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Date: 17<sup>th</sup> May, 2022

Dear Sir/Madam,

A meeting of the **CABINET** will be held in the Council Chamber, Town Hall, Nuneaton, on **Wednesday, 25<sup>th</sup> May, 2022** 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 Virgin Money Bank (formerly the Yorkshire 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 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 13<sup>th</sup> April, 2022 (**Page 9**)
5. PUBLIC CONSULTATION – Members of the Public will be given the opportunity to speak on specific agenda items or have their submitted statement read by an officer of the Council, if notice has been received.
6. BOROUGH PLAN REVIEW – PREFERRED OPTIONS CONSULTATION – report of the Director – Planning and Regulation (**Page 15**)
7. ARBURY DESIGN CODE – report of the Director – Planning and Regulation attached (**Page 24**)
8. GYPSY AND TRAVELLER SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT (DPD) – PUBLICATION. – report of the Director – Planning and Regulation attached (**Page 51**)
9. TRANSFORMING BEDWORTH CROSS PARTY WORKING GROUP – report of the Director – Regeneration and Housing attached (**Page 124**)

10. BOROUGH COUNCIL VISUAL IDENTITY – report of the Deputy Chief Executive attached (**Page 129**)
11. QUARTERLY REVIEW OF STRATEGIC PERFORMANCE REPORT (FOURTH QUARTER 2021-22) - a report of the Governance, Risk Management and Performance Officer attached (**Page 134**)
12. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY PANELS – none
13. 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).
14. EXCLUSION FROM 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 1 and 3 of Part I of Schedule 12A to the Act.
15. HOUSING REVENUE ACCOUNT – INDEPENDENT LIVING CLEANING SERVICE - report of the Head of Housing and Responsive Repairs

# **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 – 2022/2023

	<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> <li>• West Midlands Employers</li> </ul>	
	C. Golby		Member of Warwickshire County Council Member of the following Outside Bodies: <ul style="list-style-type: none"> <li>• Coventry, Warwickshire and Hinckley and Bosworth Joint Committee</li> <li>• District Leaders</li> <li>• Local Enterprise Partnership</li> <li>• Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL)</li> <li>• Nuneaton and Bedworth Home Improvement Agency</li> <li>• NBBC representative on the George Eliot Hospital NHS Trust – Public/User Board</li> <li>• NBBC representative on</li> </ul>	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			George Eliot Hospital NHS Foundation Trust Governors	
	J. Gutteridge		<p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>• Warwickshire Health and Wellbeing Board</li> <li>• Age UK (Warwickshire Branch)</li> </ul> <p>Member of NABCEL</p>	
	S. Markham	County Councillor – W.C.C.	<p>Member of the following Outside Bodies:</p> <ul style="list-style-type: none"> <li>• Bedworth Neighbourhood Watch</li> <li>• Governor at Ash Green School</li> <li>• Bedworth Neighbourhood Watch</li> <li>• Governor at Ash Green School</li> <li>• Sherbourne Asset Co Shareholder Committee;</li> <li>• Nuneaton and Bedworth Sports Forum;</li> <li>• Warwickshire Direct Partnership;</li> <li>• Warwickshire Waste Partnership;</li> </ul>	
	R. Smith		<p>Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club.</p> <p>Member of the following Outside Bodies:</p> <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>• Representative on the Nuneaton and Bedworth Older Peoples Forum</li> <li>• Digital Infrastructure Board</li> </ul>	
	C. Watkins	Landlord of a privately rented property	<p>Representative on the following outside bodies:</p> <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL)</li> </ul>	

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	Nuneaton Conservative Association	
			Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.	
			Representative on the following: <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>• Director of Coventry and Warwickshire Local Enterprise Partnership Ltd (CWLEP)</li> <li>• West Midlands Combined Authority</li> <li>• Deputy Chairman – Nuneaton Conservative Association</li> <li>• District Council Network</li> <li>• Local Government Association (LGA)</li> </ul>	



**Cabinet**

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**Report Summary Sheet**

**Date:** 25<sup>th</sup> May 2022

**Subject:** Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Publication.

**Portfolio:** Planning and Regulation (Councillor Richard Smith).

**From:** Director – Planning and Regulation

**Summary:**

To brief Cabinet on the responses to the Gypsy and Traveller Site Allocations Development Plan Document (DPD) Publication and the consequential recommended minor modifications to the DPD and Sustainability Appraisal. Also, to seek approval for the DPD, associated Sustainability Appraisal and all the other relevant documents to be submitted to the Secretary of State (Planning Inspectorate) in June 2022. In addition, it is requested 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 amendments as the Inspector deems necessary.

**Recommendations:**

That the Cabinet notes the responses and recommended minor modifications to the DPD and Sustainability Appraisal and provide approval for the DPD, Sustainability Appraisal, minor modifications, and other relevant documents to be submitted to the Secretary of State (Planning Inspectorate) in June 2022. In addition, 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 amendments as the Inspector deems necessary.

**Options:**

- To note and endorse the minor modifications and recommendations and provide approval for the DPD, Sustainability Appraisal and other relevant documents to be submitted to the Secretary of State (Planning Inspectorate) in June 2022. In addition, endorse 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 amendments as the Inspector deems necessary.
- To note and recommend further minor modifications and provide approval for the DPD, recommended amendments, Sustainability Appraisal and other relevant documents to be submitted to the Secretary of State (Planning Inspectorate) in June 2022. In addition, endorse 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 amendments as the Inspector deems necessary.
- Not to endorse the recommendations.

**Reasons:**

To continue processing the Gypsy and Traveller Site Allocations documents in order that these can be submitted to the Planning Inspectorate for Examination. If the Planning Inspectorate consider the documents sound, then the DPD can be adopted. Once adopted the DPD will provide a planning policy framework for allocating new land for providing gypsy and traveller pitches. The current action is required to meet the milestones and timescales set out in the adopted Local Development Scheme.

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

Consultation with portfolio holder – Planning and Regulation.  
Consultation with key stakeholders and public consultation held between 28<sup>th</sup> January 2022 and 25<sup>th</sup> March 2022.

**Subject to call-in:**

Yes

**Ward relevance:**

All

**Forward plan:**

Yes

**Building a Better Borough Aim:**

Live.

**Building a Better Borough Priority:**

Enable appropriate housing development.

**Relevant statutes or policy:**

Planning and Compulsory Purchase Act 2004 (as amended), the associated Town and Country Planning (Local Development) (England) Regulations 2004 (as amended), and the Environmental Assessment of Plans and Programmes Regulations 2004. Nuneaton and Bedworth Borough Plan. National Planning Policy Framework (NPPF)/National Planning Policy Guidance (NPPG).

**Equalities Implications:**

The DPD will have a positive effect on parts of the community which have protected characteristics.

**Human resources implications:**

None.

**Financial implications:**

Plan production, updating of evidence documents and fee for Examination would need to be met through existing budgets.

**Health Inequalities Implications:**

None.

**Section 17 Crime & Disorder Implications:**

None.

**Risk management implications:**

The Secretary of State (Planning Inspectorate) may consider The Plan unsound.

**Environmental implications:**

None.

**Legal implications:**

The commitment to produce a Gypsy and Traveller Site Allocations Development Plan Document (DPD) is set out in the Council's Local Development Scheme (LDS) – (as amended) adopted in December 2021. Publication of the LDS is a statutory requirement under the Planning & Compulsory Purchase Act 2004. The requirements for Plan Review are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

**Contact details:**

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## AGENDA ITEM NO. 8

### NUNEATON AND BEDWORTH BOROUGH COUNCIL

**Report to:** Cabinet - 25<sup>th</sup> May 2022

**From:** Director – Planning and Regulation

**Subject:** Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Submission.

**Portfolio:** Planning and Regulation (R. Smith)

**Building a Better Borough Aim:**

Live.

**Building a Better Borough Priority:**

Enable appropriate housing development.

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1. Purpose of Report

1.1 The purpose of this report is to brief Members on the responses to the Gypsy and Traveller Site Allocations Development Plan Document (DPD) Publication. Also, to recommend suggested minor modifications to the DPD and potentially to the Sustainability Appraisal in view of these responses. The purpose of this report is also to seek approval so that the DPD together with the supporting Sustainability Appraisal, minor modification and other relevant documents can be approved and submitted to the Secretary of State (Planning Inspectorate) in June 2022. In addition, it is requested 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 amendments as the Inspector deems necessary.

2. Recommendations

- i. That the Cabinet notes the consultee responses and approve the suggested recommended minor modifications to the DPD and potentially to the Sustainability Appraisal. This is to allow the DPD together with the supporting Sustainability Appraisal, suggested minor modifications and other relevant documents to be submitted in June 2022 to the Secretary of State (Planning Inspectorate) for Examination.
- ii. 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.

### 3. Background

- 3.1 The Nuneaton and Bedworth Borough Plan was adopted on the 11<sup>th</sup> June 2019. Policies DS4 – Overall development needs and H3 – Gypsies and Travellers set out the amount of new pitches and plots required to 2031/2032. Policy H3 requires that a Gypsy and Traveller Site Allocations Development DPD is required to identify potential locations for residential and permanent pitches and plots.
- 3.2 In line with Policy H3, a Gypsy and Traveller Site Allocations DPD has been created. This has necessitated that the DPD has gone through various legal stages. The stages included an initial ‘call for sites’, ‘Issues and Options’ Document and associated public and statutory consultation and which has culminated in a final Publication version. (Refer to appendix A). The next stage of this process was the consultation on the Publication version which was carried out between 28<sup>th</sup> January 2022 and 25<sup>th</sup> March 2022. This has led to some suggested minor modifications. As part of the requirements for a DPD, a Sustainability Appraisal and Habitat Regulations Assessment (links provided within later background papers) are also required, and which have now been carried out. The documents now have to go to the Secretary of State (Planning Inspectorate) for Examination to be tested for soundness. This is to enable the Document to become an adopted DPD in order to become part of the Council’s planning policy framework.
- 3.3 The purpose of this report is firstly, to inform Cabinet Members of the responses received. Secondly, to inform Members of recommended minor modifications to the DPD and potentially to the Sustainability Appraisal. Thirdly, to request that the DPD, Sustainability Appraisal, minor modifications and other relevant documents can be approved and submitted in June 2022 to the Planning Inspectorate for Examination. The fourth objective is that any recommendation for modifications provided by the Planning Inspectorate to the Document, can be dealt with via delegated authority given to the Head of Planning and Building Control in consultation with the Cabinet Member for Planning and Regulations.
- 3.4 Four sites have been brought forwards within the DPD, two are existing Gypsy sites (GTSA1 and GTSA3) with some capacity for expansion or intensification and one new Gypsy site (GTSA2) brought forwards as part of the survey and assessment process. The fourth site is an existing Travelling Show Person site (GTSA4) of which it is considered that the plot provision needs safeguarding. The Warwickshire County Council site at Griff Hollows has also been considered within the provision as it has a number of empty pitches as well as capacity due to turnover of pitches. The sites are:
- GTSA1 – Sunrise Cottage, Mile Tree Lane.
  - GTSA2 – The Old Nursery, Parrotts Grove.
  - GTSA3 - Winter Oak, Watling Street Nuneaton.

