Position Paper

relating to

Gypsies, Travellers and Travelling Showpeople

August 2018
1) Introduction

1.1 This paper sets out the Council’s position in relation to its approach to meeting the identified needs for Gypsies, Travellers and Travelling Showpeople that led to the inclusion of Policies within the Publication Local Plan for Bolsover District.

1.2 The paper has been written to aid the Planning Inspector’s examination of the Local Plan for Bolsover District and the issues raised in relation to Gypsies, Travellers and Travelling Showpeople. It is intended to demonstrate how we have taken a comprehensive, robust and sound approach to this issue.

1.3 The paper refers to two documents throughout. One is Planning Policy for Traveller Sites (PPTS) and is the National Policy that the Council must be in accordance with as one of the tests of soundness. The other is the Derby, Derbyshire and East Staffordshire Gypsy and Traveller Accommodation Assessment or GTAA (2015). This is the main evidence base document necessary to support the Council’s approach.
2) Calculating and Understanding the Level of Need

2.1 The Derby, Derbyshire and East Staffordshire GTAA\(^1\) was completed on the 26\(^{th}\) June 2015. This is the document that provides the evidence the Council uses to assess its need requirements between 2014-2034.

2.2 The need for residential pitches in the study area is assessed according to a 15-step process, based on the model suggested in CLG (2007) guidance and supplemented by data derived from the survey. The results of this are shown in Table 2.1 below, while the subsequent section contains explanations of the sourcing and calculation for each step in the ‘need’ part of the calculation.

<table>
<thead>
<tr>
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<td>11</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>19</td>
<td>34</td>
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<td>3</td>
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<td>15</td>
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<td>Peak District</td>
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<td>S. Derbyshire</td>
<td>63</td>
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<td>7</td>
<td>8</td>
<td>9</td>
<td>38</td>
<td>101</td>
</tr>
<tr>
<td>Total</td>
<td>137</td>
<td>76</td>
<td>19</td>
<td>23</td>
<td>24</td>
<td>142</td>
<td>279</td>
</tr>
</tbody>
</table>

2.3 There are several steps to calculating need that are highlighted in Table 2.2 below, and are explained in the GTAA (2015) between pages 140 and 161. The following text summarises this calculation concerning need for the first 5 years 2014 – 2019. The calculation is simply ‘Need’ minus ‘Supply’. It should be noted that the first five year period is determined by survey responses, whilst future 5-year periods are determined by projections based on data collected by the surveys.

2.4 After each step, a reality check is provided to show what has happened in response to each step since 2014.

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### Table 2.2: Five year estimate of the need for permanent/residential site pitches (2014-2019) (Bolsover)

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Current occupied permanent / residential site pitches</td>
<td>17.0</td>
</tr>
<tr>
<td>2</td>
<td>Number of unused residential pitches available</td>
<td>0.0</td>
</tr>
<tr>
<td>3</td>
<td>Number of existing pitches expected to become vacant through mortality 2014-2019</td>
<td>0.5</td>
</tr>
<tr>
<td>4</td>
<td>Number of family units on sites expected to leave the area in the next 5 years</td>
<td>0.4</td>
</tr>
<tr>
<td>5</td>
<td>Number of family units on sites expected to move into housing in the next 5 years</td>
<td>0.3</td>
</tr>
<tr>
<td>6</td>
<td>Residential pitches planned to be built or to be brought back into use 2014-2019</td>
<td>0.0</td>
</tr>
<tr>
<td>7</td>
<td>Additional supply generated by movement within the stock</td>
<td>4.6</td>
</tr>
<tr>
<td>8</td>
<td>Less pitches with temporary planning permission</td>
<td>0.0</td>
</tr>
<tr>
<td></td>
<td><strong>Total Supply</strong></td>
<td>5.8</td>
</tr>
</tbody>
</table>

