

Bath & North East Somerset Council	
MEETING:	Planning, Transport and Environment Policy Development and Scrutiny
MEETING DATE:	8 November 2011
TITLE:	Gypsies, Travellers and Travelling Showpeople Site Allocations Development Plan Document (DPD): Issues and Options Consultation Paper and 'Call for Sites'
WARD:	ALL
AN OPEN PUBLIC ITEM	
List of attachments to this report:	
Appendix 1 – Draft Consultation Document	

1 THE ISSUE

- 1.1 As Local Housing Authority, the Council has a duty to assess the housing needs of the district. The Housing Act 2004 extended this duty to the specific requirements of gypsy and traveller communities. The assessment undertaken in 2007 determined that the district by 2016 required 22 permanent and 20 transit pitches, and for travelling showpeople one yard. The draft Core Strategy Policy CP11 has been framed with regard to this assessed need of the district and to assist effective delivery a DPD is now proposed, as follows.
- 1.2 The Gypsies, Travellers and Travelling Showpeople Site Allocations Development Plan Document (DPD) is a formal planning document prepared by the Council which allocates land for the development of authorised Gypsy and Traveller pitches across the District. The Issues and Options paper seeks public comment on how sites should be allocated for development as Gypsy and Traveller pitches or Travelling Showpeople yards. The Call for Sites seeks information on potential land for allocation.

2 RECOMMENDATION

The Planning, Transport and Environment Policy Development and Scrutiny Panel is asked to:

- 2.1 Consider the Draft Consultation Document incorporating a Call for Sites (Appendix 1 to this report) and advise Cabinet of any recommended changes; and

- 2.2 Note that the Draft Consultation Document is scheduled for public consultation over an extended period of 8 weeks to run from late November.

3 FINANCIAL IMPLICATIONS

- 3.1 The Gypsies, Travellers and Travelling Showpeople Site Allocations DPD is being prepared within the agreed budget for 2011/2012. This budget enables the DPD to progress in line with the work programme in the adopted Local Development Scheme.
- 3.2 The progression and eventual adoption of the Gypsies, Travellers and Travelling Showpeople Site Allocations DPD will demonstrate the Council's commitment to the provision of sites to meet local need. The allocation and development of sufficient sites will also enable the Council to redirect households travelling through the District to legal transit sites. This will reduce the need for enforcement action by the Council and its associated costs.
- 3.3 Identification of suitable allocation site(s) will have longer term financial implications because there is a cost to the establishment of sites.

4 THE REPORT

- 4.1 The purpose of the Site Allocations Development Plan Document is to allocate sufficient land to develop authorised sites for accommodation by Gypsies, Travellers and Travelling Showpeople. Bath and North East Somerset District does not currently contain any permanent authorised sites, although a site has been granted temporary planning permission in Whitchurch. The Council is currently working towards producing a new Corporate Policy on Gypsies and Travellers and the Site Allocations document will relate to that policy's aims to oversee the process of site allocation and development.
- 4.2 The Gypsies, Travellers and Travelling Showpeople Site Allocations Development Plan Document (DPD) is currently at Issues and Options stage. This is the first stage of public consultation seeking to agree the way and form in which sites should be provided, and to ask the public to identify potential land for allocation. Any comments arising from the Planning, Transport and Environment Policy Development and Scrutiny committee will be reported to Cabinet on 9 November 2011.
- 4.3 The content of the Issues paper follows the Draft Core Strategy Policy CP11 which sets out the criteria against which land will be assessed for development. From these criteria the consultation paper asks a series of questions about the form of development, including site tenure and mixed-use site provision.
- 4.4 The Council has committed through the Draft Core Strategy to provide **22 permanent pitches** and **20 transit pitches** for Gypsies and Travellers, and **1 yard** for Travelling Showpeople. These figures are derived from

the Council's evidence base, the Gypsy and Traveller Accommodation Assessment carried out in 2007, which sets out local need including projected family growth.

- 4.5 The scoring matrix (as included at Appendix A of this note) weighs each of the issues relevant to site allocation in order to objectively identify the most suitable, sustainable sites. The matrix was developed based on national planning guidance, weighting particular matters, for example protection of the Green Belt, more heavily to reflect their relative importance.
- 4.6 The period of consultation will also include a 'Call for Sites' which asks the public to put forward any land they consider suitable for allocation as Gypsy, Traveller or Travelling Showpeople sites. Any land coming forward as part of this process will be considered for allocation against the site criteria, and assessed against the scoring matrix. A review of Council-owned land is also underway to assess local assets for their potential allocation as part of this process. The results of that review will be taken into account alongside any land coming forward from the public.
- 4.7 There will be subsequent public consultations later in 2012 on the proposed sites to be allocated.

5 RISK MANAGEMENT

- 5.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

6 EQUALITIES

- 6.1 The statutory duties of the Council include the Single Equality Duty to eliminate discrimination, advance equality of opportunity and foster good relations between different groups in the course of developing policies and delivering services. Gypsies and Travellers are recognised as distinct ethnic groups and are protected from discrimination by the Equality Act 2010.
- 6.2 An Equalities Impact Assessment of the Gypsies, Travellers and Travelling Showpeople Site Allocations DPD Issues and Options consultation paper was carried out using corporate guidelines and in consultation with an Equalities Officer. The overall impact on equality strands was considered to be positive, however opportunities for improvement were raised as actions. The actions arising from this have been considered and will be incorporated into the next consultation document, the Options Paper. The Equalities Officer was also consulted on a draft version of the consultation paper and comments arising from this were incorporated into the current draft version.