- GTSA4– Spinney Lane/Whittleford Road, Nuneaton (safeguarded).

#### 4.0 Gypsy and Traveller Site Allocations DPD responses

4.1 The Council received a total of 20 responses. These were from The Environment Agency, Historic England, National Grid, National Highways, Natural England, North Warwickshire Borough Council, The Coal Authority, Warwickshire County Council Infrastructure Team, Shilton and Barnacle Parish Council, Wolvey Parish Council and ten responses of support from members of the public.

4.2 The table below provides a brief summary of the comments from each of the respondents. Appendix B provides a full copy of the replies and Officers response to the comments.

<b>Respondent</b>	<b>Precis of comments</b>
1. Coal Authority	They provided a broad response stating there are recorded coal mining features present at the surface and shallow depth and these features may pose a potential risk to surface stability and public safety. Coal resources are at the surface on some sites. The sites should be checked against the Coal Authority’s High and Low Risk Areas.
2. Environment Agency (EA)	<p><u>Foul sewage</u> Due to the proximity of foul sewers, GTSA3 and GTSA4 should ideally connect to existing sewage infrastructure. Should be checked by Severn Trent Water. Where non mains drainage may be required the DPD will need to highlight the potential impact to the water environment and where mains drainage is not viable that the alternative means are sought permits from the EA.</p> <p><u>Flood Risk</u> Suggest Lead Local Flood Authority at Warwickshire County Council is contacted re surface water.</p> <p><u>Sustainability Appraisal</u> Water pollution from non mains foul drainage will require mitigation.</p>

<p>3. Historic England (HE)</p>	<p>Sites need to be assessed against HE's Site Selection Methodology and detailed Heritage Impact Assessments need to be carried out. Welcomes that the DPD include criterion on heritage assets.</p> <p><u>Site specifics</u>  Welcomes that the proximity and impact to Tolldish Old Hall and Tolldish Cottage (Grade II Listed Buildings) has been considered for GTSA2. HE acknowledged the report that 'no significant effects 'or 'neutral impact' of the site to historic character.</p> <p>Sustainability Appraisal (SA)  Pleased to see previous comments taken into consideration. Welcomes comments within the report. Needs an indicator in relation to conservation area management. Advises Conservation Officer and Archaeologist need to be involved with the SA.</p> <p>They consider that the DPD Publication draft is positively prepared, justified, effective and consistent with national policy in relation to the historic environment and that the Plan is therefore sound in this respect.</p>
<p>4. National Grid</p>	<p>Response was that they reviewed the document and confirmed they had no comments.</p>
<p>5. National Highways</p>	<p>Advised had no comments to make on the broader contents of the document, but made specific reference to GTSA3 – Winter Oak which sits adjacent to the A5, Watling Street.</p> <p>Considered the increased number of pitches could impact on the A5 and traffic movement would need to be assessed at the planning application stage as the access may need upgrading. Also, the physical impact,</p>



	boundaries, air quality and noise may also need to be considered at the planning application stage. Consideration also needs to be given to future road widening.
6. Natural England (NE)	Natural England does not consider DPD poses any likely risk or opportunity in relation to NE's statutory purpose, and so do not wish to comment on this consultation.
7. North Warwickshire Borough Council	Welcomes and supports the publication but concern over zero needs for transit pitches. Previous evidence bases stated these were required and that there had been no conversation from NBBC about using NWBC's transit pitches.
8. Warwickshire County Council Infrastructure Team	No comments received.
9. Shilton and Barnacle Parish Council	Over intensification of sites within Bulkington compared to the rest of the Borough. Several sites are allocated along Mile Tree Lane which is on the boundary with Rugby Borough Council. The frontages of these properties are in NBBC, but the rear gardens fall within Shilton & Barnacle parish and therefore will, lead to an over intensification of sites and development in this area leading to further inappropriate development in the Green Belt.
10. Wolvey Parish Council	Concerns that the proposals could result in inappropriate development in the Green Belt as the sites identified in Bulkington adjoin the boundary with Rugby and will impact on Rugby Borough Council's area of Green Belt.
11. Public – Mr and Mrs B.	Response of support as will provide a five-year supply of Gypsy and Traveller accommodation. Negates excuse that the Council are unable to demonstrate a five-year supply. Provides human rights of the settled community. Allows the addressing of unlawful sites. Must be regularly reviewed and final decisions made by democratic elected body.
12. Public – Mr C.	Response of support as will provide a five-year supply of Gypsy and

	Traveller accommodation. Evidence base ensures that the DPD can stand up to scrutiny. Negates excuse that the Council are unable to demonstrate a five-year supply. Provides human rights of the settled community. It will allow both communities to live in relative harmony. Allows the addressing of unlawful sites. Must be regularly reviewed and final decisions made by democratic elected body.
13. Public – Ms K	Pleased to see Council addressing this difficult and important situation. Sites should be spread evenly across the Borough to ensure that the services can accommodate needs.
14. Public – Mr M	Response of support as will provide a five-year supply of Gypsy and Traveller accommodation. Evidence base ensures that the DPD can stand up to scrutiny. Negates excuse that the Council are unable to demonstrate a five-year supply. Provides human rights of the settled community. It will allow both communities to live in relative harmony Allows the addressing of unlawful sites. Must be regularly reviewed and final decisions made by democratic elected body.
15. Public – Mr M	Response of support as will provide a five-year supply of Gypsy and Traveller accommodation. Evidence base ensures that the DPD can stand up to scrutiny. Negates excuse that the Council are unable to demonstrate a five-year supply. Provides human rights of the settled community. It will allow both communities to live in relative harmony Allows the addressing of unlawful sites. Must be regularly reviewed and final decisions made by democratic elected body.
16. Public – Mrs M	Response of support as will provide a five-year supply of Gypsy and Traveller accommodation. Evidence base ensures that the DPD can stand up to scrutiny. Negates excuse that

	<p>the Council are unable to demonstrate a five-year supply. Provides human rights of the settled community. It will allow both communities to live in relative harmony Allows the addressing of unlawful sites. Must be regularly reviewed and final decisions made by democratic elected body.</p>
17. Public – Mr and Mrs M	<p>Response of support as will provide a five-year supply of Gypsy and Traveller accommodation. Evidence base ensures that the DPD can stand up to scrutiny. Negates excuse that the Council are unable to demonstrate a five-year supply. Provides human rights of the settled community. It will allow both communities to live in relative harmony. Allows the addressing of unlawful sites. Must be regularly reviewed and final decisions made by democratic elected body.</p>
18. Public – Mr S	<p>Response of support as will provide a five-year supply of Gypsy and Traveller accommodation. Evidence base ensures that the DPD can stand up to scrutiny. Negates excuse that the Council are unable to demonstrate a five-year supply. Provides human rights of the settled community. It will allow both communities to live in relative harmony Allows the addressing of unlawful sites. Must be regularly reviewed and final decisions made by democratic elected body.</p>
19. Public – Mrs S	<p>Response of support as will provide a five-year supply of Gypsy and Traveller accommodation. Evidence base ensures that the DPD can stand up to scrutiny. Negates excuse that the Council are unable to demonstrate a five-year supply. Provides human rights of the settled community. It will allow both communities to live in relative harmony. Allows the addressing of unlawful sites. Must be regularly reviewed and final decisions made by</p>

	democratic elected body.
20. Public – Mr S	Response of support as will provide a five-year supply of Gypsy and Traveller accommodation. Evidence base ensures that the DPD can stand up to scrutiny. Negates excuse that the Council are unable to demonstrate a five-year supply. Provides human rights of the settled community. It will allow both communities to live in relative harmony. Allows the addressing of unlawful sites. Must be regularly reviewed and final decisions made by democratic elected body.

4.3 To assist with the replies, a response form and notes were created. Some of the responders used this format, others just sent freestyle responses. A copy of the blank response form is at Appendix C.

4.4 Subsequent to the consultee responses, minor modifications (additions) are considered necessary to the DPD and potentially to the Sustainability Appraisal. As the DPD is at the Publication stage, the Council will need to recommend these modifications to the Planning Inspector to consider at Examination. These amendments are set out below:

i) Add to Policy GT3 for GTSA1, GTSA2 and GTSA3 and to Policy GT4 for GTSA4 the following bullet points:

- Where possible foul sewage for new pitches/plots should connect to existing Severn Trent Water foul water mains drainage in consultation with Severn Trent Water.
- Where connection to mains drainage is not possible, the potential impact on the water environment will need to be considered.
- Note: - where alternative methods 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>

ii) Add to Policy GT3 for GTSA3 the following bullet points:

- 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 will require to be submitted for any planning application submission.
- An Air Quality Exposure Assessment and Noise Assessment may be required to determine any formal planning application to inform of any mitigation required.

In reference to the Sustainability Appraisal and in acknowledgement of the Environment Agencies comments for the potential water pollution from septic tanks. The neutral effects identified in the Sustainability Appraisal ought to be considered to be potential minor negatives. However, with the above policy measures in place, the effects should be returned to neutral. Therefore, the Inspector may consider that it is relevant to add a clause to the Sustainability Appraisal to deal with the potential water pollution issue.

## 5. Conclusion

- 5.1 The responses to the Gypsy and Traveller Site Allocations Development Plan Document (DPD) provided useful information and it is considered that none of the responses provided any barriers for bringing these sites forwards.
- 5.2 In conclusion, it is proposed that Cabinet should recommend that the DPD, Sustainability Appraisal, suggested minor modifications and other relevant documents are submitted in June 2022 to the Secretary of State - Planning Inspectorate for Examination. In addition, it is requested 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 amendments deemed appropriate by the Planning Inspectorate.

## 6. Appendices

- Appendix A - Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Publication version.
- Appendix B – Full responses to the Publication version.
- Appendix C – Response form and notes.

## 7. Background Papers

The general background papers are available at:

[https://www.nuneatonandbedworth.gov.uk/info/21015/gypsies\\_and\\_travellers/283/gypsies\\_and\\_travellers](https://www.nuneatonandbedworth.gov.uk/info/21015/gypsies_and_travellers/283/gypsies_and_travellers)

The most relevant documents are considered to be as follows:

Gypsy and Traveller Site Allocations DPD - Publication consultation Draft :

[https://www.nuneatonandbedworth.gov.uk/downloads/file/4556/gypsy\\_and\\_traveller\\_site\\_allocations\\_dpd\\_2022](https://www.nuneatonandbedworth.gov.uk/downloads/file/4556/gypsy_and_traveller_site_allocations_dpd_2022)

Sustainability Appraisal Report Gypsy and Traveller Site Allocations Development Plan Document (DPD) Pre-submission November 2021.

