identification of IROPI. This has arisen in order to distinguish the overall process from the individual stage of "Appropriate Assessment". Throughout this report, the term HRA is used for the overall process and restricts the use of Appropriate Assessment to the specific stage of that name.

Nuneaton and Bedworth Borough Council Local Plan

1.8 Nuneaton and Bedworth Borough Council adopted a Borough Plan on 11th 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.

1.9 Local Plan 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 quantum and 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 will be identified and allocated for future traveller sites. It is this DPD that is subject the HRA within his document.

2. Methodology

Introduction

- 2.1 This section sets out the methodology for undertaking the HRA. HRA itself operates independently from the Planning Policy system, being a legal requirement of a discrete Statutory Instrument. Therefore, there is no direct relationship to the 'Test of Soundness'.
- 2.2 The HRA is being carried out in the absence of formal Government guidance. The Department for Communities and Local Government (now the Department for Levelling Up, Housing and Communities (DLUHC)) released a consultation paper on Appropriate Assessment (AA) of Plans in 2006². As yet, no further formal guidance has emerged although Government published general guidance on appropriate assessment in 2019³. However, Court Judgements can be used to shape the approaches used.
- 2.3 The draft DLUHC guidance⁴ makes it clear that when implementing HRA of land-use plans, the AA should be undertaken at a level of detail that is appropriate and proportional to the level of detail provided within the plan itself: "*The comprehensiveness of the [Appropriate] assessment work undertaken should be proportionate to the geographical scope of the option and the nature and extent of any effects identified. An AA need not be done in any more detail, or using more resources, than is useful for its purpose. It would be inappropriate and impracticable to assess the effects [of a strategic land use plan] in the degree of detail that would normally be required for the Environmental Impact Assessment (EIA) of a project.*" More recently, the Court of Appeal⁵ ruled that providing the Council (competent authority) was duly satisfied that proposed mitigation could be 'achieved in practice' to avoid an adverse effect, then this would suffice. This ruling has since been applied to a planning permission (rather than a Core Strategy)⁶. In this case the High Court ruled that for '*a multistage process, so long as there is sufficient information at any particular stage to enable the authority to be satisfied that the proposed mitigation can be achieved in practice it is not necessary for all matters concerning mitigation to be fully resolved before a decision maker is able to conclude that a development will satisfy the requirements of reg. 61 of the Habitats Regulations*'.
- 2.4 In other words, there is a tacit acceptance that HRA can be tiered and that all impacts are not necessarily appropriate for consideration to the same degree of detail at all tiers.
- 2.5 Figure 2 below outlines the stages of HRA according to current draft DLUHC guidance. The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations, and any relevant changes to the plan until no significant adverse effects remain.

² DLUHC (was CLG) (2006) Planning for the Protection of European Sites, Consultation Paper

³ <https://www.gov.uk/guidance/appropriate-assessment>

⁴ Ibid

⁵ No Aadastral New Town Ltd (NANT) v Suffolk Coastal District Council Court of Appeal, 17th February 2015

⁶ High Court case of R (Devon Wildlife Trust) v Teignbridge District Council, 28 July 2015

