

# A Local Plan for Lancaster District

2011-2031

Background Paper: Gypsy, Traveller and Travelling

Showpeople

May 2018



DRAFT

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## 1.0 Introduction

- 1.1 Lancaster City Council is preparing a Local Plan for the District up to 2031 and on 14<sup>th</sup> May 2018 submitted the Strategic policies and Land Allocations Development Plan Document (DPD) and Development Management DPD to the Planning Inspectorate for Examination in Public. The Strategic Policies and Land Allocations DPD sets out the strategy, together with policies and site allocations to guide the location of development in Lancaster up to 2031. The Development Management DPD sets out a range of important policies that will be taken into consideration by case officers in the consideration of planning applications.
- 1.2 One of the issues that the Strategic Policies and Land Allocations DPD seeks to address is meeting the accommodation needs of the Gypsy and Traveller, and Travelling Showpeople community.
- 1.3 Lancaster City Council intends to prepare a Gypsy and Traveller and Travelling Showpeople Site Allocations DPD which will identify a supply of specific deliverable sites sufficient to provide five years' worth of pitches / plots against the level of need identified in the 2017 Gypsy and Traveller, and Travelling Showpeople Accommodation Assessment (GTAA) undertaken by consultants arc4. The DPD will also identify a supply of developable sites up to 2031.

### 'Call for Sites' for Gypsies and Travellers or Travelling Showpeople

- 1.4 Lancaster City Council are beginning the preparation of the Gypsy and Traveller and Travelling Showpeople Site Allocations DPD and are inviting members of the local community, landowners and public bodies to put forward sites that they think may be potentially suitable for Gypsy and Traveller or Travelling Showpeople use.
- 1.5 The deadline for suggesting sites is 5pm on Friday 22 June 2018.
- 1.6 Forwarding potential sites at this stage does not imply that they will be included in the DPD since all sites will undergo a rigorous assessment against specific criteria to assess their potential suitability.

## 2.0 What Have We Done So Far?

- 2.1 The Strategic Policies and Land Allocations DPD and Development Management DPD was submitted to the Secretary of State for independent examination on 15<sup>th</sup> May 2018. The Strategic Policies and Land Allocations DPD includes Policy SP6: The Delivery of New Homes which sets out the need for Gypsy and Travellers, and Travelling Showpeople and identifies:
  - that there is a need for 8 pitches to meet the Planning Policy for Traveller Sites over the period to 2031;
  - that there is a need for a further 16 pitches to meet the wider cultural need over the period to 2031.
- 2.2 Policy DM9 (Accommodation for Gypsies and Travellers, and Travelling Showpeople) of the Development Management DPD identifies criteria for determining the suitability of planning proposals for gypsy and travellers.

- 2.3 In September 2017 the council published the Gypsy and Traveller, and Travelling Showpeople Accommodation Assessment undertaken by consultants arc4. The 2017 study updates findings from a previous study undertaken by Opinion Research Services in 2013.
- 2.4 Please note, although Policies SP6 and DM9 are not yet adopted, work has commenced on the Site Allocations DPD so that when the policy related to Travellers and Travelling Showpeople is adopted, the DPD can be produced quickly.

### 3.0 Definitions

- 3.1 The 2015 Planning Policy for Traveller Sites identifies the following definitions of gypsies and travellers and travelling showpeople for the purposes of the planning policy, note this excludes the cultural definition.
- 3.2 The definition for “gypsies and travellers” means:

*‘Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

*In determining whether persons are “gypsies and travellers” for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:*

- *whether they previously led a nomadic habit of life*
- *the reasons for ceasing their nomadic habit of life*
- *whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.’*

- 3.3 The definition “travelling showpeople” means:

*‘Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.’*

### 4.0 The National Planning Policy Framework

- 4.1 The Government’s Planning Policy for Traveller Sites, published in August 2015 states that local planning authorities should, in producing their Local Plan “identify and update annually, a supply of specific deliverable sites sufficient to provide five years’ worth of sites against their locally set targets”. Further, Local Plans should “identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15.”(paragraph 10).
- 4.2 The Planning Policy for Traveller Sites says that to be deliverable, sites should be:
- Available now;
  - Offer a suitable location for development now; and be
  - Achievable with a realistic prospect that development will be delivered on the site within five years.

- 4.3 Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within 5 years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans. (footnote 4)
- 4.4 To be considered developable, sites should be in a suitable location for traveller site development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged (footnote 5).