[https://www.nuneatonandbedworth.gov.uk/downloads/file/4555/sustainability\\_appraisal\\_report\\_gypsy\\_and\\_traveller\\_site\\_allocations\\_development\\_plan\\_document\\_pre\\_submission\\_2022](https://www.nuneatonandbedworth.gov.uk/downloads/file/4555/sustainability_appraisal_report_gypsy_and_traveller_site_allocations_development_plan_document_pre_submission_2022)

Habitats Regulations Assessment DPD Policy on Gypsy, Travellers and Travelling Show people Site Allocations December 2021

[https://www.nuneatonandbedworth.gov.uk/downloads/file/4558/habitats\\_regulations\\_assessment\\_of\\_nuneaton\\_and\\_bedworth\\_borough\\_council\\_gypsy\\_and\\_traveller\\_site\\_allocations\\_dpd\\_2021](https://www.nuneatonandbedworth.gov.uk/downloads/file/4558/habitats_regulations_assessment_of_nuneaton_and_bedworth_borough_council_gypsy_and_traveller_site_allocations_dpd_2021)

Gypsy and Traveller and Travelling Show Person Accommodation Assessment May (2021).

[https://www.nuneatonandbedworth.gov.uk/downloads/file/4323/gypsy\\_and\\_traveller\\_and\\_travelling\\_showperson\\_accommodation\\_assessment\\_2021](https://www.nuneatonandbedworth.gov.uk/downloads/file/4323/gypsy_and_traveller_and_travelling_showperson_accommodation_assessment_2021)

# Gypsy and Traveller Site Allocations DPD

Publication consultation draft



**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 would be identified and allocated for future traveller sites.
  - 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 document is the Publication draft of the Gypsy and Traveller Site Allocations DPD; this is the formal document as required by Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012. 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 have been considered in producing this next version of the DPD.
  - 1.5 The document is set out in five subsequent chapters addressing the vision and objectives of the DPD, followed by the need for new pitches, the locations of these new pitches, a monitoring schedule for the DPD, and a conclusion.
  - 1.6 To support this document the Council has commissioned a consultant to produce a new Gypsy, Traveller, and Travelling Showpersons
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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. 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.

## 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
<b>5yr Authorised Pitch Shortfall (2021/22 to 2025/26) (A)</b>	<b>8</b>	<b>6</b>
<b>Longer-term need</b>		
<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>	<b>12</b>	<b>10</b>
<b>NET SHORTFALL 2021/22 to 2036/37 (A+D) (11 years)</b>	<b>20</b>	<b>16</b>

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 and, therefore, this meets the need evidenced in the 2021 GTAA.

Table 2 - Addressing Gypsy and Traveller pitch need.

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

- 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 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. 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.

## Strategic Policy GT1 – Overall Need

The following levels of development will be planned for and provided within Nuneaton and Bedworth Borough between 2021/22 and 2036/37:

- 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.



## 4.0 Location of Pitches

### Introduction

- 4.1 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 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 travelling showperson's yard is also outside of the Green Belt.
- 4.4 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 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.

- 4.5 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 H3 – Gypsies and Travellers of the current Borough Plan.

### Locational Strategy

- 4.6 The fundamental purpose of the Gypsy and Traveller Site Allocations DPD is to allocate land to provide for the number of pitches identified as the need by 2036/37. 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 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.
- 4.7 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 differences 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. 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.

- 4.8 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 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.
- 4.9 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.

### 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 in the following priority land uses:

- 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.

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.

### Allocation of Sites

- 4.10 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).
- 4.11 The 2021 GTAA also identified another site that had the potential to accommodate new pitches but this 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.
- 4.12 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.
- 4.13 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.

- 4.14 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.
- 4.15 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.
- 4.16 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.
- 4.17 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.

- 4.18 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.
- 4.19 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.
- 4.20 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, areas prone to flooding change and should this then be the case extant Policy NE4 – Managing flood risk and water quality would be used. Similarly, sewage connection is not a key development requirement as this is already addressed by bullet point number 9 of extant H3 – Gypsies and Travellers.



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.

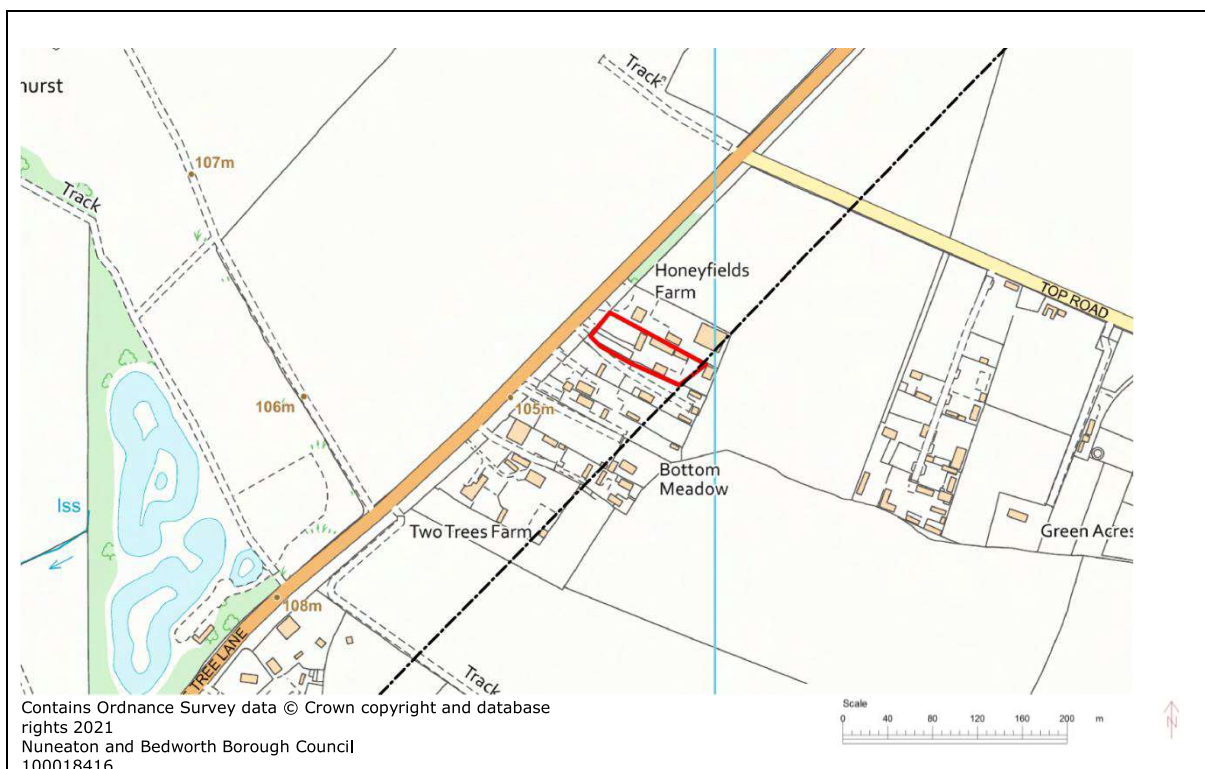
GTSA2 – The Old Nursery

- 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.

G TSA3 – Winter Oak

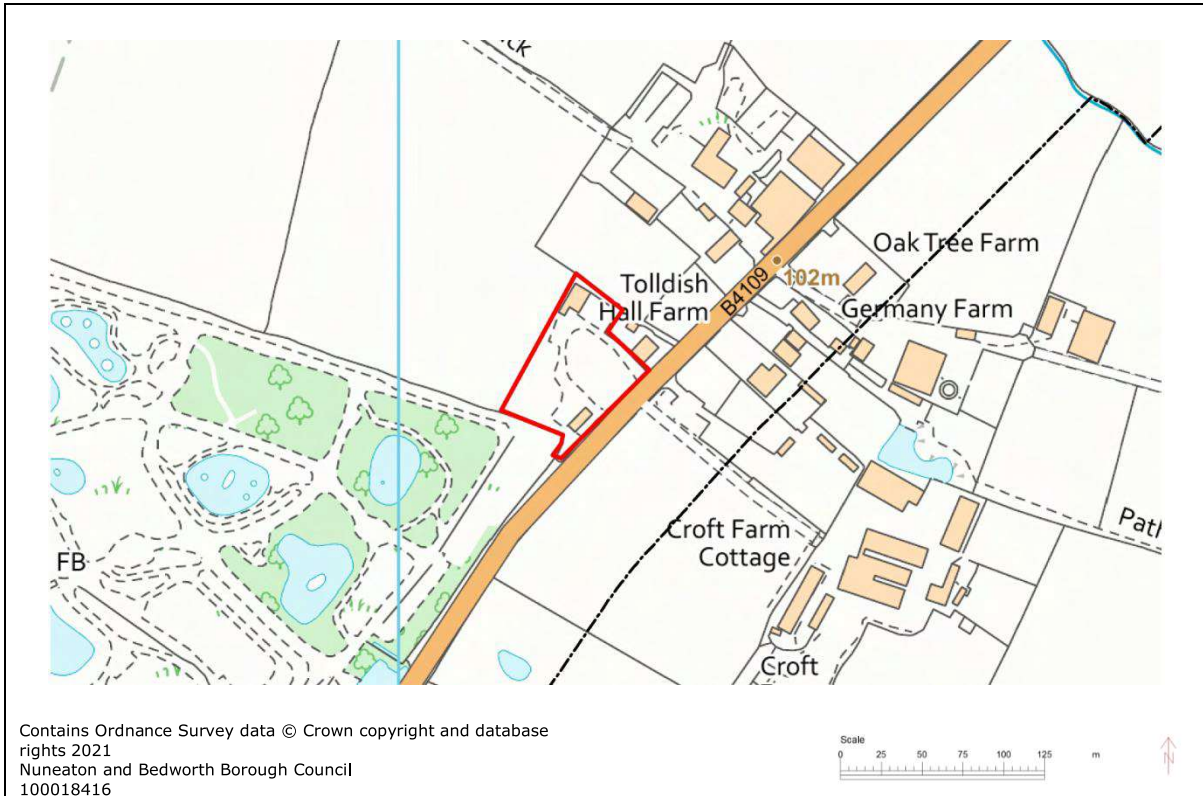
- Suitable bin collection points should be provided within the site so that bins are not stored within the highway.
- Preliminary Ecological Assessment.
- Retention of existing boundary vegetation.