7 CONSULTATION

7.1 *Ward Councillor; Cabinet Member; Parish Council; Town Council; Overview & Scrutiny Panel; Staff; Other B&NES Services; Service Users; Local Residents; Community Interest Groups; Youth Council; Stakeholders/Partners; Other Public Sector Bodies; Charter Trustees of Bath; Section 151 Finance Officer; Chief Executive; Monitoring Officer*

7.2 It is recommended that the consultation period run for an 8 week period from late November 2011. A series of manned drop-in events will be held to encourage public participation and to draw together local aspirations, opportunities and concerns. These events will be geared towards gathering contacts and evidence to inform future drafts of the document. Particular emphasis is placed on engaging on a face to face basis with the local travelling community and representatives of the Gypsy and Traveller community through direct on-site contact by the Council officers.

7.3 Consultation will also include:

- Local press and media coverage
- Feature article in Connect (sent to all households)
- E-consultation
- Email to all consultees listed on the Local Development Framework (LDF) consultation database and known interest groups
- Newsletter / leaflet / poster distribution and advertisement
- Display boards

7.4 One to one meetings with key stakeholders

8 ISSUES TO CONSIDER IN REACHING THE DECISION

8.1 Social Inclusion; Customer Focus; Sustainability; Human Resources; Property; Young People; Human Rights; Corporate; Health & Safety; Other Legal Considerations

9 ADVICE SOUGHT

9.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	David Trigwell: Divisional Director - Planning and Transport 01225 394125
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	Simon de Beer: Policy & Environment Manager 01225 477616
Background papers	West of England Gypsy Traveller Accommodation (and Other Needs) Assessment (GTAA) (2007)
Please contact the report author if you need to access this report in an alternative format	

**Gypsies, Travellers and Travelling Showpeople Site Allocations
Development Plan Document (DPD): Issues and Options Paper**

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**Gypsies, Travellers and Travelling Showpeople Site Allocations
Development Plan Document (DPD): Issues and Options Paper**

Appendices

- A Glossary**
- B Draft Site Selection Scoring Matrix**

**Gypsies, Travellers and Travelling Showpeople Site Allocations
Development Plan Document (DPD): Issues and Options Paper**

1 Introduction

- 1.1 This document seeks your views on the issues and options for the allocation of sites for Gypsies, Travellers and Travelling Showpeople. Bath and North East Somerset Council is committed to meeting current and future needs of these communities and the information contained within this document offers a starting point for discussion. This consultation will inform the development of a methodology for assessing sites for allocation as well as inviting land to be put forward to be considered for allocations.
- 1.2 This Issues and Options Paper does not make any statement of intent and readers should note that the Council has made no decision in favour of any possible sites at this stage. Once the criteria for site selection have been finalised following the results of this first consultation, a second public consultation will take place specifically to look at preferred site options for Gypsy, Traveller and Travelling Showpeople sites that meet those identified criteria.
- 1.3 We have set out a number of questions relating to each of the issues raised in the document which we are seeking responses to. We are inviting comments on these questions between **17 November 2011 and 12 January 2012**.

How to Make Comments and Submit Site Information

- 1.4 Hard copies of this document and response forms are available online at www.bathnes.gov.uk/planningfortravellers, in all local libraries and at The Guildhall, Bath, The Hollies, Midsomer Norton, and Riverside, Keynsham. To find out more about the Site Allocations Development Plan Document (DPD) you can visit our webpage or call on 01225 477548. Please contact us if you have particular access needs or would like help completing the comments form.
- 1.5 Early community involvement will help to ensure this document better reflects the views of all those with an interest in it. If you would like to discuss the issues outlined in the document in more detail, drop in events are being held between Xpm and Xpm at:
 - Place, time
- 1.6 Two response forms accompany this document. If you would like to respond our preferred method of communication is for comments to be submitted online at www.bathnes.gov.uk/planningfortravellers. Alternatively, comments can be sent by email to planning_policy@bathnes.gov.uk, or in writing using the general response form to:

Gypsy and Traveller DPD
Planning Services
PO Box 5006
Bath
BA1 1JG

- 1.6 Please send your response to us by **5pm on 12 January 2012**. This will enable us to consider responses in preparation for the next consultation document.

2 Planning Policy Framework

- 2.1 The Planning and Compulsory Purchase Act 2004 introduced the requirement for local authorities to replace their Local Plans with Local Development Frameworks (LDFs). One of the most important policy documents in the LDF is the Core Strategy, which will provide the framework for more detailed policies and site allocations to be set out in Local Development Documents, including the Gypsies, Travellers and Travelling Showpeople Site Allocations Development Plan Document (DPD).

What has been done so far?

- 2.2 The Core Strategy has been through several stages of consultation and was submitted for Examination on 3 May 2011. The Core Strategy is the principal Development Plan Document within the LDF as it sets the long term vision, spatial strategy and core policies for shaping the future development of the District to 2026. As such, all other documents have to be in conformity with it.

National Planning Policy Framework

- 2.3 The national planning policy framework relating to Gypsies, Travellers and Travelling Showpeople is currently set out in Circulars 01/2006 and 04/2007. Draft Planning Policy Statement (PPS) *Planning for Traveller Sites*, the proposed replacement for both Circulars was consulted on in 2011 but is not yet adopted policy.
- 2.4 The draft National Planning Policy Framework (NPPF) released for consultation in July 2011 makes no reference to the travelling community but places emphasis on a presumption in favour of sustainable development. The draft PPS is due to be incorporated into the NPPF which is a material consideration in determining planning matters, including this Development Plan Document.