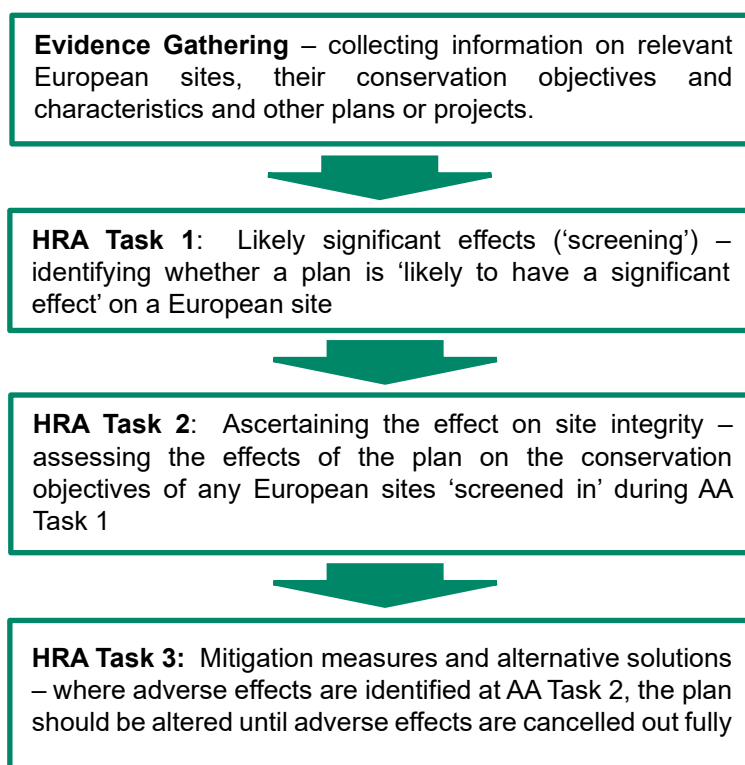


Figure 2. Four-Stage Approach to Habitats Regulations Assessment (Source: DLUHC, 2006).

HRA Task 1 – Likely Significant Effects (LSE)

- 2.6 The first stage of any Habitats Regulations Assessment (HRA Task 1) is a Likely Significant Effect (LSE) test - essentially a risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:
- 2.7 *“Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?”*
- 2.8 The objective is to ‘screen out’ those plans and projects that can, without any detailed appraisal, be said to be unlikely to result in significant adverse effects upon European sites, usually because there is no mechanism for an adverse interaction with European sites.
- 2.9 The level of detail in land use plans concerning developments that will be permitted under the plans is rarely sufficient to allow the fullest quantification of potential adverse effects. It is therefore necessary to be cognisant of the fact that HRAs for plans can be tiered, with assessments being undertaken with increasing specificity at lower tiers. This is in line with DLUHC guidance and court rulings that the level of detail of the assessment, whilst meeting the relevant requirements of the Habitats Regulations, should be ‘appropriate’ to the level of plan or project that it addresses. This ‘tiering’ of assessment is summarised in Figure 3.

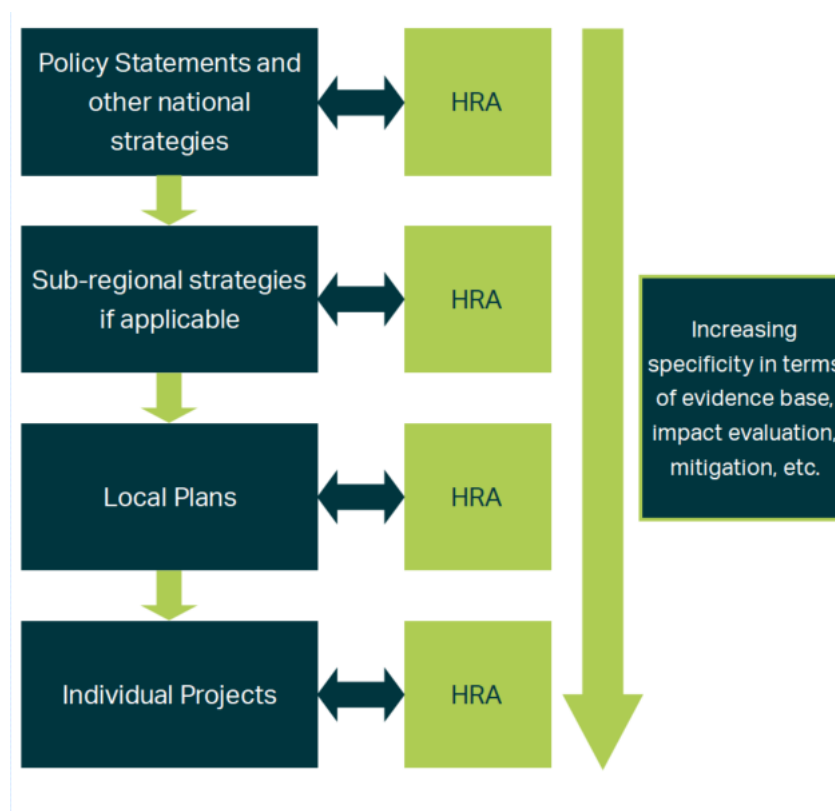


Figure 3. Tiering in HRA of land use plans.

