MATTER 2: Issue 5: Gypsy and Traveller Provision

1.1 Derbyshire County Council’s statement below addresses the following questions raised by the Inspector on Gypsy and Traveller Provision issues.

Q113: The Gypsy and Traveller Accommodation Assessment (GTAA) 2015 identifies an additional need for 17 residential pitches for gypsies and travellers: 7 bricks and mortar units; and 13 plots for Travelling Showpeople. However, although the Local Plan allocates 14 plots for Travelling Showpeople, only 5 pitches are allocated for Gypsies and Travellers. A single pitch has been granted planning permission at Pinxton which, along with the allocated pitches, would reduce the unmet need for Gypsy and Traveller provision to 11 pitches. Does the Local Plan make appropriate provision for Gypsy and Traveller Sites, having regard to evidence of need?

Q114: Is it sound to rely upon unallocated sites coming forward during the plan period to meet the unmet need for Gypsy and Traveller pitches?

Q115: Is Policy LC6 overly restrictive given the under provision of residential pitches for Gypsy and Travellers in the Local Plan?

1.2 This statement has been drafted on behalf of Derbyshire County Council’s officers to support their views that the policy approach to Gypsy and Traveller pitch and Travelling Showpeople’s plot provision in the Bolsover District Local Plan Submission is sound and based on up-to-date, comprehensive and robust evidence; and that in the absence of the identification of sufficient specific sites in the Local Plan to meet the full objectively assessed need for Gypsy and Traveller pitches, a criteria based policy is an appropriate means of taking this issue forward in the Plan. The statement also sets out details of ongoing joint working the County Council’s officers are currently undertaking with Bolsover District Council’s officers in seeking to identify sites within the County Council’s ownership that might have potential to accommodate Gypsy and Traveller accommodation.
The Pitch and Plot Requirement for Bolsover District

Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment

1.3 Under the requirements of the Duty to Cooperate set out in the Localism Act and in accordance with the provisions of the (former) National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites (PPTS) (2012), the Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment (GTAA) was jointly commissioned in August 2013 by the following partners to update the previous GTAAs published in 2008 for Derbyshire and 2013 for East Staffordshire:

- Amber Valley Borough Council
- Bolsover District Council
- Chesterfield Borough Council
- Derby City Council
- Derbyshire County Council
- Derbyshire Dales District Council
- Derbyshire Gypsy Liaison Group
- East Staffordshire Borough Council
- Erewash Borough Council
- High Peak Borough Council
- North East Derbyshire District Council
- Peak District National Park Authority
- South Derbyshire District Council.

1.4 Derbyshire County Council was the lead authority for overseeing the commissioning and project management of the GTAA. RRR Consultancy Limited was commissioned to undertake the assessment in August 2013, following which extensive consultation and liaison took place between RRR and the partners over the course of the commission. RRR completed the final version of the GTAA on 26 June 2015.

1.5 The methodology applied in the GTAA is based on the approach recommended in PPTS and other best practice, and uses a fifteen stage assessment process. The GTAA draws on primary and secondary data sources including:

- Primary data: face-to-face surveys with Gypsies, Travellers and Travelling Show people;
- Secondary information: including a literature review and secondary data analysis, for example, analysis of the Department for Communities and Local Government's Bi-Annual Traveller Caravan Count; and
- Stakeholder consultation with local organisations involved with Gypsies, Travellers and Travelling Show people.

1.6 The GTAA has a base date of 2014 and provides a snapshot in time based largely on survey evidence collected between October 2013 and February 2014. The GTAA sets out recommendations for the accommodation needs
across the study area as a whole and for each local authority area for the period 2014 to 2034, showing need for the number of:

- Permanent Gypsy and Traveller pitches;
- Travelling Show people plots;
- Transit sites / emergency stopping places (study area only);
- Bricks and mortar accommodation units.

1.7 The GTAA does not identify specific sites to accommodate future pitch and plot requirements in the study area. The Assessment makes it clear that this will be the responsibility of the individual city, district and borough local planning authorities (LPAs) through the preparation and review of their local plans.

1.8 The final GTAA report was agreed by all Derbyshire partners, including Bolsover District Council for publication on Derbyshire County Council’s website in August 2015. Since its publication, the GTAA has been used by all the partner authorities in Derbyshire to inform policies for the pitch and plot requirements set out in their emerging Local Plans.