Definitions

- 2.5 For planning purposes Government guidance defines Gypsies and Travellers within Circular 01/2006 as:

“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 or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such.”

- 2.6 Travelling Showpeople are defined within Circular 04/2007 as:

“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 or permanently, but excludes Gypsies and travellers as defined in ODPM Circular 01/2006.”

These definitions will be used for the purposes of this document.

Local Planning Policy Context

- 2.7 Until such time as the Core Strategy is adopted Policy HG.16 of the Local Plan (2007) is the main policy against which applications for development will be assessed. It states the following:

“Proposals to provide sites, including mixed-use sites, for use by Gypsies who reside in or resort to Bath & North East Somerset will be permitted on land outside the scope of Policies GDS.1 and HG.4 and 6 provided that:

- i) the site has good access to local services, facilities and public transport;*
- ii) it has safe and convenient access to the road network;*
- iii) it is capable of being landscaped to ensure that it blends in with its surroundings;*
- iv) adequate services including foul and surface water drainage and waste disposal can be provided;*
- v) there would be no harmful impact on the amenities of local residents by reason of noise or fumes from business activities”*

- 2.8 Policy CP11 of the Bath and North East Somerset Draft Core Strategy relating to the development of Gypsy and Traveller sites sets out the criteria against which planning applications will be considered once the Core Strategy has been adopted.

Core Strategy Policy CP11

The following criteria will be used to guide the identification of suitable sites to meet the established accommodation needs of gypsies, travellers and travelling showpeople to 2011 and their accommodation needs beyond 2011 once assessed.

Proposals for sites for gypsies, travellers and travelling showpeople accommodation will be considered against the following criteria:

- a local community services and facilities, including shops, schools and health facilities, should be accessible by foot, cycle and public transport
- b satisfactory means of access can be provided and the existing highway network is adequate to service the site
- c the site is large enough to allow for adequate space for on-site facilities and amenity, parking and manoeuvring, as well as any commercial activity if required
- d the site does not harm the character and appearance of the surrounding area
- e adequate services including utilities, foul and surface water and waste disposal can be provided as well as any necessary pollution control measures
- f use of the site must have no harmful impact on the amenities of neighbouring occupiers
- g the site should avoid areas at high risk of flooding and have no adverse impact on protected habitats and species, nationally recognised designations and natural resources

Delivery:

Delivery will be through the Development Management process.

Sites will be identified through the Gypsies and Travellers DPD to meet identified accommodation needs up to 2011 and beyond once assessed.

Why do we need a Site Allocations DPD?

- 2.9 The need for authorised Gypsy and Traveller accommodation is confirmed through a Gypsy and Traveller Accommodation Assessment (GTAA) undertaken for the West of England local authorities in 2007. The outcomes of this study are set out in more detail in Section 3 (Issues).
- 2.10 The statutory duties of the Council include the Single Equality Duty to eliminate discrimination, advance equality of opportunity and foster good relations between different groups in the course of developing policies and delivering services. Gypsies and Travellers are recognised as distinct ethnic groups and are protected from discrimination by the Equality Act 2010. New Travellers are recognised as part of the travelling community and are included in the biannual Caravan Count.
- 2.11 Estimates suggest a population of approximately 200,000 Gypsies and Travellers in England. Whilst much of this population reside in bricks and mortar accommodation, around 18,000 caravans are sited across England, with about 20% of this number (under 4,000) on unauthorised sites. Until 1994 local authorities were required under previous legislation to provide Gypsy and Traveller sites. There is no permanent authorised pitch provision in Bath and North East Somerset and the current planning policy framework (the Bath and North East Somerset Local Plan 2007) has failed to provide pitches, resulting in the current level of unauthorised encampments and developments.
- 2.12 The failure to allocate sufficient land to meet the need for permanent and transit pitches across the District has a number of impacts including:
- Continuing the current problem of unauthorised development and encampments, as well as tensions with the settled community;
 - Increasing the difficulty of ensuring stable access to all the support and services that the Gypsy, Traveller and Travelling Showpeople communities need;
 - Reinforcing the cycle of nomadism and homelessness for those Gypsies and Travellers who may prefer or need a more settled way of life, but cannot find a permanent site;
 - Applications for development being decided on appeal, which can result in sites being permitted that may not be the most suitable or sustainable locations for development;
 - Failure of the Council to meet the accommodation needs of Gypsies and Travellers in contravention of its duty under the Housing Act 2004; and
 - Restricting the Council's ability to enforce against unauthorised development as our ability to enforce is related to our activity in meeting the need for new provision.
- 2.13 The Gypsies, Travellers and Travelling Showpeople Site Allocations DPD will therefore seek to address these issues by identifying sites to meet the

accommodation needs of Gypsies, Travellers and Travelling Showpeople in Bath and North East Somerset up to 2016.

Sustainability Appraisal

- 2.14 As part of the production of the Gypsies, Travellers and Travelling Showpeople Site Allocation DPD, the Council is required to undertake a Sustainability Appraisal (SA). This will assess the likely social, economic and environmental effects of a plan. In doing so it will aim to promote sustainable development which seeks a better quality of life for everyone, now and in the future. This will ensure the final version is sound and conforms to sustainability principles set out by the Government.
- 2.15 A Sustainability Appraisal Scoping Report was produced in July 2010 in order to set a framework against which the Gypsies, Travellers and Travelling Showpeople Site Allocation DPD will be assessed. A Sustainability Appraisal of the Issues and Options document has also been undertaken. The results of this appraisal will be taken into account in preparing the next stage of the Site Allocations Development Plan Document.

