

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN COMMITTEE – WEDNESDAY, 20 JUNE 2018

Title of report	GYPSY AND TRAVELLER SITE ALLOCATION DPD: UPDATE
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Purpose of report	To provide an update on the preparation of the Gypsy and Traveller Site Allocations Development Plan Document and to seek agreement to issue a further call for sites.
Council Priorities	Homes and Communities
<p>Implications:</p> <p>Financial/Staff</p> <p>Link to relevant CAT</p> <p>Risk Management</p> <p>Equalities Impact Screening</p> <p>Human Rights</p> <p>Transformational Government</p>	<p>The cost of preparing the Gypsy and Traveller Site Allocations Development Plan Document will be met from existing budgets</p> <p>None</p> <p>The North West Leicestershire Local Plan was found justified and effective by the Local Plan Examination Inspector in 2017 on the clear undertaking that a Gypsy and Traveller Site Allocations DPD would be published in the short term, coupled with a commitment to an early review of the Local Plan as whole. It follows that there is a significant risk that the review of the North West Leicestershire Local Plan may not be found sound unless the provision of travellers' accommodation has been addressed.</p> <p>A full equality impact assessment will be prepared as part of the draft plan.</p> <p>European Convention on Human Rights art.8 imposes a positive obligation on the State to facilitate the Gypsy and Traveller way of life.</p> <p>Not applicable</p>

Comments of Head of Paid Service	The Report is Satisfactory
Comments of Section 151 Officer	The Report is Satisfactory
Comments of Deputy Monitoring Officer	The Report is Satisfactory
Consultees	Local Plan Project Board
Background papers	<p>Minutes and reports of meetings of the Local Plan Advisory Committee dated 16 December 2015, 27 July 2016, 6 October 2016, 21 February 2017, 18 October 2017 and 14 March 2018. http://minutes-1.nwleics.gov.uk/ieListMeetings.aspx?CId=251&Year=0</p> <p>Gypsy and Traveller Site Allocations Development Plan Document: Consultation Draft http://www.nwleics.gov.uk/files/documents/gypsy_and_traveller_site_allocation_consultation_document/Gypsy%20and%20Traveller%20Site%20Allocation%20DPD%20Draft%20for%20Consultation%20-%20hard%20copy.pdf</p> <p>National Planning Policy for Traveller Sites https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf</p> <p>2017 Leicestershire, Leicester and Rutland Gypsy and Traveller Needs Assessment http://www.harborough.gov.uk/download/downloads/id/3220/2017_06_01_leicestershire_gtaa_final_reportpdf.pdf</p> <p>North West Leicestershire Local Plan 2011-2031 https://www.nwleics.gov.uk/files/documents/adopted_local_plan_2011_2031/Adopted%20Written%20Statement.pdf</p>
Recommendations	<p>THAT LOCAL PLAN COMMITTEE:</p> <p>(I) NOTE THE UPDATE IN RESPECT OF THE GYPSY AND TRAVELLER SITE ALLOCATION DPD; AND</p> <p>(II) AGREES TO THE PROPOSAL TO ISSUE A FURTHER CALL FOR SITES</p>

1.0 BACKGROUND

- 1.1 The adopted North West Leicestershire Local Plan sets out the Council's strategic approach to meeting the accommodation needs of Gypsies and Travellers and Travelling Showpeople at Policy H7. Policy H7 also sets out the intention to prepare a Gypsy and Traveller Site Allocations Development Plan Document (DPD) as a means of identifying a range of sites to meet the identified need.

1.2 The proposed publication version Draft Traveller Site Allocations DPD was considered by the Local Plan Advisory Committee at its meeting of 14 March 2018 and was due to be reported to Full Council for approval at its meeting of 20 March 2018. However the report was withdrawn prior to being considered by Council in order to allow for the potential identification of additional sites.

2.0 SUMMARY OF THE 2017 GYPSY AND TRAVELLER ACCOMMODATION NEEDS ASSESSMENT

2.1 The 2017 Gypsy and Traveller Accommodation Needs Assessment (GTAA) takes account of the latest definition of “traveller”. The 2017 GTAA is based on a combination of desk-based research, stakeholder interviews and engagement with members of the travelling community living on all known sites. In North West Leicestershire, 16 interviews were completed with Gypsies and Travellers and 25 interviews were completed with Travelling Showpeople.

2.2 The GTAA covers the period 2016 to 2036. However, this has been broken down by 5 year bands which allows the DPD to plan to 2031- the same period as the North West Leicestershire Local Plan. Taking account of the need that may arise from households where an interview was not completed, the additional needs for permanent pitches and plots are set out below:

	2016-2031	2016-2036
Gypsies and Travellers	6 pitches	7 pitches
Travelling Showpeople	20 plots	22 plots

2.3 A pitch/plot is an area of land on a site that is generally home to one household. A pitch/plot can vary in size and have varying caravan numbers. Pitches refer to Gypsy and Traveller sites and plots to Travelling Showpeople yards.