1.9 For Bolsover District, based on the 15 stage assessment methodology, the GTAA recommends that there is an overall requirement for a total of 17 additional Gypsy and Traveller pitches over the period 2014 to 2034, together with 7 additional bricks and mortar units and 13 Travelling Showpeople’s plots.

1.10 Section 10.61 and 10.62 of the GTAA also sets out recommendations for the site size of new pitches noting that as a general guide, an average family pitch must be capable of accommodating at least an amenity building, a large trailer and touring caravan, drying space for clothes, a lockable shed, parking space for two vehicles and a small garden area.

1.11 Section 10.62 indicates that a pitch of approximately 325 square metres would take into account all minimum separation distance requirements between caravans and pitch boundaries as stipulated in guidance and regulations for caravan development. A pitch size of at least 500 square metres would accommodate the following on-pitch facilities:

- Hard standing for 1 touring / mobile caravan and 1 static caravan;
- 2 car parking spaces;
- 1 amenity block;
- Hard standing for storage shed and drying space;
- Garden / amenity area.

1.12 Derbyshire County Council’s officers consider that the GTAA is a comprehensive, thorough, robust and up-to-date piece of evidence to inform the pitch and plot requirements that are being identified in emerging district and borough Local Plans across Derbyshire, particularly the pitch and plot requirements over the period 2014 to 2019. The GTAA has been tested at a number of Local Plan Examinations in Public (EIPs) since it was published and has been deemed by respective Inspectors to provide a sound and robust basis
for the assessment of Gypsy and Traveller pitch and Travelling Showpeople’s plot provision in emerging Local Plans.

1.13 The Derbyshire Traveller Issues Working Group (TIWG) comprises officers from all the local authorities in Derbyshire, including officers from the emergency services and health organisations, who have responsibility for Gypsy and Traveller matters. The TIWG has been monitoring the recommendations, implications and requirements of the GTAA, since it was published in August 2015. There are no proposals at the current time by the TIWG to commission a refresh or update of the GTAA. However, it is likely that there may be a need to commission such an update after 2019, once the first five year pitch requirement period in the GTAA has expired.

Derbyshire County Council’s Representations on the Emerging Bolsover District Local Plan

1.14 Derbyshire County Council’s officers submitted comments on the Bolsover District Consultation Draft Local Plan (CDLP) on 13 December 2016. On Gypsy and Traveller matters, the comments indicated that:

The policy approach to the provision of sites to meet the needs of Gypsies and Travellers set out in Policy LC7 and its supporting text at paragraphs 5.61 to 5.63 is fully supported. It is particularly welcomed that paragraph 5.61 makes reference to the Derby, Derbyshire, Peak District National Park Authority (PDNPA) and East Staffordshire Gypsy and Traveller Accommodation Assessment (GTAA), which was commissioned by Derbyshire County Council on behalf of the nine city, district and borough councils in Derbyshire, the PDNPA, East Staffordshire District Council and the Derbyshire Gypsy Liaison Group; and to its recommendations for Bolsover District that between 2014 and 2034, provision should be made for 17 residential pitches; 7 bricks and mortar units; and 13 Travelling Showpeople’s plots. It is fully supported, therefore, that paragraph 5.63 sets out Bolsover District Council’s indication that Policy LC7 will be used to guide site allocations, determine planning applications and ensure that the needs of Gypsies, Travellers and Travelling Showpeople are met.

1.15 Derbyshire County Council’s officers subsequently submitted extensive comments on the Bolsover District Publication Local Plan (PLP) on 15 June 2018. On Gypsy and Traveller matters, the comments indicated that:

The policy approach to the provision of sites to meet the needs of Gypsies and Travellers and Travelling Showpeople set out in Policies LC5 and LC6 and their supporting text at paragraphs 5.59 to 5.66 is fully supported.

It is particularly welcomed that paragraph 5.59 makes reference to the Derby, Derbyshire, Peak District National Park Authority (PDNPA) and East Staffordshire Gypsy and Traveller Accommodation Assessment (GTAA), which was commissioned by Derbyshire County Council on behalf of the nine city, district and borough councils in Derbyshire, the PDNPA, East Staffordshire District Council and the Derbyshire Gypsy Liaison Group; and to its
recommendations for Bolsover District that between 2014 and 2034, provision should be made for 17 residential pitches; 7 bricks and mortar units; and 13 Travelling Showpeople’s plots.