Health Impact / Needs Assessment

- 2.16 Bath and North East Somerset Primary Care Trust are currently undertaking a Health Needs Assessment of Gypsies and Travellers across the District. The results of this will be taken into account in developing the Site Allocations Development Plan Document, as well as informing a Health Impacts Assessment that will be carried out on preferred site(s) at Options stage.

Equalities Impact Assessment

- 2.17 An Equalities Impact Assessment was carried out on the draft of this Issues and Options consultation paper. This assessment will be reviewed when the next stage of the document, on preferred site(s) is developed.
- 2.18 Each of the above documents, including the Sustainability Appraisal Scoping Report and the Council's response to comments received on the that document can be accessed on the Council's website www.bathnes.gov.uk/planningfortravellers and hard copies are available at the main Council offices.

What Happens Next?

- 2.19 This marks the start of a process that will lead to the Council formally adopting the final version of the document that will allocate specific sites for Gypsies, Travellers and Travelling Showpeople use.
- 2.20 At the end of the consultation period, a Consultation Statement will be produced. This will contain all the comments that have been received, the Council's response to the issues raised through the consultation and details of how, where appropriate, these issues will be addressed in the next version of the document. Work will then start on identifying all sites in the District that are considered suitable for Gypsy and Traveller pitch provision and producing an Options report for further public consultation, with information on the Council's preferred site(s). This is expected to take place in June 2012. The key stages that the document will be consulted on are detailed below.

Key Stage	Date
Project commencement Evidence gathering and drafting of document.	March 2010
Consultation on the Issues and Options document and Call for Sites Comments can be made on the issues that the document will address and the possible options for responding to them. Land considered suitable for allocation can also be put forward.	November 2011 CURRENT STAGE
Consultation on the Options document A second stage of consultation to be held on preferred options arising from earlier consultation, including preferred sites.	June 2012
Consultation on the Pre-Submission document This document will identify all the sites that are considered suitable for Gypsy, Traveller and Travelling Showpeople use. Comments can be made on these sites.	November 2012
Submission of the document to the Secretary of State	March 2013
Examination The document will be examined by an independent Inspector appointed by the Secretary of State. The purpose of this is to ensure it is in line with the law and sound.	June 2013
Adoption The final version of the document will be adopted by the Council.	December 2013

3. Context and Monitoring

History

- 3.1 Romani Gypsies have lived in Britain for around 600 years and people have travelled from community to community for even longer. Irish Travellers also have a long tradition of visiting Britain having travelled and lived here for generations. Wherever they have gone, Gypsies and Travellers have fiercely maintained a separate identity – indeed this pride in their difference is an integral part of their culture. More recently, other people identified as New Travellers have also pursued a nomadic lifestyle.
- 3.2 Despite the tradition of nomadism, the degree to which Gypsies and Travellers now actively travel varies greatly. Traditional patterns of work are changing and although a minority still regularly travel (predominantly for work and cultural reasons), the majority of Gypsies and Travellers now lead a settled life. Indeed, research indicates that the majority prefer to live among family and friends, often in caravans.

- 3.3 The tradition of Travelling Showpeople in the UK dates back centuries, with the Showmen’s Guild being formed in 1889. Most Showpeople are members of the Guild and travel the UK, holding fairs in accordance with a strict code of practice. Whilst travelling remains a key feature of their traditional way of life, the community has generally become more settled, with more groups requiring a permanent base from which to travel locally.

Identified Need in Bath & North East Somerset

- 3.4 A biannual caravan count is carried out across England. The last published count from January 2011 identified 39 caravans on unauthorised sites across the District. A single authorised site exists in Bath and North East Somerset. This site benefits from a temporary planning permission that is due to expire in 2015.
- 3.5 The baseline data informing this DPD will be updated as each successive Count is completed and published.
- 3.6 In accordance with the Housing Act 2004, all local authorities are required to carry out an assessment of the accommodation needs of Gypsies and Travellers in their area. These assessments are known as Gypsy and Traveller Accommodation Assessments (GTAA). A West of England GTAA was carried out in October 2007 for the four partner authorities of Bath and North East Somerset, Bristol City, North Somerset and South Gloucestershire. 188 face-to-face interviews with the Gypsy and Traveller population in these areas were carried out.
- 3.7 The results of the West of England GTAA revealed that 127 permanent pitches are needed in the period up to 2011 in the study area and, based on an indicative forecast of need, that a further 44 pitches are required in the period up to 2016 due to projected family growth. These accommodation requirements can be seen in the table below:

Local Authority	Permanent Pitches 2006 to 2011	Permanent Pitches 2011 to 2016
Bath & North East Somerset	19	3
Bristol City	24	6
North Somerset	36	13
South Gloucestershire	48	22
Total	127	44
	Total 2006- 2016	171

- 3.8 **A total of 22 permanent pitches are required in the period to 2016 in Bath & North East Somerset.**

Local Authority	Transit Pitches 2006 to 2016	Travelling Showpeople Yards	
		to 2011	to 2016

Bath & North East Somerset	20	1	0
Bristol City	0	11	3
North Somerset	10	0	0
South Gloucestershire	25	42	15
Total	55	51	18
Total 2006-2016		69	

3.9 A total of 20 transit pitches and 1 yard are required in the period to 2016 in Bath & North East Somerset.

3.10 The results of the GTAA were reviewed in 2008 in a study commissioned by the South West Regional Assembly¹. This concluded that the West of England GTAA is both comprehensive and robust. As no permanent pitch provision has been made to date in the Bath and North East Somerset district and the caravan count data shows continued camping on unauthorised sites, the GTAA pitch requirements remain outstanding. The number of pitches and yards that will be allocated in the Gypsies, Travellers and Travelling Showpeople Site Allocations DPD will therefore be in accordance with the recommendations of the West of England GTAA.