#### Current residential need: Pitches

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Family units (on pitches) seeking residential pitches in the area, 2014-2019, excluding those already counted as moving due to overcrowding in step 12</td>
<td>3.6</td>
</tr>
<tr>
<td>10</td>
<td>Family units on unauthorised <strong>encampments</strong> requiring residential pitches in the area</td>
<td>2.7</td>
</tr>
<tr>
<td>11</td>
<td>Family units on unauthorised <strong>developments</strong> requiring residential pitches in the area</td>
<td>1.0</td>
</tr>
<tr>
<td>12</td>
<td>Family units currently <strong>overcrowded</strong> on pitches seeking residential pitches in the area, excluding those containing an emerging family unit</td>
<td>1.0</td>
</tr>
<tr>
<td>13</td>
<td>New family units expected to arrive from <strong>elsewhere</strong></td>
<td>0.4</td>
</tr>
<tr>
<td>14</td>
<td>New family formations expected to arise from <strong>within existing family units</strong> on sites</td>
<td>4.5</td>
</tr>
<tr>
<td></td>
<td><strong>Total Need</strong></td>
<td>13.2</td>
</tr>
</tbody>
</table>

#### Current residential need: Housing

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>Family units in housing but with a psychological aversion to housed accommodation</td>
<td>1.8</td>
</tr>
<tr>
<td></td>
<td><strong>Total Need</strong></td>
<td>15.0</td>
</tr>
</tbody>
</table>

#### Balance of Need and Supply

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Need</td>
<td>15.0</td>
</tr>
<tr>
<td>Less total supply</td>
<td>5.8</td>
</tr>
<tr>
<td>Total Additional Pitch Requirement</td>
<td>9.2</td>
</tr>
<tr>
<td>Annualised Additional Pitch Requirement</td>
<td>1.8</td>
</tr>
</tbody>
</table>

2.5 Steps 1 – 8 are concerned with the existing Supply side of the calculation. This paper does not discuss these in any great detail, but some of these steps are referred to when discussing the Need side of the calculation below.
Step 9: Family units on pitches seeking residential pitches in the study area 2014-2019

2.6 The guidance suggests that Gypsies and Travellers moving from pitch to pitch should be included in the need section, (the supply also generated by this movement is taken into account in step 7 – Additional Supply generated by movement within stock) These family units reported that they ‘needed or were likely’ to move to a different home in the next five years, and wanted to stay on an authorised site, or that they were currently seeking accommodation. The table calculates a need of 3.6 pitches. The combined totals of steps 9 & 12 are cancelled out by Step 7 where 4.6 pitches are added to the supply through movement within stock. (This cancelling out is consistent in every district’s calculations.)

2.7 Since 2014 there have been no planning applications or sites suggested to the Council, or any requests that the Council itself provides a site from any Gypsies or Travellers that currently reside in the district, that the Council is aware of. However, even if there were, the pitches they might have moved from, would be added to the supply side of the calculation.

Step 10: Family units on unauthorised encampments seeking residential pitches in the area

2.8 Families on unauthorised encampments² (including long term ones tolerated by councils) wanting residential pitches in the study area generate a need for 2.7 residential pitches (please note that only Gypsies and Travellers requiring permanent accommodation within Bolsover have been included in this calculation – transiting Gypsies and Travellers are included in separate calculations).

2.9 Since 2014 there have been no unauthorised encampments in Bolsover District.

Step 11: Family units on unauthorised developments seeking residential pitches in the area.

2.10 The guidance indicates that the accommodation needs of families living on unauthorised developments³ for which planning permission is not expected

² Unauthorised encampment - Where Gypsies and Travellers reside on land they do not own and without permission from the owners. The land can be public or privately owned.

³ Unauthorised development - Land which is developed or occupied by Gypsies or Travellers, but without the appropriate planning permission to station caravans.
must be considered. Regularising families living on their land without planning permission would reduce the overall level of need by the number of pitches given planning permission. A need of 1 pitch currently arises from unauthorised developments within Bolsover.

2.11 Since 2014 the Council has granted planning permission for 1 unauthorised development now that it complies with planning policy.