## 5.0 Local Policy

- 5.0 Emerging policy Policy SP6: The Delivery of New Homes subsection on Gypsy and Traveller provision states 'The Council will bring forward an Allocation Sites DPD for the purposes of allocating sufficient land to meet the current and future accommodation needs of the Gypsy and Traveller community, which will meet the need to provide for 8 pitches for those of the community who meet the Government's Planning Policy for Traveller Sites (2015) definition, and will seek to provide for a further additional 16 pitches for those of the community who require accommodation under a cultural need.
- 5.1 Monitoring of sites will inform future requirements, and may show a change in the level of need over the plan period. In the context of a potential change in overall need and the current emergence of a separate DPD on allocation sites for Gypsy and Travellers windfall sites which may be brought forward should be considered against criteria in policy DM9 of the Development Management DPD.
- 5.2 Policy DM9: Accommodation for Gypsies and Travellers, and Travelling Showpeople states '*Proposals which may come forward in advance of the preparation of the Site Allocations for Gypsies and Travellers DPD or are in sustainable locations not identified for allocation post adoption of the DPD, will be supported subject to the criteria set out below: General Development Principles Proposals for new or expanded Gypsy and Traveller, and Travelling Showpeople sites will be supported where they:*
- I. *Demonstrate that the intended occupants meet the definition of Gypsies and Travellers and Travelling Showpeople in Annex 1 of Planning Policy for Traveller Sites or have a culturally identified need under the Equality Act 2010; and*
  - II. *Provide no more than 15 permanent residential Gypsy and Traveller pitches and 5 permanent Travelling Showpeople plots; and*
  - III. *Are located within the urban area of Lancaster, Morecambe, Heysham or Carnforth. Sites in other locations will only be considered if it can be demonstrated that appropriate sites cannot be provided within the specified urban areas. Locational Requirements Proposals for new or expanded Gypsy and Traveller and Travelling Showpeople sites will be expected to take into account the following locational requirements:*
  - IV. *That proposals can achieve safe and satisfactory access onto the highway network which is also suitable for use by trailers and caravans;*
  - V. *The site is located within reasonable proximity (preferably within walking distance) of public transport facilities and services in order to access GP and other health services, education, employment and training, and other essential services;*
  - VI. *In a location where the site will not cause significant harm on the amenity of neighbouring properties;*
  - VII. *The site is situated in a location that would enable satisfactory living conditions for intended occupants including appropriate consideration of flood risk, land contamination,*

- land stability, and the integrity of important nature sites; and*
- VIII. *Not located in areas where there are potential amenity or land compatibility issues (e.g. proximity to waste disposal facilities, electricity pylons, and industrial areas). Where potential conflict is identified individual risk assessments must be carried to identify whether mitigation can be achieved. Design Principles Proposals for new Gypsy and Traveller and Travelling Showpeople sites will be supported where they:*
- IX. *Are well planned and include soft landscaping and play areas for children where needed;*
- X. *Make adequate provision for vehicular parking, turning areas and servicing;*
- XI. *Are capable of providing adequate access to all emergency vehicles; and*
- XII. *Are currently provided with or where adequate utilities, sanitation facilities, a mains water supply and drainage can be demonstrated to be able to be provided.*

*New sites for Travelling Showpeople will be allowed to include mixed use yards, to accommodate both caravans and space for storage and equipment but must also meet criteria (I) to (XII).*

#### Transit Provision

*New transit sites for Gypsy and Travellers will only be considered provided they meet criteria (I) to (XII). However, new transit sites must provide no more than 5 pitches. In addition, applicants must demonstrate that they can and will enforce a suitable time limit on how long pitches are occupied.*

#### Safeguarding Pitches

*All proposals that would result in a loss of Gypsy and Traveller pitches and Travelling Showpeople plots will not be permitted unless alternative and improved provision in either an equivalent or improved location is achieved that meets an identified need, with no net loss of pitches / plots.*

Any proposals and planning applications for Traveller, Travelling Showpeople or transit pitches will be considered by the relevant Council against the above criteria and in the context of locally set targets.

## 6.0 The Evidence Base - What Is The Level Of Need For Pitches And Plots?

6.1 The Lancaster GTSAA, published in September 2017, identifies the need for additional Traveller pitches, Travelling Showpeople plots in the district in the period between 2017/18 and 2031/32.