2.10 On these occasions the advice of Advocate-General Kokott⁷ to the European Court of Justice is worth considering. She commented that: *“It would ...hardly be proper to require a greater level of detail in preceding plans [rather than planning applications] or the abolition of multi-stage planning and approval procedures so that the assessment of implications can be concentrated on one point in the procedure. Rather, adverse effects on areas of conservation must be assessed at every relevant stage of the procedure **to the extent possible on the basis of the precision of the plan. This assessment is to be updated with increasing specificity in subsequent stages of the procedure**”* [emphasis added].

HRA Task 2 – Appropriate Assessment

2.11 Where it is determined that a conclusion of ‘no likely significant effect’ cannot be drawn, the analysis has proceeded to the next stage of HRA known as Appropriate Assessment. Case law has clarified that ‘appropriate assessment’ is not a technical term. In other words, there are no particular technical analyses, or level of technical analysis, that are classified by law as belonging to appropriate assessment.

2.12 By virtue of the fact that it follows Screening, there is a clear implication that the analysis will be more detailed than undertaken at the Screening stage and one of the key considerations during appropriate assessment is whether there is available mitigation that would entirely address the potential effect. In practice, the appropriate assessment would take any policies or allocations that could not be dismissed following the high-level Screening analysis and analyse the

⁷ Opinion of Advocate-General Kokott, 9th June 2005, Case C-6/04. Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland, paragraph 49.
<http://curia.europa.eu/juris/document/document.jsf?docid=58359&doclang=EN>

potential for an effect in more detail, with a view to concluding whether there would actually be an adverse effect on integrity (in other words, disruption of the coherent structure and function of the European site(s)).

- 2.13 A 2018 decision by the European Court of Justice⁸ (ECJ), which appears to conclude that measures intended to avoid or reduce the harmful effects of a proposed project on a European site, but which are not an integral part of the project or plan, may no longer be taken into account by competent authorities at the Likely Significant Effects or 'screening' stage of HRA. The implications of the ECJ ruling are structural, essentially meaning that the role of avoidance and measures should be discussed in the subsequent 'appropriate assessment' stage instead, with a more in-depth, reasoned scientific basis.
- 2.14 A more recent 2018 case⁹ also confirmed that an appropriate assessment must consider the interest features of European sites even where those features may be found outside the strict boundaries of those sites and must also consider other habitat types or species, which are present on the site, but for which that site has not been listed but which are necessary to the conservation of the habitat types and species listed for the protected area.

HRA Task 3 – Avoidance and Mitigation

- 2.15 Where necessary, measures are recommended for incorporation into the Plan in order to avoid or mitigate adverse effects on European sites. There is considerable precedent concerning the level of detail that a Local Plan document needs to contain regarding mitigation for recreational impacts on European sites. The implication of this precedent is that it is not necessary for all measures that will be deployed to be fully developed prior to adoption of the Plan, but the Plan must provide an adequate policy framework within which these measures can be delivered.
- 2.16 In evaluating significance, AECOM has relied on professional judgement as well as the results of previous stakeholder consultation regarding development impacts on the European sites considered within this assessment.
- 2.17 When discussing 'mitigation' for the proposed development sites, one is concerned primarily with the policy framework to enable the delivery of such mitigation rather than the details of the mitigation measures themselves since the Local Plan document is a high-level policy document.