3.11 Although the Planning Policy Statement *Planning for Traveller Sites* advises that provision should be projected forward for the 15 years following adoption of a document identifying allocated sites, the guidance on undertaking Gypsy and Traveller Accommodation Needs Assessments (DCLG, 2007) recognises that whilst it is possible to identify current need accurate projections of future needs are likely to be more difficult. At this stage no provision is recommended for post-2016.

Questions

1. Should the evidence base be updated to identify the accommodation needs of Gypsies, Travellers and Travelling Showpeople in Bath and North East Somerset beyond 2016? If so, in what ways does it need updating?

Monitoring

3.12 The Council's adopted planning policies are monitored through the Annual Monitoring Report which assesses and reviews the extent to which the policies in local development documents are being implemented. The Draft Core Strategy Policy CP11 sets out target delivery figures of 22 permanent and 20 transit pitches, for which the following monitoring indicator is set:

"Net additional gypsy & traveller pitches provided annually and since 2006"

3.13 One of the key objectives of this DPD is to reduce the level of unauthorised development within Bath and North East Somerset. To ensure that the

¹ Advice on RSS Review of Additional Pitch Requirements for Gypsies and Travellers in the South West (South West Regional Assembly, 2008)

achievement of this objective is monitored, an additional indicator is proposed to be added to the annual monitoring framework:

- Number and size of unauthorised developments

3.14 If the DPD develops planning policies additional to Policy CP11 in the Core Strategy it may be appropriate to define further monitoring indicators to ensure that the performance of those policies is measured.

Question

2. Is the proposed additional indicator sufficient to assess the effectiveness of the DPD in meeting its objective of reducing the number of unauthorised sites across Bath and North East Somerset?

3. Are there any further monitoring indicators that may be suitable for inclusion in the DPD?

4. Issues

4.1 The issues and options set out below are those that the Council considers most relevant in providing sites for Gypsies, Travellers and Travelling Showpeople. They do not represent statements of intent, but are starting points for discussion and debate.

4.2 A pitch is defined as an area of land where a single Gypsy or Traveller household lives. There is no one-size fits-all measurement of a pitch as, similar to bricks and mortar housebuilding, this depends on the size of individual families and their particular needs. As Gypsy and Traveller households often include several generations travelling together the GTAA recommends using an average of 3 caravans per pitch.

4.3 Government guidance² sets out the general facilities an average family pitch must be capable of accommodating:

- large trailer and touring caravan;
- amenity / day building;
- drying space for clothes;
- lockable shed
- parking space for two vehicles; and
- a small garden area.

4.4 Similar site selection criteria should be used to identify and allocate land for a single Travelling Showpeople yard, in accordance with national policy and the findings of the GTAA. Travelling Showpeople yards have slightly different requirements³ to those set out for Gypsy and Travelling pitches, due to the need to provide land for the storage, maintenance and repair of equipment.

Issue 1: Site Size

² Designing Gypsy and Traveller Sites: Good Practice Guide (DCLG, 2008)

³ The Showmen’s Guild of Great Britain: Travelling Showpeople Sites – A Planning Focus, Model Standard Package (2007)

- 4.5 Circular 01/2006 does not consider it appropriate to specify how many pitches there should be on a site. Government guidance², however, states that “a maximum of 15 pitches is conducive to providing a comfortable environment which is easy to manage” and that “smaller sites of 3-4 pitches can be successful, particularly where designed for one extended family”. The size of a pitch may also vary depending on whether land is needed for grazing animals or business activities.
- 4.6 The need for smaller sites in Bath and North East Somerset District is supported by the West of England GTAA which found that most survey respondents expressed a preference to live in smaller family sized sites of no more than 5 pitches.
- 4.7 In determining site sizes, consideration needs to be given to the need to provide sufficient sites to allow those who wish to live separately from other groups to do so. Site size will take account of site specific circumstances, including the surrounding population and density. Site size should also take account of the potential for family growth to prevent overcrowding, displacement to other sites, or homelessness.

Question

4. Should the preferred approach be to allocate sufficient land to allow groups to live separately from each other?

5. Should sites make allowance for future family growth to prevent overcrowding?

Issue 2: Site Tenure

- 4.8 It is important to recognise that not all members of the travelling community may be able to provide their own site. Though the majority of those households surveyed through the GTAA stated that they would prefer to own their own sites, different forms of tenure on sites in Bath and North East Somerset may be suitable to meet other needs. The forms of tenure that may be provided include:
- Privately owned for owner-occupation by a single or extended family
 - Privately owned and managed to be rented by Gypsies and Travellers
 - Publicly owned and managed by a Registered Social Landlord or local authority

Question

6. What form of tenure do you consider would best suit the needs of the Gypsy and Traveller community in Bath and North East Somerset? Please give reasons.

Issue 3: Rural Exception Site

- 4.9 Current Government guidance in Circular 01/2006 and the draft PPS on *Planning for Traveller Sites* states that in areas where there is a lack of affordable land to meet local Traveller needs, authorities should consider

allocating and releasing sites solely for affordable Traveller sites through a Rural Exception Site Policy.