It is further welcomed and supported that Policy LC5 proposes to allocate two sites at Hilcote and Shuttlewood for Gypsies and Travellers to accommodate 5 pitches and one site at Pinxton to accommodate 14 Showpeople plots. This will help meet a significant proportion of the overall accommodation needs for Gypsies and Travellers and Travelling Showpeople identified in the GTAA.

It is fully supported, therefore, that paragraph 5.64 and 5.66 sets out BDC’s indication that Policy LC6 will be used to determine planning applications and ensure that the needs of Gypsies, Travellers and Travelling Showpeople are met. The criteria included in Policy LC6 are considered to be comprehensive and in accordance with the requirements of national planning policy in Planning Policy for Traveller Sites (2012).

It is noted that paragraph 5.64 makes reference to the fact that the County Council had not been able to identify any sites in its ownership which might be suitable for Gypsy and Traveller sites. However, since the PLP was drafted, the District Council has more recently contacted the County Council again to request it to assess land in its ownership that might be suitable to accommodate Traveller sites. This work is currently ongoing by the County Council and a response will be provided to the District Council in due course.

Ongoing Joint Working

1.16 In terms of identifying specific sites for Traveller provision, as noted above Derbyshire County Council’s officers were initially consulted by Bolsover District Council in June 2016 as part of its ‘Call for Sites’ consultation for Gypsies and Travellers and Travelling Showpeople accommodation. Derbyshire County Council subsequently carried out an assessment of sites within its ownership but at that time, the County Council was unable to identify any sites that might be suitable for Gypsies and Travellers and Travelling Showpeople.

1.17 In May 2018, Derbyshire County Council was further contacted by Bolsover District Council to make the County Council aware that the District Council had not been able to meet its full objectively assessed need for Gypsies and Travellers in its PLP. Consequently, the District Council requested the County Council to assess again whether it was able to identify any land its ownership that might be suitable for Gypsy and Traveller pitches to help meet the identified shortfall of provision in the PLP.
1.18 Work has been ongoing since May 2018 by Derbyshire County Council’s Property Services officers to assess sites in its ownership that might be suitable for Gypsy and Traveller provision. Four potential sites have been identified but at the time of writing this statement, more detailed assessment work is ongoing by the County Council’s Property Services officers of the four sites, in consultation with officers in appropriate County Council departments, and no decision has yet been reached as to which, if any of the sites, might be suitable for release for Traveller accommodation. Should any sites be deemed suitable for release by officers, these would then be subject to a formal process of recommendation to, and agreement with, the County Council’s Cabinet Member with responsibility for Derbyshire County Council’s land and property portfolio.

Overall Conclusions

1.19 On the basis of the assessment above, Derbyshire County Council fully supports the policy approach to Gypsy and Traveller and Travelling Showpeople’s accommodation provision in the Bolsover Local Plan Submission and considers the approach to be sound and compliant with national policy in PPTS. The Plan appropriately sets out the objectively assessed need for Gypsy and Traveller pitches and Travelling Showpeople’s plots in the District over the Plan period based on the Derby, Derbyshire, Peak District National Park Authority and East Staffordshire GTAA.

1.20 The Plan has allocated a site at Pinxton to accommodate 14 Travelling Showpeople’s plots, which more than meets the identified need. Furthermore, the Plan has allocated two sites for Gypsy and Traveller provision to accommodate 5 pitches. Whilst this level of provision would not meet the full objectively assessed need for Traveller provision identified by the GTAA, the County Council is aware that Bolsover District Council has allocated all of the sites in the Plan that have been suggested to it by landowners. Bolsover District Council has assessed all of the land in its ownership but no sites have been deemed to be suitable for Traveller sites. Similarly, Derbyshire County Council has assessed all of the land in its ownership in Bolsover District but at the time of writing this statement, no suitable sites within the County Council’s ownership have been formally identified as being suitable for Gypsy and Traveller provision, although work is ongoing to assess the potential of a number of sites.

1.21 In the absence of any additional public or private sector land being identified to the District Council suitable for Traveller provision, it is considered that the District Council’s approach in the Local Plan Submission to Gypsy and Traveller pitch provision is the only reasonable option open to the District Council. Derbyshire County Council considers that the Local Plan incorporates a sound criteria based Policy in Policy LC6, that is compliant with national policy in PPTS and would be appropriate and effective as the basis for assessing any sites that ultimately came forward through the planning application process for Gypsy and Traveller provision.