G TSA1 – Sunrise Cottage





G TSA2 – The Old Nursery



GTSA3 – Winter Oak



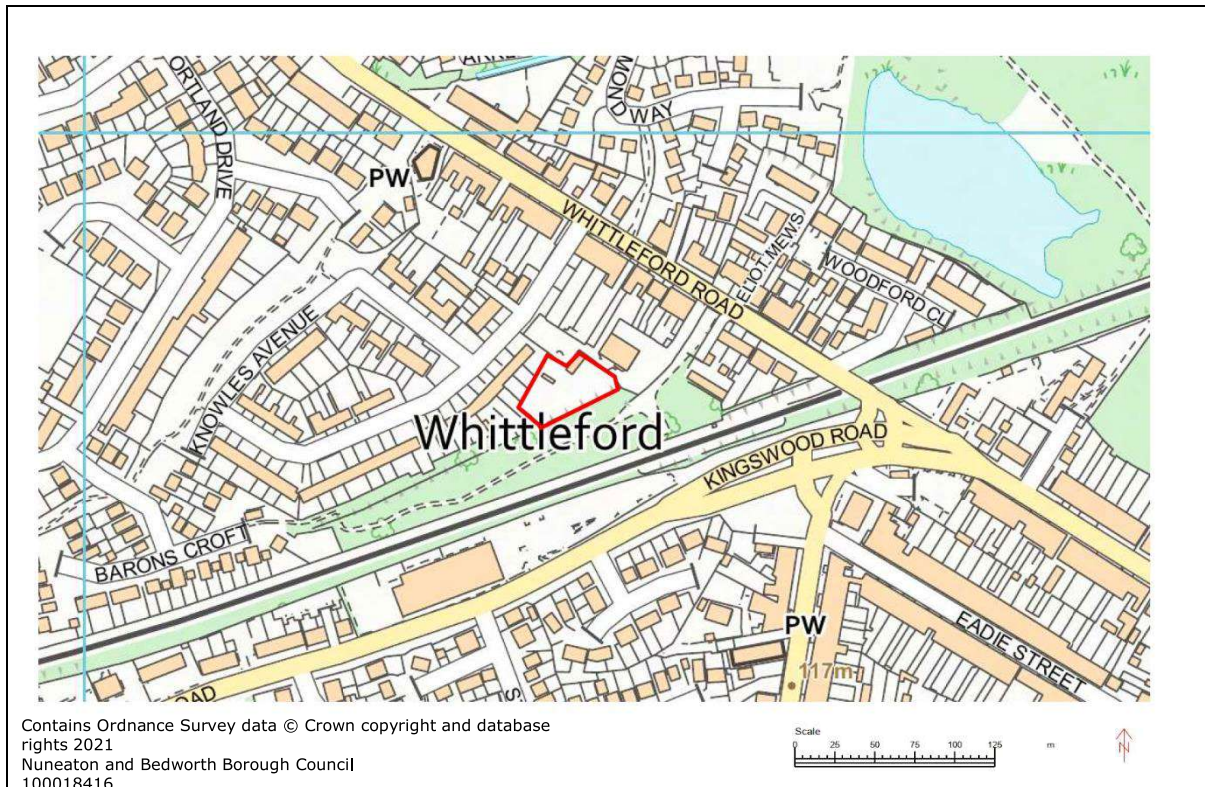
4.21 As well as the allocation of sites for new gypsy and traveller pitches the Council has considered the ongoing need for a travelling showperson’s yard within the Borough, currently at Spinney Lane/Whittleford Road, Nuneaton. This is the only such type of accommodation in Warwickshire and thus has 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.

Policy GT4 – Site Safeguarding

The travelling showpeople site at Spinney Lane/Whittleford Road, Nuneaton as denoted on plan GTS4 with a solid red line will be safeguarded for use by travelling showpeople.

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.

GTS4 – Spinney Lane/Whittleford Road, Nuneaton



## 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	Gypsy and traveller accommodation.	11 residential pitches provided.
	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 policy.	100%.
Policy GT3 – Site Allocations	Monitor the supply and delivery of allocated sites and report annually through the Authority Monitoring Report	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.
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 was proven to be no longer required.

## 6.0 Conclusion

- 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.
- 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 this 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.



## Appendix 1

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

<b>Superseded Borough Plan policies</b>	<b>Superseding Gypsy and Traveller Site Allocations DPD policies</b>
Policy DS4 – Overall development needs (third bullet point only).	Strategic Policy GT1 – Overall Need.
Policy H3 – Gypsies and Travellers (figures contained in first sentence).	Strategic Policy GT1 – Overall Need.

Ref. No.	Agent/ contact name	Response	Officer Response.
1	Coal Authority	<p>Thank you for your notification received on the 28th January 2022 in respect of the above consultation.</p> <p>The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy &amp; Industrial Strategy. 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 area there are recorded coal mining features present at surface and shallow depth including; mine entries, shallow coal workings and reported surface hazards. These features may pose a potential risk to surface stability and public safety.</p> <p>The Coal Authority's records also indicate that surface coal resource is present on the site, 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>As you are aware we provide the LPA with downloadable GIS data in respect of Development Risk plans. This data identifies those areas of the Borough which fall within the defined Development High Risk Area, and those areas which are defined as Low Risk areas. We would expect all sites being considered for future allocation for development to be assessed against this data. This should ensure that any constraints or issues arising from the presence of recorded coal mining legacy features at surface or shallow depth are identified at an early stage in the process. We noted this in our response to</p>	<p>Officers checked coal risk on sites and reconsulted with Coal Authority. Coal Authority confirmed all is required is Informative note to sites GTSA1, 2 and 4 and nothing for GTSA3.</p>

		<p>the LPA dated 6th August 2021 at the Issues and Options stage of the process. It is therefore assumed that the sites included as part of this consultation have been assessed against this data.</p> <p>Please do not hesitate to contact me should you wish to discuss this further.</p>	
2	Environment Agency	<p>Thank you for referring the above Gypsy and Traveller Site Allocations Development Plan Document (DPD) Pre-Submission which was received on 28 January 2022.</p> <p>We have no soundness or legal compliance objections to the above DPD, however, we have the following comments for your consideration. The following comments have focused for the most part on matters we consider require some minor alterations in relation to foul drainage. We have not registered these as Soundness or Legal Compliance objections, as we are aware that there is normally opportunity in the Plan-making process to secure Minor Modifications at the final stages.</p> <p>We note the above DPD has been formed as a requirement under the Nuneaton and Bedworth Borough Plan to meet the need for Gypsy and Traveller pitches under Policy H3 (Gypsies and Travellers). We have reviewed the following three site allocations to accommodate this and the additional site proposed for safeguarding which includes:</p> <ul style="list-style-type: none"> <li>• GTSA1 - Sunrise Cottage, Mill Tree Lane</li> <li>• GTSA2 - The Old Nursery, Parrots Grove</li> <li>• GTSA3 - Winter Oak, Watling Street</li> <li>• GTSA4 - Spinney Lane/Whittleford Road</li> </ul> <p>Foul Drainage Point 9 of Policy H3 in your adopted Plan requires the following for the above identified strategic site allocations: '9. The Site has suitable connection to the foul sewage system, or can demonstrate that connection is unviable and alternative arrangements can be made, in consultation with Severn Trent Water'</p> <p>Both the PPG and the Building Regulations 2010 ('Approved Document H') set out a presumption in favour of connection to the public foul sewer</p>	<p>In relation to foul sewage.</p> <p>Add as minor modification to Policy GT3 for the three sites and to Policy GT4 for GTSA4 the following bullet points:</p> <ul style="list-style-type: none"> <li>• Where possible foul sewage for new pitches/plots should connect to existing Severn Trent Water foul mains drainage in consultation with Severn Trent Water.</li> <li>• Where connection to mains drainage is not possible, the potential impact on the water environment will need to be considered.</li> <li>• Note: - where alternative methods 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</li> </ul>