2.4 The needs of Gypsies and Travellers who either travel all year round or for large parts of the year can be met by transit sites which only provide temporary accommodation. The 2017 GTAA identifies a need for a minimum of 12 caravan spaces (or managed equivalent) in Leicester City, and a minimum of 36 caravan spaces (or managed equivalent) spread over 2-3 sites elsewhere in Leicestershire. The 2017 GTAA states *‘The data suggests that the need is greatest in the North West of the county and the City and that transit provision should be prioritised in these locations.’*

2.5 The 2017 GTAA notes that it has been suggested that there will be a need to increase transit provision across the country as a result of the revised definition of Gypsies and Travellers introduced by the Government’s 2015 ‘Planning Policy for Traveller Sites’. This may be the case, but it will take some time for any robust evidence to be available to substantiate these claims.

3.0 SITE IDENTIFICATION

3.1 The Gypsy and Traveller Site Allocations DPD: Consultation Draft published in February 2016 provided an opportunity for individuals, organisations (including parish councils) and

stakeholders who may have an interest in provision for Gypsies, Travellers and Travelling Showpeople to suggest sites that may be suitable for allocation. However, this 'call for sites' exercise failed to identify any new sites.

- 3.2 As a consequence, to identify as wide a range as possible of site options, other types of sites and relevant sources of data were looked at. In July 2016, over 500 sites were identified and these were assessed against national policies and designations to identify those that had a reasonable potential for development. Potential sites were assessed using more detailed site surveys prior to consultation with the Highway Authority, Environment Agency and others. To assess the availability of sites, landowners were contacted to determine whether there was an intention to develop or sell the site for Gypsies and Travellers' pitches or Travelling Showpeople plots. The following proposals were subsequently identified in the proposed Gypsy and Traveller Site Allocations DPD considered by the Local Plan Advisory Committee at its meeting of 14 March 2018:

Permanent Traveller Accommodation

- 3.3 The need for a permanent site for Gypsies and Travellers is satisfied by an extant planning permission on land at Ashby Road, Sinope. No further provision was considered necessary.

Permanent Travelling Showpeople Accommodation

- 3.4 If needs could not be met by the intensification or extension of existing Travelling Showpeople sites, a site at the former Measham Mine, Swepstone Road, Measham was identified. The site is capable of meeting all of the needs for Travelling Showpeople plots as identified in the GTAA. The landowner is willing to make the site available. Third party land may be required in order to achieve the visibility splays necessary for a safe access to the site. If appropriate, the Council may have to use compulsory purchase powers to secure the land that is needed.

Transit site

- 3.5 The preferred approach is to use managed approaches to deal with unauthorised encampments ahead of the provision of a public transit site in North West Leicestershire. These approaches include the continued use of tolerated stopping or the introduction of Negotiated Stopping Agreements for short-term encampments.
- 3.6 If, despite this managed approach, a persistent unmet need remained, a transit site was identified on Nottingham Road, Ashby de la Zouch. This site is owned by Homes England (previously known as the Homes and Communities Agency) who have expressed a willingness to sell the land to the Council.

4.0 IDENTIFICATION OF POSSIBLE ADDITIONAL SITES

- 4.1 Given the time that has elapsed since the initial site search was undertaken almost two years ago, an up-date is planned to identify additional sites. The update will broadly follow the earlier site selection process and will include a fresh 'call for sites' alongside a review of other sources of sites that may be relevant in the assessment process, including:

- Planning permissions for housing developments that have expired;

- Planning applications for Gypsy and Traveller sites that have been refused or withdrawn;
- Sites submitted as part of the Council's Strategic Housing and Employment Land Availability Assessments where the promoter indicates a willingness for them to be developed for traveller use;
- Land in the Council's ownership;
- Public sector land that is surplus, or likely to become surplus;
- Vacant and derelict land and buildings; and
- Land safeguarded, severed or otherwise affected by infrastructure projects.

4.2 As the need for a permanent site for Gypsies and Travellers is already satisfied, the update will focus on the identification of potential transit sites or permanent sites for Travelling Showpeople. This means:

- Sites need to be capable of accommodating at least 10 transit pitches or ten plots for Travelling Showpeople; and
- In terms of ownership, only publically managed transit sites are effective in enabling the Council to enforce against unauthorised development. Travelling Showpeople yards tend to be privately owned.

4.3 As before, potential sites will be assessed for their suitability, availability and achievability. They will also be subject to a Sustainability Appraisal to determine whether any of the newly identified sites are potentially preferable to the currently identified sites set out in section 2 above.

4.4 Members need to be aware that the update, like the original site search exercise, is a significant undertaking involving detailed site surveys, stakeholder consultation, planning history research, contact with landowners and Sustainability Appraisal. Despite this effort it is possible that the update will reveal few or even no new sites.