Confirming Other Plans and Projects That May Act 'In-combination'

- 2.18 The Conservation of Habitats and Species Regulations (2017 as amended) require that plans are not considered purely in isolation but 'in combination' with other projects and plans. Those in relation to the Nuneaton and Bedworth Borough Council's Gypsy and Traveller Site Allocation's DPD include:
- Hinckley and Bosworth Borough Council Local Plan (2006 to 2026)
 - Rugby Borough Council Local Plan 2011 - 2031

⁸ People Over Wind and Sweetman v Coillte Teoranta (C-323/17)

⁹ Holohan et al vs. An Bord Pleanála (C-461/17)

- Coventry City Council | Local Plan 2011 - 2031
- North Warwickshire Borough Council 2021
- Warwick District Local Plan 2011 - 2029

2.19 It should be noted that, while the broad potential impacts of relevant plans and projects from neighbouring authorities will be considered, this document does not carry out a full HRA of these documents. Instead, it draws upon existing HRAs that have been carried out on that Plan.

3. Internationally Designated Sites Within and Around the Nuneaton and Bedworth Borough

3.1 There are two internationally designated site within a potential zone of influence of the DPD. These are:

- Ensor’s Pool SAC
- River Mease SAC

Table 1. Physical Scope of the HRA.

European Site	Location
Ensor’s Pool SAC	Located within the Borough of Nuneaton and Bedworth, adjacent to the south western extent of the town of Nuneaton
River Mease SAC	Located 15.4km north of the Borough within North West Leicestershire District

3.2 In 2015, a Shadow Habitats Regulations Assessment of the Local Plan was undertaken by Mott MacDonald. This assessment screened out any potential linking impact pathways between the River Mease SAC and the Local Plan due to the distances involved resulting in a lack of hydrological connectivity between the Borough and the SAC (Nuneaton and Bedworth Borough does not lie within the catchment of the River Mease). As such the River Mease SAC is not discussed further within this document.

Ecological Context and Interest Features of Designated Sites

Ensor’s Pool SAC

Introduction

3.3 Ensor’s Pool was notified as an SAC in 2001 when it supported a large and healthy population of white-clawed crayfish, *Austropotamobius pallipes* (approximately 50,000 individuals), and it is the population of this species that is the interest feature of the site.

3.4 Ensor’s Pool lies on the western edge of Nuneaton in the north of Warwickshire and formed in an abandoned clay pit. It is 3.5 hectares in size with a perimeter of approximately 770 metres with an average depth of 8 metres and is fed by groundwater. The pool overlies Etruria Marl which was extracted for brick making earlier last century.

3.5 The pool has some marginal vegetation of hard rush *Juncus inflexus*, common spike-rush *Eleocharis palustris*, water horsetail *Equisetum fluviatile* and lesser bulrush *Typha angustifolia*. Water plants include spiked water-milfoil spicatum

and broad leaved pondweed *Potamogeton natans*. The pool is surrounded by areas of scrub and grassland.

Qualifying Features¹⁰

3.6 Annex II species:

- White-clawed (or Atlantic stream) crayfish *Austropotamobius pallipes*.

Conservation Objectives¹¹

3.7 “With regard to the SAC and the natural habitats and/or species for which the site has been designated (the ‘Qualifying Features’ listed below), and subject to natural change;

3.8 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats of qualifying species
- The structure and function of qualifying species
- The structure and function of the habitats of qualifying species
- The supporting processes on which the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.”

Threats / Pressures to Site Integrity

3.9 The following threats/ pressures to the site integrity of Ensor’s Pool SAC are listed in Natural England’s Site Improvement Plan¹² with further details provided within the Supplementary Advice on Conserving and Restoring Site Features¹³:

- Changes in species distribution
 - This former marl pit has held a very large population estimated at 50,000 individuals. The results of a 2015 survey show that the once abundant population of white-clawed crayfish has now disappeared from the SAC. The pool still provides a suitable habitat for crayfish with abundant emergent and submerged vegetation, under-cut banks providing potential refuges and shelter from predator and there appears to be good crayfish habitat around all of the pool.

3.10 Consultation with Natural England for the Borough Local Plan¹⁴ also identified additional potential linking impact pathways:

¹⁰ Available at: <http://publications.naturalengland.org.uk/file/5414346679123968> [accessed 15/12/2021]

¹¹ Available at: <http://publications.naturalengland.org.uk/file/5267179054563328> [accessed 15/12/2021]

¹² Available at: <http://publications.naturalengland.org.uk/publication/5364843502632960> [accessed 15/12/2021]

¹³ Available at: <http://publications.naturalengland.org.uk/file/4949612890947584> [accessed 15/12/2021]

¹⁴ Natural England letter dated 22 February 2016. Reference 169179

- Recreational pressure: *“the risk of recreational activities arising from an increase in population stemming from net new dwellings, adversely affecting the designated native crayfish population and their habitat”*; and
- Changes to ground water flows.