	<p>wherever it is reasonable to do so: <a href="https://www.gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h">https://www.gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h</a> . Our records show the distance of the nearest mains sewers for the proposed site allocations are as follows:</p> <ul style="list-style-type: none"> <li>• GTSA 1 Sunrise Cottage - approx. 435m to the northeast</li> <li>• GTSA 2 The Old Nursery – approx. 480m to the southwest</li> <li>• GTSA 3 Winter Oak – approx. 35m to the east</li> <li>• GTSA 4 Spinney Lane/Whittleford Road (safeguarded) – approx. 10m to the north</li> </ul> <p>Therefore, we consider sites GTSA 3 and GTSA 4 should ideally connect to the existing sewage infrastructure where private non-mains foul drainage systems are not usually deemed environmentally acceptable within publicly sewered areas. We advise requesting information from Severn Trent Water to determine whether a connection can be made to the existing mains infrastructure.</p> <p>Whilst we recognise the reference to point 9 of Policy H3 in paragraph 4.20 of the DPD, we note where new or potential improvements to existing non-mains drainage infrastructure may be required to facilitate the allocations that this has not been specified within Policy GT3. You may wish to consider through Minor Modifications that where non-mains drainage proposals may be required, particularly in the case of site allocations GTSA 1 and GTSA 2, to highlight the potential impact on the water environment will need to be mitigated to improve the effectiveness of point 9 of Policy H3. This will further ensure the DPD meets the tests of soundness.</p> <p>If non-mains drainage is considered as a necessary alternative arrangement, there are other regulatory regimes to take into account that fall outside of the planning process. Under the Environmental Permitting (England and Wales) Regulations 2016, the discharge of polluting substances (including sewage effluent) into surface waters or the ground requires the authorisation of the Environment Agency. This authorisation may be either an Environmental</p>	<p>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></p> <p>In reference to the Sustainability Appraisal and in acknowledgement of the Environment Agencies comments for the potential water pollution from septic tanks. The neutral effects identified in the Sustainability Appraisal ought to be considered to be potential minor negatives. However, with the above policy measures in place, the effects should be returned to neutral. Therefore, the Inspector may consider that it is relevant to add a clause to the Sustainability Appraisal to deal with the potential water pollution issue.</p> <p>In relation to flooding WCC FRM have been consulted and advised there is no historic flooding in the immediate vicinity of these sites and although there are some small areas shown on the surface water mapping there's no significant flow paths or problematic areas for surface water flooding.</p>
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	<p>Permit to control the discharge or a registered exemption.</p> <p>We recommend that the DPD highlights that it is the applicant's responsibility to make the appropriate enquiries regarding any Environmental Permitting requirements if non-mains drainage is proposed. Additional '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></p> <p><b>Flood Risk –</b> Under National Planning Policy Framework paragraph 161, the location of development should take into account all sources of flood risk including the impacts of climate change.</p> <p>We note paragraph 4.20 of the DPD identifies that the allocations are located within Flood Zone 1 in terms of fluvial flood risk and we concur with this statement. The sites are not shown to be in an area at risk of surface water flooding based on the data we currently hold. Therefore, the allocations are compliant with point 3 of Policy H3 whereby 'the site is not located in areas of high flood risk'.</p> <p>We welcome the reference to Policy NE4 of the adopted Nuneaton and Bedworth Council Borough Plan in paragraph 4.20, where proposals will be required to be compliant with this policy if flood risk is found to be an issue in the future. This should be informed by your most up to date Level 1 Strategic Flood Risk Assessment. We advise contacting the Lead Local Flood Authority at Warwickshire County Council for further advice on surface water drainage matters.</p> <p><b>Sustainability Appraisal</b> We have reviewed the Sustainability Appraisal submitted in support of the above DPD Pre-Submission. Sustainability Objective 12 covers both flood risk and water pollution as outlined in Table 4 of the Sustainability Appraisal Framework. We note the site allocations are considered low risk from a flood risk perspective. Providing point 9 of Policy H3 is complied with, we wish to highlight that the potential for water pollution from non-mains foul drainage will</p>	<p>WCC FRM concluded that the likely limited increase in any impermeable surfaces, wouldn't provide a notable change in surface water flood risk and they had no concerns.</p> <p>In relation to foul drainage they support getting connections to the Severn Trent foul network where possible in lieu of a cesspit/treatment plant connected to watercourse as these can generate issues with water quality in surrounding areas if they are not working correctly or if there isn't enough fresh water flow in the receiving ditch. They advised that the EA guidance is referred to.</p>
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		<p>require mitigation, as highlighted above, to ensure a neutral impact on the water environment.</p> <p>Please do not hesitate to contact me if you have any queries or wish to discuss the matters raised in this response.</p>	
3	Historic England	<p>Thank you for consulting Historic England on the Nuneaton &amp; Bedworth Gypsy and Traveller Site Allocations DPD Publication consultation draft. We note that this document follows on from consultation on the Council's Gypsy and Traveller Site Allocations DPD Issues and Options document in August 2021 and also from policies contained within the current Borough Plan, adopted in June 2019, and has been informed by the Gypsy, Traveller, and Travelling Showpersons Accommodation Assessment (GTAA) 2021.</p> <p>In relation to this Gypsy and Traveller Site Allocations DPD Publication consultation document we have the following comments:</p> <p><u>General Comments</u></p> <p>As set out in our comments to the Gypsy and Traveller Site Allocations Regulation 18 DPD consultation to ensure that plans are positively prepared Historic England advises undertaking the process of the 'Site Selection Methodology' as specified in Historic England's Advice Note 3 The Historic Environment and Site Allocations in Local Plans, 2015 (HEAN3):  <a href="https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/heag074-he-and-site-allocation-local-plans/">https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/heag074-he-and-site-allocation-local-plans/</a></p> <p>We would also recommend that detailed Heritage Impact Assessments (HIAs) are prepared, either by or on behalf of the Local Authority, with reference to Historic England's Advice Note 3 The Historic Environment &amp; Site Allocations in Local Plans, 2015 (HEAN3) and Good Practice Advice Note 3 (Second Edition): The Setting of Heritage Assets (2017) (GPAN3):  <a href="https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/">https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/</a></p>	<p>The sites were assessed for the impacts to the Historic Environment as part of the site allocations. None are within Conservation Areas.</p> <p>Whilst the Old Nursery is close to the Grade II Listed Tolldish Hall and Tolldish Hall Cottage, there is a field and copse of trees between as well as a two storey dwelling known as Wayside with a number of ancillary buildings and hedgerows.</p> <p>Therefore, the impact is considered acceptable. This was also agreed by Historic England.</p> <p>In terms of the Sustainability Appraisal, as the sites are a distance from any Conservation Areas, it is considered that this is not a relevant indicator.</p>

	<p>With specific reference to non-designated heritage assets, these can make a positive contribution to the character of our settlements and enrich our sense of place. We recommend that the views of your chosen specialist archaeological adviser are sought before allocations are selected. This should enable confirmation that the evidence base is sufficiently robust to ensure that any proposed allocation is deliverable in accordance with local and national planning policies. Your adviser will inform you on whether further assessment work is required through field assessment prior to allocation to ensure the extent, character and significance has been adequately understood to inform the allocation of a site.</p> <p><u>Specific Comments</u></p> <p>We welcome that the ‘Gypsy and Traveller Site Assessment’ Final Report, November 2021, which forms part of the evidence base for this DPD, includes heritage assets as a criterion within the ‘major planning considerations’ for each site assessed.</p> <p>With regard to the site allocations, we note the proximity of G TSA2 ‘The Old Nursery’, Mile Tree Lane, to the Grade II Tolldish Old Hall and Tolldish Hall Cottage, and note that this has been acknowledged within the “Site Allocations and Green Belt” document and within the Plan itself.</p> <p><u>Sustainability Appraisal (SA)</u></p> <p>Overall Historic England is pleased to see that some of our comments made in relation to the SA scoping Report have been taken on board.</p> <p>With regard to Chapter 2 and Appendix A, which identify relevant Policies, Plans &amp; Programmes, we are pleased to see that the Ancient Monuments &amp; Archaeological Areas Act, UK Government, 1979, has been included, as was previously suggested. In addition, we welcome that “to enhance, maintain and protect important historical sites” has been identified as a key message arising from the review of the plans, policies and programmes.</p> <p>With regard to Chapter 4 ‘Identifying Sustainability Issues and Problems’ we welcome the inclusion of ‘Cultural Heritage’ as a distinct</p>	
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	<p>topic and particularly welcome the reference to heritage at risk and conservation area management as matters for focus. We are also pleased to see the acknowledgement of interrelationships between heritage, diversity of townscape and economic growth.</p> <p>With regard to Chapter 5, Table 4: SA Framework, Historic England welcomes the inclusion of the SA Objective “To conserve and enhance the historic environment”, and also the criteria applied. With regard to the ‘Indicators’, Historic England also considers that it would also be appropriate to include an indicator related to conservation area management, to reflect the sustainability issue previously identified within the SA report.</p> <p>In Chapter 8, ‘Appraisal of the DPD’, we note the acknowledgment that the Old Nursery site is 70 metres from a Grade II listed building and are content that the assessment of ‘no significant effects are predicted to the asset or its setting’ is appropriate, given the intervening vegetation and overall setting of the asset. We are also content with the assessment that ‘Overall, neutral effects are predicted at individual sites and cumulatively’, as we agree that the other proposed allocations are not in sensitive locations with regards to heritage assets, their settings, or any historic character of surrounding areas, and as the scale of growth is small.</p> <p>As noted in our responses to previous iterations of the SA and the SA Scoping report, Historic England strongly advises that the Borough Council’s expert conservation and archaeological advisers are closely involved throughout the preparation of the SEA/SA of the emerging DPD. They are best placed to advise on the following points:</p> <ul style="list-style-type: none"> <li>• local historic environment issues and priorities, including access to data held in the HER (formerly SMR);</li> <li>• how the policy or proposal can be tailored to minimise potential adverse impacts on the historic environment;</li> <li>• the nature and design of any required mitigation measures; and</li> </ul>	
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		<ul style="list-style-type: none"> <li>• opportunities for securing wider benefits for the future conservation and management of heritage assets.</li> </ul> <p>To assist with your preparation of the SA in relation to the assessment of effect upon the historic environment we refer you to Historic England’s Advice Note 8: Sustainability Appraisal and Strategic Environmental Assessment, 2016 (HEAN8):  <a href="https://historicengland.org.uk/heag036-sustainability-appraisal-strategic-environmental-assessment">heag036-sustainability-appraisal-strategic-environmental-assessment</a>  <a href="https://historicengland.org.uk">historicengland.org.uk</a></p> <p>Overall we consider that the Nuneaton &amp; Bedworth Gypsy and Traveller Site Allocations DPD Publication consultation draft is positively prepared, justified, effective and consistent with national policy in relation to the historic environment and that the Plan is therefore sound in this respect.</p> <p>We should like to stress that the above opinion is based on the information provided by the Council in their consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, which may subsequently arise (either as a result of this consultation, or in later versions of the plan/guidance) where we consider that these would have an adverse impact upon the historic environment.</p> <p>We hope that the above comments will assist, but if you have any queries about any of the matters raised or consider that a meeting would be helpful, please do not hesitate to contact me.</p>	
4	Avison Young on behalf of National Grid	<p>National Grid has appointed Avison Young to review and respond to local planning authority Development Plan Document consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.</p> <p>About National Grid  National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution</p>	No response required.

		<p>network operators, so it can reach homes and businesses.</p> <p>National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.</p> <p>National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.</p> <p><b>Response</b> We have reviewed the above document and can confirm that National Grid has no comments to make in response to this consultation.</p> <p><b>Further Advice</b> National Grid is happy to provide advice and guidance to the Council concerning their networks.</p> <p>Please see attached information outlining further guidance on development close to National Grid assets.</p> <p>If we can be of any assistance to you in providing informal comments in confidence during your policy development, please do not hesitate to contact us.</p> <p>To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect their assets. Please remember to consult National Grid on any Development Plan Document (DPD) or site-specific proposals that could affect National Grid's assets.</p>	
5	National Highways	National Highways (formally Highways England) welcomes the opportunity to comment on Nuneaton & Bedworth Councils proposed 'Gypsy and Traveller Site Allocations DPD'.	Due to their comments, they were reconsulted about the possible required amendments to the access. They