Question

7. In order to cater for a range of needs, do you consider a rural exception site policy is required?

Issue 4: Mixed Use Sites

- 4.10 Guidance suggests that mixed use sites should be provided to accommodate some business use on Gypsy and Traveller sites where appropriate. When considering the suitability of a site for mixed use, it is important to have regard to the safety and amenity of residents and neighbours, as well as compatibility with surrounding land uses.
- 4.11 If mixed use sites are not practical in a particular location, Circular 01/2006 recommends that separate sites for residential and business purposes should be provided.

Question

8. Do you agree that mixed residential and business uses should only be permitted where appropriate to the location and where the safety and amenity of residents and neighbours will not be compromised?

Issue 5: Location of Sites

- 4.12 Selecting the best locations for Gypsy, Traveller and Travelling Showpeople sites is a key element in supporting sustainability and good community relations. The following criteria form the background to the site selection scoring matrix which will be used in the identification of preferred sites. The site selection scoring matrix and methodology will be finalised as a result of this consultation and be used to identify the preferred site(s) for allocation.

Locations In or Near Existing Settlements

- Locations in or near existing settlements are prioritised in Circulars 01/2006 and 04/2007. Such locations are generally more sustainable than those in remote areas, with better access to health and education services, shopping facilities, transport networks and employment opportunities. They are also more likely to reduce the need for car travel.
- Building Research Establishment (BRE) guidance⁴ on sustainable residential development encourages developers to locate new housing within close proximity to local services and amenities. An optimum distance of no more than 1,000m from key amenities via a safe walking route is recommended. This has been extended to 1,500m in the scoring matrix to reflect the rurality of Bath and North East Somerset and guidance on locating Traveller sites in rural areas in Circular 01/2006.

Visual Impact

⁴ Ecohomes 2006 – The Environmental Rating for Homes (BRE, 2006)

- Developments should respect the scale of the environment and not dominate the nearest settled community whilst offering visual and acoustic privacy.
- National policy notes that landscaping and planting can help sites “blend into their surroundings, give structure and privacy, and maintain visual amenity.” Where screening is considered appropriate, sites that are well screened, or have the ability to be screened through landscaping, will be considered more favourably.

Green Belt

- The fundamental aim of Green Belt policy is to prevent the uncontrolled spread of urban areas into surrounding open countryside. There are 21,440 hectares of Green Belt land within Bath and North East Somerset, equating to approximately 61% of the total land area (see figure x below).
- There is a general presumption against development that would be harmful to the Green Belt. As with housing provision for the settled community, in accordance with national planning policy⁵, Gypsy and Traveller sites are normally considered inappropriate development on Green Belt land.
- Draft Policy Statement *Planning for Traveller Sites* removes the word ‘normally’ from the above policy. As the Statement is not yet adopted policy sites located in the Green Belt proposed for allocation will continue to be considered under existing policy, as set out in Circular 01/2006 and the Draft Core Strategy.
- The importance of protecting the Green Belt is reflected in the positive weighting given to sites not in the Green Belt in the site selection scoring matrix. Any sites in the Green Belt will be considered less favourably than those outside the Green Belt under this scoring.

National and Local Land Designations

- The quality and character of the District should be protected and enhanced where possible. Proper regard must therefore be given to areas that have been designated for their landscape, wildlife or historic qualities and the site selection methodology will reflect their importance.
- National and local landscape designations within Bath and North East Somerset will be summarised and the potential impact of any site allocations considered in the Sustainability Appraisal.
- Developments should have no adverse impact on protected habitats and species, and natural resources. The importance of protected land will be recognised through the site selection criteria.

Flood Risk

⁵ Planning Policy Guidance 2: Green Belts (DCLG, 2001) and Circular 01/2006 (ODPM, 2006)

- Caravans and mobile homes intended for permanent residential use are classified as 'highly vulnerable' development that should not be located in areas at high risk of flooding (Flood Zone 3)⁶.

Health and Safety Considerations

- It is essential to ensure that Gypsy and Traveller sites provide a healthy and safe environment for residents. Sites should therefore not be located on contaminated land and avoid being near to industrial processes, refuse sites and other hazardous places.

Previously Developed (Brownfield) Land

- National planning policy⁷ currently encourages the use of previously developed (brownfield) land wherever appropriate. Circular 01/2006 recommends that the development of previously developed, untidy or derelict land for Gypsy and Traveller sites can positively enhance the environment and increase openness.

Vehicular Considerations

- Where possible the location of Gypsy and Traveller sites should seek to reduce reliance on the car. Sites are required to have safe and convenient vehicular access and adequate parking space.
- The potential for noise and other disturbance should also be considered in site selection though site development which would give rise to only modest additional daily vehicle movements is considered acceptable.

Question

9. Are there any additional criteria that should be considered in selecting the best locations for Gypsy, Traveller and Travelling Showpeople sites?

Summary of Criteria and Methodology for Assessing Sites

- 4.13 It is proposed that all possible sites will be assessed against the criteria set out in the Issues section above. A draft **scoring matrix is set out at Appendix B**. This will use a sequential approach to indicate the most suitable and sustainable sites. High scoring sites will be put forward as preferred options for allocation in the next consultation document, the Options Paper. These will be subject to a rigorous assessment process, including being subject to Sustainability Appraisal and, where appropriate, Habitats Regulation Assessment.

Question

10. Does the proposed site selection methodology and the range of factors to be considered provide a reasonable and robust means of assessing potential site suitability?

⁶ Planning Policy Statement 25: Development and Flood Risk (DCLG, 2010)

⁷ Planning Policy Statement 1: Delivering Sustainable Development (ODPM, 2005)

11. Are there any other criteria that should be considered in site assessment?

12. Are the scores and weighting set out in the scoring matrix appropriate? Should any of the criteria be scored differently?