4. Likely Significant Effects

Physical scope of the HRA

4.1 Based upon Natural England's Site Improvement Plans, Supplementary Advice on Conserving and Restoring Site Features and Natural England consultation with regards to the Local Plan, there are two impact pathways that require consideration with regards to Ensor's Pool SAC and the DPD.

Potential Linking Impact Pathways

4.2 The following potential linking impact pathways have been identified that could link Ensor's Pool SAC to the DPD. These are:

- Changes in species distribution
- Changes to groundwater flows
- Recreational pressure

Changes in Species Distribution

4.3 The Site Improvement Plan has identified that although Ensor's Pool was formerly a stronghold for white clawed crayfish (c 50,000 individuals), surveys in 2014 has identified a population crash with no white clawed crayfish recorded within the SAC. The cause of the sudden decline is unclear, but it is likely that the decline is as the result of crayfish plague. This situation is currently under investigation.

4.4 There are no linking impact pathways present between the population crash of white clawed crayfish from suspected crayfish plague and the delivery of gypsy and traveller pitches through the DPD. **There is no potential for likely significant effects.**

Changes to Groundwater Flows

4.5 As previously noted, Ensor's Pool SAC is groundwater fed. As such, changes in hydrological conditions as a result of increased development, could impact of the groundwater flows. The HRA of the Local Plan identified allocation sites that could potentially interact with the groundwater flows at Ensor's Pool. These were all located in close proximity to Ensor's Pool SAC. In contrast, the three site allocations within the DPD, are located distant from the SAC. Details are as follows:

- GTSA1 Sunrise Cottage is located 5.6km south east of Ensor's Pool SAC, to the East of Bedworth. Coventry Canal separates the site allocation from the SAC.
- GTSA2 The Old Nursery is located 5.9km south east of Ensor's Pool SAC, to the East of Bedworth. Coventry Canal separates the site allocation from the SAC.
- GTSA3 Winter Oak is located 4.9km north from Ensor's Pool SAC. It is located beyond the north east of Nuneaton town. Coventry Canal separates the site allocation from the SAC.

4.6 **Due to the distances identified above, it is considered that there is no reasonable groundwater linkage between the site allocations and the SAC and no likely significant effects will result.**

4.7 Furthermore, the overarching adopted Nuneaton and Bedworth Local Plan, includes policy that ensures that if groundwater quality cannot be retained, there will be an assumption against the development proposal (Policy NE4 – Managing flood risk and water quality). This will apply to all development in the Borough, including that in this DPD.

Recreational Pressure

4.8 Consultation with Natural England regarding the Local Plan¹⁵ initially identified this potential linking impact pathway stemming from an increase in recreational pressure from the net new dwellings, potentially inking to the population of white-clawed Crayfish at Ensor’s Pool.

4.9 The Natural England consultation noted that the crayfish population has been lost, and that this is likely to be as a result of biosecurity issues (crayfish plague). Natural England identified that against this background the housing proposed within the Local Plan would not further exacerbate the biosecurity risks through the effects of recreation. It was concluded that there would not be any added risk from recreation. As the quantum of pitches is provided in line with that within the adopted Local Plan, **this linking impact pathway can be screened out from resulting in likely significant effects.**

Likely Significant Effects Test

4.10 The consideration of the Nuneaton and Bedworth Borough Gypsy and Traveller DPD (the Test of Likely Significant Effects) and its potential effects on Ensor’s Pool SAC is documented in Table 2.