	<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 responding to local plan and SPD consultations, we have a regard to DfT Circular 02/2013: The Strategic Road Network and the Delivery of Sustainable Development ('the Circular'). This sets out how interactions with the Strategic Road Network should be considered in the making of local plans. In addition to the Circular, the response set out below is in accordance with the National Planning Policy Framework (NPPF) and other relevant policies.</p> <p>The Gypsy and Traveller Site Allocations DPD sets out a plan to provide sufficient pitches for the needs of the travelling community; to provide provision in sustainable locations with good access to local services; and to provide provision in such a way that the local environment is protected and, where appropriate, enhanced.</p> <p>Whilst we have no comments to make on the broader contents of this document, we note that one of the preferred sites (G TSA3 – Winter Oak) sits adjacent to the A5, Watling Street. This is an existing site with a direct access onto the A5, which forms part of the SRN managed and operated by National Highways. The DPD states that planning permission will be granted within the site boundary for six additional pitches and that planning applications for this site shall contain details of:</p> <ul style="list-style-type: none"> <li>• Suitable bin collection points 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> </ul> <p>As the highway authority for the A5 trunk road, we have considered how the proposed increase in pitches at the site could impact on our network and make the following comments:</p> <p>Highways Access</p>	<p>responded to advise that the access could require a priority controlled junction and ghost island. However, they appreciated this would likely be unviable so in reality they would likely request an Approval in Principle for a Departure from the Standards (DfS).</p> <p>Due to National Highways comments about noise and air quality, NBBC Environmental Health were contacted. They consider that a noise assessment and air quality exposure assessment may be required during any subsequent planning application stage but the likely mitigation if anything is likely to be an acoustic fence and standard conditions which include a dust mitigation plan, electric charging points and low emission boilers.</p> <p>ADD as minor modification:</p> <p>ii) Add to Policy GT3 for G TSA3 the following bullet points:</p> <ul style="list-style-type: none"> <li>• 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 will require to be submitted</li> </ul>
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	<p>The A5 at this location is single lane carriageway with a speed limit of 50 mph. It is not considered to be a route of near motorway standard. Whilst the principle of an access onto the SRN has already been established at this location, the continued safe operation of the access, linked to any increase in vehicular movements will need to be established through our development management process. This process should demonstrate the safe operation of the current arrangement, or alternatively, that a sufficient upgrade to the access can be delivered.</p> <p>Physical Impact of Development on the A5 As per paragraphs 49 and 50 of Circular 02/2013, developments that sit adjacent to the SRN have the potential for direct or indirect physical impact on our network which can put road users at risk (e.g. fire hazards; integrity of structures; water run-off; etc.). As such, promoters and local authorities are encouraged to identify such potential risks and discuss with National Highways at the earliest opportunity to avoid the possibility of delaying or putting the delivery of their proposals at risk. As per paragraph 50 of The Circular, new third-party connections to National Highway drainage assets are not permitted.</p> <p>Environmental Impacts Policy H3, bullet point 7 of the local plan indicates that Gypsy and Traveller sites should be allocated where air or noise pollution will not affect the health and well-being of site residents, and neighbouring uses will not be affected by air or noise pollution as a result of the Gypsy and Traveller development.</p> <p>Regarding the above policy, as the Winter Oak site sits adjacent to the A5 which is a heavily trafficked road, we would ask the council to consider whether planning proposals for this site may need to include suitable air quality and noise assessments.</p> <p>RIS 3 Pipeline The site is situated on land to the east of the A5 south of the Higham Lane roundabout. It should be noted that this is along the corridor of the A5 Hinckley to Tamworth RIS3 Pipeline scheme as identified in the Road Investment Strategy 2</p>	<p>for any formal submission.</p> <ul style="list-style-type: none"> <li>• An Air Quality Exposure Assessment and Noise Assessment may be required to determine any formal planning application to inform of any mitigation required.</li> </ul>
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		<p>(RIS2). The current commitment for National Highways is up to option development. Progress into further stages, including construction, will be determined through the RIS3 process. However, as the site is situated adjacent the A5, notwithstanding work currently being undertaken by us, it is considered that expansion of the site could have the potential to prejudice the options which may be available for the RIS3 Pipeline scheme.</p> <p>Summary and Conclusion In summary, whilst we have no objections in principle to the expansion of the Winter Oak site as a Gypsy and Traveller site allocation, any potential highways, boundary and environmental impacts will need to be assessed via our development management process at the planning application stage. Any potential implications for our RIS 3 pipeline scheme will also need to be considered, when more information about our scheme is known.</p> <p>We have no comments to make on the other proposed sites within the DPD, which are not adjacent to our network.</p> <p>To discuss any of our comments in more detail, or if I can be of any further assistance on this matter, please do not hesitate in contacting me.</p>	
6	Natural England	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England does not consider that this Gypsy and Traveller Site Allocations Development Plan Document poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.</p> <p>The lack of comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may wish to make comments that might help the Local Planning Authority (LPA) to fully take</p>	No response required.

		<p>account of any environmental risks and opportunities relating to this document.</p> <p>If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.</p>	
7	North Warks. Borough Council.	<p>Thank you for consulting North Warwickshire Borough Council on the Gypsy and Traveller Site Allocations Development Plan Document (DPD). The Borough Council welcome the publication of the Site Allocation DPD and identification and provision of pitches to address the needs of the Gypsy and Traveller community, as identified in the Nuneaton and Bedworth Borough's Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2016.</p> <p>The Council welcome and support the identification of sufficient sites to address the Planning Policy for Traveller Sites (2015) (PPTS) potential need for permanent residential pitches, but there are some concerns over the indication of a zero/0 need indicated for Transit pitches in the DPD.</p> <p>The Borough Council notes that the earlier Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) for North Warwickshire and Nuneaton and Bedworth in 2013 indicated a need for 5 transit pitches. However, the Gypsy and Traveller and Travelling Showperson Accommodation Assessment update from 2016 (GTAA), used as the evidence based for the current DPD, indicated that the Transit need that was identified from the previous GTAA was now reduced to zero (0).</p> <p>There are some concerns on the assumptions perhaps made by the DPD and the evidence in the 2016 updated GTAA for Nuneaton and Bedworth. As noted in paragraph 7.13 of the 2016 GTAA, an 'emergency stopping place is being progressed by Warwickshire County Council at Oldbury Road near Hartshill which will provide capacity for up to 12 caravans'. It should be noted that this site lies outside Nuneaton and</p>	The Assessments NWBC were considering were old evidence bases and the latest evidence base showed that no transit pitches were required for NBBC.

		<p>Bedworth and within North Warwickshire Borough administrative area.</p> <p>An assumption may appear to have been made that the nominal availability of the 12 pitches on this site provide sufficient pitches to both address North Warwickshire’s transit needs (identified as 5 from the earlier June 2013 Gypsy, Traveller and Travelling Showpeople Accommodation Assessment: for both North Warwickshire and Nuneaton and Bedworth) and the needs of Nuneaton and Bedworth as indicated by that earlier 2013 GTAA. However, North Warwickshire Borough also updated their GTAA (in conjunction with Tamworth Borough and Lichfield District) in 2019, which post dates the Nuneaton and Bedworth update of 2016.</p> <p>In the updated November 2019 GTAA for North Warwickshire, the Report highlighted on page 75 in relation to adjoining Boroughs’ that there were no transit pitches in Nuneaton and Bedworth and “It was felt that, due to the numerous unauthorised encampments over the last few years, transit provision and temporary stopping places are needed in the area”. The North Warwickshire 2019 GTAA also didn’t assess or address any further transit needs for North Warwickshire as it was aware that the Borough Council had an emergency stopping site with capacity to address its needs at that time. The GTAA didn’t identify any further site need as this issue had been considered to be dealt with. In paragraph 10.10 dealing with Transit needs the 2019 GTAA noted that “Due to potential changes to travelling behaviour as a result of changes to PPTS (2015) the use of historic evidence to assess current and future transit need is not recommended.....It is therefore recommended that the situation relating to levels of unauthorised encampments throughout the area should be monitored whilst any potential changes associated with PPTS (2015) develop.” Furthermore, in para 10.12 it noted “A review of the evidence base ...should be undertaken .... To establish whether there is a need for investment in any further formal transit sites or emergency stopping places, or whether a managed approach is preferable alongside the use of existing public and private transit pitches in Lichfield and North Warwickshire”.</p>	
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		<p>In addition, with regard to the Oldbury Road emergency stopping site, there have been no discussions between the two adjoining Borough Council's over the use and availability of the site to serve both Borough's needs. Returning to the N&amp;BBC's GTAA update of 2016, the assessment also noted in paragraph 7.13 that "Use of this site should be monitored as this could count towards meeting the need of transit provision for Nuneaton and Bedworth" (bold text my emphasis). The 2016 GTAA does not explicitly indicate that this site will address Nuneaton and Bedworth's needs. North Warwickshire Borough are unaware whether this monitoring was undertaken and are not aware of any discussions undertaken towards the use of the site for N&amp;BBC's needs. The Nuneaton and Bedworth Gypsy and Traveller Site Allocations DPD, in primarily using the 2016 GTAA update, may therefore not have as robustly assessed the current transit need within Nuneaton and Bedworth Borough's area.</p> <p>The Borough Council are not therefore aware or confident that the Oldbury site can necessarily accommodate the Nuneaton and Bedworth Transit need previously identified and/or the potential current transit need.</p> <p>I trust that you will find the above comments and responses to the Nuneaton and Bedworth Borough Gypsy and Traveller Site Allocations Development Plan Document useful and if you require any further clarification., or seek to respond to the concerns raised above, please do not hesitate to contact the Forward Planning team at the Borough Council.</p>	
8	WCC	<p>Thank you for allowing Warwickshire County Council the opportunity comment on the Gypsy and Traveller Sit Allocations DPD.</p> <p>I shared the link to the consultation widely within the County Council and asked that people either respond directly within the given timeframe or to submit their comments to me for me to submit an overall response on behalf of the County Council.</p> <p>This email is to confirm that I have received no comments to feed into the consultation.</p>	No response required.

9	Shilton and Barnacle Parish Council.	<p>Shilton and Barnacle Parish Council considered this document at its meeting on 1 March 2022. The parish council makes the comment that there is an over intensive concentration of sites within Bulkington compared to the rest of the borough. Several sites which had been allocated for development along Mile Tree Lane are on the boundary with Rugby Borough Council. The frontages of these properties are in Nuneaton &amp; Bedworth, but the rear gardens fall within Shilton &amp; Barnacle parish. Any further development in this area will, therefore, result in an increase in sites which added to those already in the immediate area, would lead to an over intensification of sites and development in this area and further inappropriate development in the Green Belt.</p>	<p>There is only one site proposed that borders with Rugby BC and this site is for intensification within the site and therefore will have no further impact on the Green Belt or intensification in the area.</p> <p>In addition, a Green Belt assessment has been carried out as part of the process and the impact considered acceptable.</p> <p>The Old Nursery is on the opposite side of the road and the two other sites are not within Bulkington.</p>
10	Wolvey Parish Council	<p>Wolvey Parish Council has reviewed the above document and would raise concerns that the proposals could result in inappropriate development in the Green Belt as the sites identified in Bulkington adjoin the boundary with Rugby and will impact on Rugby Borough Council's area of Green Belt.</p>	As above.
11	Mr & Mrs HB	<p>Response to question 5</p> <p>I wish to offer my support and approval for NBBC up dated Gypsy and Traveller site allocation document (DPD). This will allow the council to show that they have a 5 year supply of Gypsy and Traveller accommodation sites as required by the national planning policy framework (NPPF).</p> <p>Subsequent to the adoption of the updated Gypsy and Traveller allocation DPD will finally negate the excuse used by many of the Gypsy and Traveller community that they should be allowed temporary planning permission to remain in the Borough because the council were unable to demonstrate and adequate supply of Gypsy and Traveller accommodation sites.</p> <p>By complying fully with the requirements of the NPPF the council will have finally recognised that the human rights of the local settled community will be addressed.</p>	The DPD will be reviewed every 5 years similarly to the Borough Plan.