Other Issues

- 4.14 The Council considers that all of the key issues associated with the allocation of Gypsy, Traveller and Travelling Showpeople sites have been raised in this document.

Question

13. Are there any other issues that the Council should take into account when preparing this DPD?

14. Do you have any other general comments on the Issues and Options Report? Please focus your comments on planning issues, national and local policies, government guidance and best practice for Gypsy and Traveller sites.

5. Options

Method of Identifying Sites – Call for Sites

- 5.1 There are a number of ways in which land for development of Gypsies, Travellers and Travelling Showpeople sites can be identified. Each method is to be appraised using the same criteria; no order of preference is to be used. The methods of identification include:
- Existing Gypsy and Traveller sites with temporary planning permission;
 - Existing Gypsy and Traveller sites with no planning permission;
 - Appraising unused and surplus public sector land; and
 - Identifying land in private ownership that may be suitable through a Call for Sites.
- 5.2 An initial appraisal of unused and surplus land owned by the Council was carried out in 2010. This will be updated and the results of this appraisal and discussions with other public bodies to establish if any additional surplus land exists that may be suitable for allocation will be published as part of the evidence base at the next consultation.
- 5.3 As part of the current consultation we are seeking information on any sites in private ownership that may be considered suitable for allocation as a Gypsy, Traveller or Travelling Showpeople site.

Do you know of any land in the District that, based on the criteria set out above, may be suitable, available and deliverable to provide Gypsy and Traveller pitches or a Travelling Showpeople yard? If so, please complete the accompanying form as fully as possible.

Appendix A

Glossary of Terms

Allocation

Land identified as appropriate for a specific land use and safeguarded for that purpose through a Development Plan Document.

Amenity Building

There is no single definition of an amenity building but Government guidance states that they should include a minimum of: hot and cold running water; electricity supply; separate toilet; a bath/shower room; and a kitchen and dining area.

Authorised Site

A site which has planning permission for use as a Gypsy and Traveller site.

Brownfield

Also described as previously developed land. Previously-developed land is that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.

Caravan

Any structure designed or adapted for human habitation that is capable of being moved from one place to another. Twin-unit caravans shall not be treated as not being (or not having been) a caravan by reason only that it cannot lawfully be moved on a highway when assembled.

Core Strategy

The principal Development Plan Document (DPD) within the Local Development Framework which sets the long term vision, spatial strategy and core policies for shaping the future development of the District to 2026. All other DPDs have to be in conformity with it.

Development Plan Document (DPD)

The key statutory documents within the Local Development Framework. These have to go through rigorous procedures of community involvement, consultation and independent examination being adopted.

Emergency Stopping Place

A licensed short-term Gypsy and Traveller site (or sometimes a 'tolerated' but unauthorised location) to which Gypsies and Travellers can be directed when in need. Fewer facilities are available than on transit sites and usually residents would only be able to remain at such a site for a few days.

Equality Impact Assessment

The process of appraising the equalities effects of plans, strategies and policies on different groups within the community. The primary concern is to identify any discriminatory or negative consequences.

Green Belt

Areas of land where development is particularly tightly controlled with the purpose to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns coalescence; 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.

Gypsy and Traveller

For the purposes of this document, the term is used to refer to all ethnic Gypsies and Irish Travellers, as well as other groups that adopt a nomadic way of life. It does not include Travelling Showpeople.

Habitats Regulations Assessment

The process of reviewing the potential adverse impacts arising from development on nature conservation interests of European protected areas, including those areas designated under the Habitats Directive.

Health Impact / Needs Assessment

The process of reviewing the health issues facing a population, leading to agreed priorities and resource allocation that will improve health and reduce inequalities.

Household

The typical housing need and census category of 'household unit' is defined as people who share either living space or at least one meal a day together.

Local Development Framework (LDF)

A series of planning documents that, when adopted, will set the long term spatial planning strategy for an area. This will replace the Local Plan.

Local Development Scheme (LDS)

A document that sets out the timetable for the production of planning documents in the Local Development Framework.

Local Plan

Sets out policies which guide how and where development should take place up to 2011. It will eventually be replaced by the Local Development Framework.

Mixed Use Sites

Sites that accommodate both residential and business uses. Business use may, for example, include the keeping of tools for employment in landscaping,

Mobile Home

Legally a **caravan**, but not usually capable of being moved by towing. Residential mobile homes are usually of a large size and may resemble either static holiday caravans or chalets.

Permanent / Residential Site

Authorised site intended for long-stay use by residents. No maximum length of stay is set unless planning permission is on a temporary basis.

Pitch

Area of a Gypsy / Traveller site where a single household live in their caravans. Pitches may vary between those large enough for one residential trailer (or mobile home) and one touring (small) trailer to those spacious enough to hold one or two large mobile homes and several 'tourers' as well as working vehicles. On public (socially provided) sites rented pitches tend to be smaller and are easily delineated by fencing. On private family sites where several related households may own the site it may be less easy to identify separate pitches / plots.

As pitch sizes vary considerably between public (socially provided) and private sites, pitch requirements are described in terms of one pitch per **household** rather than specifying how many caravans / mobile homes should be accommodated on a pitch. Accordingly, a large household with a number of children may require more than one pitch if living on a public (or private rented) site with limited pitch size.

Plot

Used with reference to Travelling Showpeople sites. A piece of ground large enough to accommodate a single accommodation unit, and may include space for the storage and maintenance of equipment. A group of plots may be referred to as a yard.