Table 2 Likely Significant Effects Test

Policy	Description	Likely Significant Effects Test (LSE)
Strategic Policy GT1 – Overall Need	Provides for the following levels of planned development within the Borough (2021/22 – 2036/37): <ul style="list-style-type: none"> • At least 6 permanent residential pitches to accommodate Gypsies and Travellers by 2025/26; and • At least a further 5 permanent residential pitches beyond those required by 2025/26 so that, in total, at least 11 permanent residential pitches to accommodate Gypsies and Travellers by 2036/37. 	<p>Whilst this policy provides for an increase in population as a result of an increase in pitches (22 net new pitches in total), this DPD Policy is in-line with that provided within Local Plan Policy. Local Plan 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.</p> <p>As the quantum of development provided within the DPD is in line with that provided by the Local Plan, no new impact pathways are identified and this impact pathway can be screened out.</p>
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	No HRA implications.

¹⁵ Natural England letter dated 22 February 2016. Reference 169179

	<p>and in the following priority land uses:</p> <ol style="list-style-type: none"> 1) within the permitted area of existing lawful, authorised gypsy and traveller sites; 2) then land adjoining the permitted area of existing lawful, authorised gypsy and traveller sites; 3) 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. <p>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.</p>	<p>This is a development management policy relating to the Gypsy and Traveller DPD. There are no potential linking impact pathways present.</p>
<p>Policy GT3 – Site Allocations</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. 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.</p> <p>Key Development Requirements 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"> • 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. <p>GTSA2 – The Old Nursery</p>	<p>.</p> <p>This policy provides for three site allocations, GTSA1 Sunrise Cottage (three net new pitches), GTSA2 The old Nursery (five to six net new pitches), and GTSA3 Winter Oak (6 net new pitches).</p> <p>Similar to DPD Policy GT1 (Overall Need) this policy provides for an increase in population as a result of an increase of new pitches (15 net new pitches in total), this DPD Policy is in-line with that provided within Local Plan Policy. Local Plan 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</p> <p>As the quantum of development provided within the DPD is in line with that provided by the Local Plan, no new impact pathways are identified and this impact pathway can be screened out.</p> <p>The locations of the three sites allocations (GTSA1 Sunrise Cottage, GTSA2 The old Nursery, and GTSA3 Winter Oak) do not provide any potential linking impact pathways.</p> <p>This policy also provides development management policy which does not identify and new potential linking impact pathways.</p>

	<ul style="list-style-type: none"> • 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. <p>GTSA3 – Winter Oak</p> <ul style="list-style-type: none"> • 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. 	
<p>Policy GT4 – Site Safeguarding</p>	<p>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 be permitted if it is proven that either there is no longer a requirement for travelling showpeople accommodation or that an alternative site for travelling showpeople is available within Warwickshire.</p>	<p>No HRA implications.</p> <p>This policy safeguards land at Spinney Lane/ Whittleford Road, Nuneaton (DPD policy GTSA4) for future development to meet Gypsy and Traveller needs.</p> <p>There are no potential linking impact pathways present.</p>

In Combination Assessment

4.11 The quantum of development provided within the DPD is provided within the overarching adopted Nuneaton and Bedworth Local Plan which has already been subject to an HRA that concluded recreational activity from the Local Plan would not exacerbate existing issues at the SAC. Given this, and since the allocated gypsy and traveller sites lie too far from the SAC to affect water quality, it is considered that there is no mechanism for the allocation of these gypsy and traveller sites to operate in combination with other plans and projects. The overarching Local Plan HRA already considers in-combination effects, and this DPD is in line with that Local Plan.

5. Conclusions

- 5.1 This assessment undertook both a Test of Likely Significant Effects and Appropriate Assessment of the policies and any allocations within the Nuneaton and Bedworth Gypsy and Traveller Site Allocations DPD.
- 5.2 The international designated sites, considered within the Appropriate Assessment were:
- Ensor's Pool SAC, and
 - The River Mease SAC
- 5.3 However, it can be concluded that due to a general absence of realistic linking impact pathways and the distances from the site allocations within the DPD to designated site, no likely significant effects will result on either Ensor's Pool SAC or the River Mease SAC as a result of the Nuneaton and Bedworth Gypsy and Traveller Site Allocations DPD, either alone or in combination.

Appendix A Map of European sites