		<p>Hopefully with the adoption of the DPD the council can now address the issues of openness and protection of the green belt from misuse including the use of retrospective planning application by Gypsy and Traveller families to circumvent the planning process.</p> <p>Response to Question 6 With regard to the DPD, in order for it to remain legally compliant and fair to all parties, a timetable for regular review and validation needs to be actioned.</p> <p>All planning decisions should be subject to a set of specific criteria which are open and transparent and apply equally to all member of the community. This should be overseen by democratically elected officials.</p>	
12	Mr JC	<p>Response to question 5 I would like to register my support and approval for the Nuneaton &amp; Bedworth Borough Council [NBBC] updated Gypsy &amp; Traveller Site Allocation Document [DPD], it allows the Council to demonstrate that there is a 5 year+ supply of Gypsy &amp; Traveller Accommodation Sites, as per the requirements of the National Planning Policy Framework [NPPF]. The detailed accommodation demand modelling and local need-based research conducted amongst the local Gypsy &amp; Traveller Community by Arc4 Planning Consultants ensures that the conclusions are evidenced based and can stand up to scrutiny.</p> <p>Moving to adopt the updated Gypsy and Traveller Site Allocations DPD finally removes a key argument that has been used by many from the Gypsy &amp; Traveller community when occupying Greenbelt Land across the borough that they should be allowed a temporary planning permission to stay given that Council could not demonstrate an up to-date view of Gypsy &amp; Traveller accommodation site supply.</p> <p>The Council by moving to fully comply with the requirements of the NPPF have finally restored balance to the local Planning System, ensuring that the human rights of the existing home owning settled community are now fully</p>	As above.

		<p>respected and protected. The change ensures that both Communities can at least live in relative harmony.</p> <p>Through the adoption of the DPD the Council can ensure that the planning system now works fairly for all and that where planning permission has been correctly refused for an occupation of Greenbelt Land by Gypsy &amp; Travellers that these eyesore planning issues can now be fully resolved, given the planning weight that will be attached to the adoption of the DPD by the Planning Inspectorate and the Secretary of State for Housing, Communities and Local Government.</p> <p>Response to question 6 In terms of the DPD my one comment is that Nuneaton &amp; Bedworth Borough Council constitute a process of regular review and validation of the local demand for Gypsy &amp; Traveller sites within the borough in order to ensure that fairness in the planning system is maintained and members of the Gypsy &amp; Traveller community can no longer 'game' the system for commercial benefit.</p> <p>We need to ensure that planning remains 'rules' based and that decisions are made through a democratically elected body rather than being 'gamed' by individuals who claim to be from a designated ethnic status.</p>	
13	Ms JK	<p>Thank you for your recent and informative news sheet. I read the article relating to the new gypsy and traveller accommodation needs and would like to make the following comments:</p> <p>" Pleased to see that the council are addressing this difficult and important situation. Can I ask that when considering the sites for travellers that they are spread evenly across the borough and not in one saturated location. This way helping to ensure that the services they will be using , such as health and education, can more easily accommodate their changing needs."</p> <p>I did try to send these though the web site on the news sheet, but had some difficulty in locating the site, therefore hope this is an appropriate to add my comments to the work you are doing.</p>	It is considered that the sites are spread across the Borough.



14	Mr AM	<p>Response to question 5</p> <p>I would like to register my support and approval for the Nuneaton &amp; Bedworth Borough Council [NBBC] updated Gypsy &amp; Traveller Site Allocation Document [DPD], it allows the Council to demonstrate that there is a 5 year+ supply of Gypsy &amp; Traveller Accommodation Sites, as per the requirements of the National Planning Policy Framework [NPPF]. The detailed accommodation demand modelling and local need-based research conducted amongst the local Gypsy &amp; Traveller Community by Arc4 Planning Consultants ensures that the conclusions are evidenced based and can stand up to scrutiny.</p> <p>Moving to adopt the updated Gypsy and Traveller Site Allocations DPD finally removes a key argument that has been used by many from the Gypsy &amp; Traveller community when occupying Greenbelt Land across the borough that they should be allowed a temporary planning permission to stay given that Council could not demonstrate an up to-date view of Gypsy &amp; Traveller accommodation site supply.</p> <p>The Council by moving to fully comply with the requirements of the NPPF have finally restored balance to the local Planning System, ensuring that the human rights of the existing home owning settled community are now fully respected and protected. The change ensures that both Communities can at least live in relative harmony.</p> <p>Through the adoption of the DPD the Council can ensure that the planning system now works fairly for all and that where planning permission has been correctly refused for an occupation of Greenbelt Land by Gypsy &amp; Travellers that these eyesore planning issues can now be fully resolved, given the planning weight that will be attached to the adoption of the DPD by the Planning Inspectorate and the Secretary of State for Housing, Communities and Local Government.</p> <p>Response to question 6</p> <p>In terms of the DPD my one comment is that Nuneaton &amp; Bedworth Borough Council</p>	<p>The DPD will be reviewed every 5 years similarly to the Borough Plan.</p>
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		<p>constitute a process of regular review and validation of the local demand for Gypsy &amp; Traveller sites within the borough in order to ensure that fairness in the planning system is maintained and members of the Gypsy &amp; Traveller community can no longer 'game' the system for commercial benefit.</p> <p>We need to ensure that planning remains 'rules' based and that decisions are made through a democratically elected body rather than being 'gamed' by individuals who claim to be from a designated ethnic status.</p>	
15	Mr JM	<p>Response to question 5</p> <p>I would like to register my support and approval for the Nuneaton &amp; Bedworth Borough Council [NBBC] updated Gypsy &amp; Traveller Site Allocation Document [DPD], it allows the Council to demonstrate that there is a 5 year+ supply of Gypsy &amp; Traveller Accommodation Sites, as per the requirements of the National Planning Policy Framework [NPPF]. The detailed accommodation demand modelling and local need-based research conducted amongst the local Gypsy &amp; Traveller Community by Arc4 Planning Consultants ensures that the conclusions are evidenced based and can stand up to scrutiny.</p> <p>Moving to adopt the updated Gypsy and Traveller Site Allocations DPD finally removes a key argument that has been used by many from the Gypsy &amp; Traveller community when occupying Greenbelt Land across the borough that they should be allowed a temporary planning permission to stay given that Council could not demonstrate an up to-date view of Gypsy &amp; Traveller accommodation site supply.</p> <p>The Council by moving to fully comply with the requirements of the NPPF have finally restored balance to the local Planning System, ensuring that the human rights of the existing home owning settled community are now fully respected and protected. The change ensures that both Communities can at least live in relative harmony.</p> <p>Through the adoption of the DPD the Council can ensure that the planning system now works fairly for all and that where planning permission has</p>	The DPD will be reviewed every 5 years similarly to the Borough Plan.

		<p>been correctly refused for an occupation of Greenbelt Land by Gypsy &amp; Travellers that these eyesore planning issues can now be fully resolved, given the planning weight that will be attached to the adoption of the DPD by the Planning Inspectorate and the Secretary of State for Housing, Communities and Local Government.</p> <p>Response to question 6 In terms of the DPD my one comment is that Nuneaton &amp; Bedworth Borough Council constitute a process of regular review and validation of the local demand for Gypsy &amp; Traveller sites within the borough in order to ensure that fairness in the planning system is maintained and members of the Gypsy &amp; Traveller community can no longer 'game' the system for commercial benefit.</p> <p>We need to ensure that planning remains 'rules' based and that decisions are made through a democratically elected body rather than being 'gamed' by individuals who claim to be from a designated ethnic status.</p>	
16	Mrs RM	<p>Response to question 5 I would like to register my support and approval for the Nuneaton &amp; Bedworth Borough Council [NBBC] updated Gypsy &amp; Traveller Site Allocation Document [DPD], it allows the Council to demonstrate that there is a 5 year+ supply of Gypsy &amp; Traveller Accommodation Sites, as per the requirements of the National Planning Policy Framework [NPPF]. The detailed accommodation demand modelling and local need-based research conducted amongst the local Gypsy &amp; Traveller Community by Arc4 Planning Consultants ensures that the conclusions are evidenced based and can stand up to scrutiny.</p> <p>Moving to adopt the updated Gypsy and Traveller Site Allocations DPD finally removes a key argument that has been used by many from the Gypsy &amp; Traveller community when occupying Greenbelt Land across the borough that they should be allowed a temporary planning permission to stay given that Council could not demonstrate an up to-date view of Gypsy &amp; Traveller accommodation site supply.</p>	The DPD will be reviewed every 5 years similarly to the Borough Plan.

		<p>The Council by moving to fully comply with the requirements of the NPPF have finally restored balance to the local Planning System, ensuring that the human rights of the existing home owning settled community are now fully respected and protected. The change ensures that both Communities can at least live in relative harmony.</p> <p>Through the adoption of the DPD the Council can ensure that the planning system now works fairly for all and that where planning permission has been correctly refused for an occupation of Greenbelt Land by Gypsy &amp; Travellers that these eyesore planning issues can now be fully resolved, given the planning weight that will be attached to the adoption of the DPD by the Planning Inspectorate and the Secretary of State for Housing, Communities and Local Government.</p> <p>Response to question 6 In terms of the DPD my one comment is that Nuneaton &amp; Bedworth Borough Council constitute a process of regular review and validation of the local demand for Gypsy &amp; Traveller sites within the borough in order to ensure that fairness in the planning system is maintained and members of the Gypsy &amp; Traveller community can no longer 'game' the system for commercial benefit.</p> <p>We need to ensure that planning remains 'rules' based and that decisions are made through a democratically elected body rather than being 'gamed' by individuals who claim to be from a designated ethnic status.</p>	
17	Mr S & Mrs CM	<p>Response to question 5 I would like to register my support and approval for the Nuneaton &amp; Bedworth Borough Council [NBBC] updated Gypsy &amp; Traveller Site Allocation Document [DPD], it allows the Council to demonstrate that there is a 5 year+ supply of Gypsy &amp; Traveller Accommodation Sites, as per the requirements of the National Planning Policy Framework [NPPF].</p> <p>Moving to adopt the updated Gypsy and Traveller Site Allocations DPD finally removes a</p>	The DPD will be reviewed every 5 years similarly to the Borough Plan.