6.2 Within Lancaster district, the need identified in the GTAA in the five years to 2021/22 is set out in Table 1 below:

Overall plan period Gypsy and Traveller pitch need		
	Cultural need	Of which: PPTS need
Pitch need 2011/12 to 2016/17 (based on previous GTAA)	8	2.7
Additional pitches authorised 2011/12 to 2016/17	3	
Residual pitch need 2011/12 to 2016/17	5	1.7
5yr pitch need (2017/18 to 2021/22)	<b>11</b>	3.6
Longer-term need to 2030/31	8	2.7
<b>TOTAL</b> pitch need 2011/12 to 2030/31 (Plan Period)	<b>24</b>	<b>8</b>



- 6.3 The GTAA identifies an overall shortfall of 1.7 (or 5 under cultural need) permanent Traveller pitches across the district to make up for previous unmet need from 2011/2012 to 2016/2017.
- 6.4 The GTAA identified a number of vacant pitches and opportunities for the intensification or limited expansion of a number of existing sites.
- 6.5 For Travelling Showpeople, the GTSAA identifies no overall additional need for plots across the district in the period to 2021/22.
- 6.6 The GTSAA also recommends that no provision needs to be made for transit pitches.
- 6.7 The GTAA indicates a desire amongst Travellers for a mixture of Council managed sites and private sites.
- 6.8 The GTAA also identifies the likely longer-term requirement for pitches and plots, covering the period 2021/22 to 2030/31. The longer-term requirements, based on expected household formation rates, set out in Table 1 above. The longer-term requirements make no allowance for turnover on existing sites and are therefore indicative and liable to change in light of future updated turnover rates.
- 6.9 The GTSAA suggests a need for up to 16 Traveller pitches between 2017/18 and 2021/22, and a further long term of need of 8 pitches to 2030/31, this takes account of the overall cultural need and an accounted shortfall of 5 pitches from 2011/2017. However, should the PPTS need be met alone, there is a need for 5.3 Traveller pitches between 2017/18 and 2021/22 , and a further long term of need of 2.7 pitches to 2030/31, this takes account of a shortfall of 1.7 pitches from 2011/2017.

## 7.0 The Approach to Meeting Need

- 7.1 Policy SP6 says that the Strategic Policies and Land Allocations DPD will meet the need to provide for 8 pitches for those of the community who meet the Government's Planning Policy for Traveller Sites (2015) definition, and will seek to provide for a further additional 16 pitches for those of the community who require accommodation under a cultural need.
- 7.2 These targets are based on the findings of the GTSAA which is summarised in Table 1 above.
- 7.3 With regard to meeting the need for pitches and plots between now and 2031, the future requirements could be met through a combination of the following approaches:
  - (a) Determining planning applications as-and-when they arise through the Development Management process;
  - (b) Expansion of, or increasing the capacity on, existing authorised Traveller and Travelling Showpeople sites;
  - (c) Allocating new sites on the proposed urban extensions;
  - (d) Allocating pitches through a 'call for sites'.

## 8.0 Call for Sites

- 8.1 Any suggested sites put forward under this 'call for sites' exercise, will be assessed for their suitability against the criteria proposed in DM9 and other good practice guidance, and then subject to public consultation, in order to determine which may be identified for allocation in the



DPD.

## 9.0 How Do You Put Forward A Site?

- 9.1 We would like your assistance in identifying potential sites using the Call for Sites Submission Form.
- 9.2 Please send your completed Call for Sites Submission Form, together with a map showing the site plan for each site, to us by 5:00 pm on 22<sup>nd</sup> June 2018. This will enable us to consider responses in the preparation of the initial consultation document.
- 9.3 You can send your Call for Sites Submission Forms in two ways:  
By email. To: [planningpolicy@lancaster.gov.uk](mailto:planningpolicy@lancaster.gov.uk); or  
By post. To: Lancaster City Council, PO Box 4, Lancaster Town Hall, Dalton Square, Lancaster, LA1 1QR.
- 9.4 Further information about the Traveller and Travelling Showpeople Site Allocations DPD and an electronic copy of the Sites Submission Form are available on the Council's website at [http://www.lancaster.gov.uk/\\*\\*](http://www.lancaster.gov.uk/**)

## 10.0 Next Steps

- 10.1 The timetable for the preparation of the Traveller and Travelling Showpeople Site Allocations DPD is outlined in the Council's Local Development Schemes (LDS's), published in May 2018. It is summarised as follows:

Stage	Date
Regulation 18 Consultation Draft	Late 2018
Regulation 19 Publication	Early 2019
Submission to the Secretary of State	April 2019
Adoption	Late 2019

- 10.2 The next stage in the process will be for the Council to consider and assess responses to the Call for Sites exercise.
- 10.3 Sites that are identified as potential site allocations will be considered and assessed prior to initial consultation in late 2018, in which site allocations will be identified.

## 11.0 Sustainability Appraisal

- 11.1 The Gypsy and Traveller Site Allocations DPD will be subject to a Sustainability Appraisal which will contribute to the evidence base and ensure that the DPD delivers sustainable development.