Registered Social Landlords (RSL)

Independent not-for-profit bodies that provide low cost accommodation for people in need. Can bid for funding to establish and run Gypsy and Traveller sites.

Site

An area of land laid out and used for Gypsy and Traveller caravans. Sites vary in type and size and can range from one-caravan private family sites on Gypsy and Traveller's own land to large scale private and local authority sites.

Statement of Community Involvement (SCI)

Sets out how members of the community can get involved in the preparation of the Local Development Framework.

Sustainability Appraisal

The process of appraising the social, economic and environmental effects of plans, strategies and policies.

Tolerated Site

An **unauthorised development** or **encampment** may be 'tolerated' for a period of time during which no enforcement action is taken.

Trailer

Gypsies and Travellers generally use the term 'trailer' for caravans.

Transit Site

Authorised site intended for short-term use by those in transit to other areas. The site is permanent but people who stay on it may only do so for a temporary period (normally for up to three months). Normally these sites have fewer facilities than permanent/residential sites.

(New) Traveller

Term used here to refer to people who have adopted a nomadic or semi-nomadic lifestyle living in moveable dwellings who are not ethnic Gypsies or Travellers. The neutral term 'Traveller' is preferred.

Travelling Showpeople

Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). Most Travelling Showpeople are members of the Showmen's Guild of Great Britain.

Unauthorised Development

A Gypsy and Traveller site established on Gypsy- and Traveller-owned land without appropriate planning permission or site licence.

Unauthorised Encampment

A piece of land where Gypsies and Travellers reside without planning permission. The land is not in the ownership of those involved in the encampment.

World Heritage Site

A cultural or natural site of outstanding value inscribed on the UNESCO (United National Educational, Scientific and Cultural Organisation) List. The City of Bath was inscribed on the List in 1987.

Yard

Term used for a **pitch** or **site** occupied by Travelling Showpeople. Gypsies and Travellers may also use the term for a small **site** or a house with land which can accommodate trailers.

Appendix B

Draft Site Selection Scoring Matrix

CRITERIA		SCORE	COMMENT
Site location	Within existing settlement boundary	+2	Sites not adjacent to a settlement boundary may still be considered suitable if in close proximity to key local services and facilities.
	Within 500m of existing settlement boundary	+1	
	Not within 500m of existing settlement boundary	0	
Proximity of site to a food shop via a safe walking route	Within 500m	+3	This will ensure sites are in close proximity to key local services (in accordance with Circular 01/2006).
	Within 1,000m	+2	
	Within 1,500m	+1	
	More than 1,500m	0	
Proximity of site to a primary school via a safe walking route	Within 500m	+3	
	Within 1,000m	+2	
	Within 1,500m	+1	
	More than 1,500m	0	
Proximity of site to a doctor's surgery via a safe walking route	Within 500m	+3	
	Within 1,000m	+2	
	Within 1,500m	+1	
	More than 1,500m	0	
Proximity of site to a public transport node via a safe walking route	Within 500m	+3	Reducing reliance on car travel is an important objective of local and national policy. A public transport node can be a bus stop, train station or community share service.
	Within 1,000m	+2	
	Within 1,500m	+1	
	More than 1,500m	0	
Site screening	Site is screened or has the ability to be screened	+1	Appropriate screening where necessary should be through landscaping or the planting of trees and shrubs.
	Site is visually exposed with no possibility of screening	0	
Within Green Belt?	Yes	0	Sites outside the Green Belt are prioritised.
	No	+10	
On land covered by a national or local landscape or wildlife designation?	National	-10	Sites covered by national or local level designations should only be considered where they do not compromise the objectives of the designation.
	Local	-5	
	No designation	0	
On land affecting European protected species?	Yes	-	To be subject to a Habitats Regulation Assessment to assess full impact after scoring matrix is applied.
	No	-	

APPENDIX 1

Flood risk	Flood Zone 1 (low)	0	Sites in Flood Zone 1 are prioritised above Zones 2 and 3. Sites in Flood Zone 3 will not be permitted.
	Flood Zone 2 (medium)	-5	
	Flood Zone 3 (high)	-10	
On contaminated land?	No history	+5	Sites should not be located on significantly contaminated land.
	Low	0	
	Medium	-5	
	High	-10	
Near to a hazardous place?	Yes (within 1000m)	0	Hazardous sites include heavy industry, refuse sites and electricity pylons.
	No (more than 1000m away)	+5	
On brownfield land?	Yes	+5	Brownfield site locations are prioritised.
	No	0	
Safe vehicular access from the public highway?	Yes	+5	Unsafe or inadequate vehicular access are less desirable.
	No	0	
Adequate space on-site for the parking, turning and servicing of vehicles?	Yes	+1	Sites with inadequate space for the parking, turning and servicing of vehicles are less desirable.
	No	0	
Existing road network can accommodate additional traffic movements?	Yes	+1	Sites should not be rejected if they would only give rise to modest additional daily vehicle movements and/or the impact on minor roads would not be significant.
	No	0	
Potential noise issues?	Yes	-5	Noise issues affecting proposed or neighbouring residents are a health issue that may require mitigation.
	No	0	

Note: This scoring system is for comparative purposes and will not be decisive in selecting preferred sites. Each site will be weighed in the planning balance; the matrix is a method of applying a consistent and objective methodology to site selection suitable for Bath and North East Somerset. Its application will be via a comparison chart which will be made publicly available during consultation at the Options stage. The results of this scoring system will be used to rank potential sites which will then be subject to further assessment. This includes producing a Habitats Regulation Assessment where sites are found to significantly impact upon European protected species or habitats.