		<p>key argument that has been used by many from the Gypsy &amp; Traveller community when occupying Greenbelt Land across the borough that they should be allowed a temporary planning permission to stay given that Council could not demonstrate an up to-date view of Gypsy &amp; Traveller accommodation site supply.</p> <p>By complying fully with the requirements of the NPPF the council will have finally recognised that the human rights of the local settled community will be addressed.</p> <p>Through the adoption of the DPD the Council can ensure that the planning system now works fairly for all and that where planning permission has been correctly refused for an occupation of Greenbelt Land by Gypsy &amp; Travellers that these eyesore planning issues can now be fully resolved, given the planning weight that will be attached to the adoption of the DPD by the Planning Inspectorate and the Secretary of State for Housing, Communities and Local Government.</p> <p>Response to question 6 With regard to the DPD, in order for it to remain legally compliant and fair to all parties, a timetable for regular review and validation needs to be actioned. All planning decisions should be subject to a set of specific rules which are open and transparent and apply equally to all members of the community. This should be overseen and final decisions made by a democratically elected body.</p>	
18	Mr PS	<p>Response to question 5 I would like to register my support and approval for the Nuneaton &amp; Bedworth Borough Council [NBBC] updated Gypsy &amp; Traveller Site Allocation Document [DPD], it allows the Council to demonstrate that there is a 5 year+ supply of Gypsy &amp; Traveller Accommodation Sites, as per the requirements of the National Planning Policy Framework [NPPF]. The detailed accommodation demand modelling and local need-based research conducted amongst the local Gypsy &amp; Traveller Community by Arc4 Planning Consultants ensures that the conclusions are evidenced based and can stand up to scrutiny.</p>	The DPD will be reviewed every 5 years similarly to the Borough Plan.


		<p>Moving to adopt the updated Gypsy and Traveller Site Allocations DPD finally removes a key argument that has been used by many from the Gypsy &amp; Traveller community when occupying Greenbelt Land across the borough that they should be allowed a temporary planning permission to stay given that Council could not demonstrate an up to-date view of Gypsy &amp; Traveller accommodation site supply.</p> <p>The Council by moving to fully comply with the requirements of the NPPF have finally restored balance to the local Planning System, ensuring that the human rights of the existing home owning settled community are now fully respected and protected. The change ensures that both Communities can at least live in relative harmony.</p> <p>Through the adoption of the DPD the Council can ensure that the planning system now works fairly for all and that where planning permission has been correctly refused for an occupation of Greenbelt Land by Gypsy &amp; Travellers that these eyesore planning issues can now be fully resolved, given the planning weight that will be attached to the adoption of the DPD by the Planning Inspectorate and the Secretary of State for Housing, Communities and Local Government.</p> <p>Response to question 6 In terms of the DPD my one comment is that Nuneaton &amp; Bedworth Borough Council constitute a process of regular review and validation of the local demand for Gypsy &amp; Traveller sites within the borough in order to ensure that fairness in the planning system is maintained and members of the Gypsy &amp; Traveller community can no longer 'game' the system for commercial benefit.</p> <p>We need to ensure that planning remains 'rules' based and that decisions are made through a democratically elected body rather than being 'gamed' by individuals who claim to be from a designated ethnic status.</p>	
19	Mrs LS	<p>Response to question 5 I would like to register my support and approval for the Nuneaton &amp; Bedworth Borough Council</p>	The DPD will be reviewed every 5 years

	<p>[NBBC] updated Gypsy &amp; Traveller Site Allocation Document [DPD], it allows the Council to demonstrate that there is a 5 year+ supply of Gypsy &amp; Traveller Accommodation Sites, as per the requirements of the National Planning Policy Framework [NPPF]. The detailed accommodation demand modelling and local need-based research conducted amongst the local Gypsy &amp; Traveller Community by Arc4 Planning Consultants ensures that the conclusions are evidenced based and can stand up to scrutiny.</p> <p>Moving to adopt the updated Gypsy and Traveller Site Allocations DPD finally removes a key argument that has been used by many from the Gypsy &amp; Traveller community when occupying Greenbelt Land across the borough that they should be allowed a temporary planning permission to stay given that Council could not demonstrate an up to-date view of Gypsy &amp; Traveller accommodation site supply.</p> <p>The Council by moving to fully comply with the requirements of the NPPF have finally restored balance to the local Planning System, ensuring that the human rights of the existing home owning settled community are now fully respected and protected. The change ensures that both Communities can at least live in relative harmony.</p> <p>Through the adoption of the DPD the Council can ensure that the planning system now works fairly for all and that where planning permission has been correctly refused for an occupation of Greenbelt Land by Gypsy &amp; Travellers that these eyesore planning issues can now be fully resolved, given the planning weight that will be attached to the adoption of the DPD by the Planning Inspectorate and the Secretary of State for Housing, Communities and Local Government.</p> <p>Response to question 6 In terms of the DPD my one comment is that Nuneaton &amp; Bedworth Borough Council constitute a process of regular review and validation of the local demand for Gypsy &amp; Traveller sites within the borough in order to</p>	<p>similarly to the Borough Plan.</p>
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		<p>ensure that fairness in the planning system is maintained and members of the Gypsy &amp; Traveller community can no longer 'game' the system for commercial benefit.</p> <p>We need to ensure that planning remains 'rules' based and that decisions are made through a democratically elected body rather than being 'gamed' by individuals who claim to be from a designated ethnic status.</p>	
20	Mr SS	<p>Response to question 5</p> <p>I would like to register my support and approval for the Nuneaton &amp; Bedworth Borough Council [NBBC] updated Gypsy &amp; Traveller Site Allocation Document [DPD], it allows the Council to demonstrate that there is a 5 year+ supply of Gypsy &amp; Traveller Accommodation Sites, as per the requirements of the National Planning Policy Framework [NPPF]. The detailed accommodation demand modelling and local need-based research conducted amongst the local Gypsy &amp; Traveller Community by Arc4 Planning Consultants ensures that the conclusions are evidenced based and can stand up to scrutiny.</p> <p>Moving to adopt the updated Gypsy and Traveller Site Allocations DPD finally removes a key argument that has been used by many from the Gypsy &amp; Traveller community when occupying Greenbelt Land across the borough that they should be allowed a temporary planning permission to stay given that Council could not demonstrate an up to-date view of Gypsy &amp; Traveller accommodation site supply.</p> <p>The Council by moving to fully comply with the requirements of the NPPF have finally restored balance to the local Planning System, ensuring that the human rights of the existing home owning settled community are now fully respected and protected. The change ensures that both Communities can at least live in relative harmony.</p> <p>Through the adoption of the DPD the Council can ensure that the planning system now works fairly for all and that where planning permission has been correctly refused for an occupation of Greenbelt Land by Gypsy &amp; Travellers that these eyesore planning issues can now be fully</p>	<p>The DPD will be reviewed every 5 years similarly to the Borough Plan.</p>



		<p>resolved, given the planning weight that will be attached to the adoption of the DPD by the Planning Inspectorate and the Secretary of State for Housing, Communities and Local Government.</p> <p>Response to question 6  In terms of the DPD my one comment is that Nuneaton &amp; Bedworth Borough Council constitute a process of regular review and validation of the local demand for Gypsy &amp; Traveller sites within the borough in order to ensure that fairness in the planning system is maintained and members of the Gypsy &amp; Traveller community can no longer 'game' the system for commercial benefit.</p> <p>We need to ensure that planning remains 'rules' based and that decisions are made through a democratically elected body rather than being 'gamed' by individuals who claim to be from a designated ethnic status.</p>	
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 <p><b>Nuneaton &amp; Bedworth</b> United to Achieve</p>	<p><b>Gypsy and Traveller Site Allocations Development Plan Document (DPD)</b></p> <p>Publication Stage Representation Form</p>	<p>Ref:</p> <p><b>(For official use only)</b></p>
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**Please return to Nuneaton and Bedworth Borough Council by 25<sup>th</sup> March 2022**

**via:**

**Email: [planning.policy@nuneatonandbedworth.gov.uk](mailto:planning.policy@nuneatonandbedworth.gov.uk) or**

**Post: Town Hall, Coton Road, NUNEATON, CV11 5AA.**

#### **Data Protection**

We will treat your data in accordance with our Privacy Notice: [www.nuneatonandbedworth.gov.uk/info/21004/access\\_to\\_information/410/privacy\\_notice/7](http://www.nuneatonandbedworth.gov.uk/info/21004/access_to_information/410/privacy_notice/7). Information will be used by Nuneaton and Bedworth Borough Council solely in relation to the Gypsy and Traveller Site Allocations Development Plan Document (DPD). Please note that all responses will be available for public inspection and cannot be treated as confidential. A copy of all responses will be made available to the Planning Inspectorate and to the person appointed by the Secretary of State to conduct the examination (i.e. the Inspector) and all responses will be 'made available' in line with the Regulations (The Town and Country Planning (Local Planning) (England) Regulations 2012 – Regulations 20, 22 and 35) including publication on our website. By submitting this response form, you are agreeing to these conditions.

The Council is not allowed to automatically notify you of future consultations unless you 'opt-in'.

Do you wish to be kept informed of future stages of the Gypsy and Traveller Site Allocations Development Plan Document (DPD)?

Yes

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

## Part A

	<b>1. Personal details*</b> * If an agent is appointed, please complete only the title, name and organisation boxes below but complete the full contact details of the agent in 2.	<b>2. Agent's details (if applicable)</b>
Title		
First name		
Last name		
Job title (where relevant)		
Organisation (where relevant)		
House no. and street		
Town		
Post code		
Telephone number		
Email address		

## Part B – Please use a separate sheet for each representation

3. To which part of the DPD does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the DPD is :

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate.

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)  
Please tick as appropriate.

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

## **1. Guidance Note to Accompany Representation Form**

### **1.1 Introduction**

- 1.1.1. The plan has been published by the Local Planning Authority [LPA] for representations to be made on it before it is submitted for examination by a Planning Inspector. The Planning and Compulsory Purchase Act 2004, as amended, [PCPA] states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements, including the duty to co-operate, and is sound. The Inspector will consider all representations on the plan that are made within the period set by the LPA.
- 1.1.2. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector.

### **1.2 Legal Compliance and Duty to Co-operate**

- 1.2.1. You should consider the following before making a representation on legal compliance:
- The plan should be included in the LPA's current Local Development Scheme [LDS] and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination. If the plan is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at its main offices.
  - The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement [SCI] (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications. The LPA is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which

SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic, and social objectives.

- The plan should comply with all other relevant requirements of the PCPA and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended [the Regulations].

1.2.2. You should consider the following before making a representation on compliance with the duty to co-operate:

- Section 33A of the PCPA requires the LPA to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The LPA will be expected to provide evidence of how they have complied with the duty. Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore, the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of the plan.

### 1.3 Soundness

1.3.1. The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework (NPPF). Plans are sound if they are:

- **Positively prepared** – providing a strategy which, as a minimum seeks to meet the area’s objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

1.3.2. If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

#### **1.4 General advice**

1.4.1. If you wish to make a representation seeking a modification to a plan or part of a plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in paragraph 1.3.1 above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

1.4.2 You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues he or she identifies.

1.4.3. Where groups or individuals share a common view on the plan, it would be very helpful if they would make a single representation which represents that view, rather than a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

1.4.4. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only



representors who are seeking a change to the plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.