Step 12: Family units on overcrowded pitches seeking residential pitches in the area

2.12 Guidance indicates that Travellers on overcrowded pitches should be provided with pitches of an adequate size. Households which also contain a newly formed family unit that has not yet left are excluded. This is because it is assumed that once the extra family unit leaves (included in the need figures in step 14) their accommodation will no longer be overcrowded. The calculations suggest that there is a need for 1 pitch to resolve overcrowding over the period 2014-2019.

2.13 While the Council has been aware of overcrowding issues at the Blackbridge site at the time of the GTAA surveys, since 2014 there have been no planning applications or sites suggested to the Council, or any requests that the Council itself provides a site as an exact consequence to overcrowding at any existing Gypsy or Travellers sites in the district, that the Council is aware of.

Step 13: New family units expected to arrive from elsewhere

2.14 In the absence of any data derivable from secondary sources on the moving intentions of those outside the District, it is assumed that the inflow of Gypsies and Travellers into the area will be equivalent to the outflow. In addition, inflow equivalent to the outflow of newly forming family units must be considered. Together, these amount to an inflow of 0.4 family units, (therefore this figure is cancelled out by Step 4 in the supply part of the calculation).

2.15 The Council has granted planning permission for a 3 pitch traveller site at Hilcote in 2017 believed to be for Gypsies or Travellers from outside the district. This exceeds the identified need for family units expected to arrive from elsewhere. Since 2014 there have been no other planning applications or sites suggested to the Council, or any requests that the Council itself provides a site to meet the need for new family units expected to arrive from elsewhere, that the Council is aware of.
Step 14: New family formations expected to arise from within existing family units on sites

2.16 The number of individuals needing to leave pitches to create new family units was estimated from survey data. Allowing for those planning to leave the area, and for estimated rates of marriages to both Gypsies and Travellers and non-Gypsies and Travellers, it is thought that this will result in the formation of 4.5 new households requiring residential pitches during the 2014-2019 period. This source is the largest contributor to the need calculation. In 2018 the Council granted planning permission for 1 pitch that met a need for a new family formation.

2.17 Since 2014 there have been no other planning applications or sites suggested to the Council, or any requests that the Council itself provides a site as an exact consequence of new family formations, that the Council is aware of.

Step 15: Family units in housing with a psychological aversion to housed accommodation

2.18 It was decided for the purposes of the GTAA survey that only those households that had demonstrated, through their answers to the questionnaire, a psychological aversion to housing, could be considered to be in need of a pitch. This was determined by identifying those respondents who said in their questionnaire responses that they had no alternative and that they suffered adverse psychological effects due to living in bricks and mortar accommodation. Even if the family unit in question was in overcrowded or in unsuitable housing, it is only households with a psychological aversion that are taken into account, since if no psychological aversion was present, the need for larger accommodation could potentially be met within the housing stock. This generated a total need for 1.8 housing units from Gypsies and Travellers.

2.19 Since 2014 there have been no planning applications or sites suggested to the Council, or any requests that the Council itself provides a site as an exact consequence to the need generated from family units in housing with a psychological aversion to housed accommodation in the district, that the Council is aware of.
2.20 The modelled 5 year identified need from 2014 – 2019 is 9 pitches. The need for the rest of the plan period, as noted earlier, is based on projections from survey information and amounts to 17 pitches over the plan period.

2.21 As explained above, when the modelled identified need is broken down into its constituent parts, since 2014, it has not materialised in the form of planning applications, site suggestions or requests to the Council to provide a site, at the level identified by the GTAA modelling process. It is important to note that the Council's own evidence suggests that the modelled 'need' has failed to materialise within the area.
3) Existing Provision in Bolsover District for Gypsies and Travellers and the Potential for Extending Sites

3.1 The following table shows the existing provision for Gypsy and Traveller Sites in Bolsover District at May 2018.

<table>
<thead>
<tr>
<th>Site</th>
<th>Gypsy and Traveller Pitches</th>
<th>Actual pitches</th>
<th>Transit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Charlesworth Street, Carr Vale, Bolsover. S44 6JQ</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>2</td>
<td>Shuttlewood Road, S44 6PB</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>3</td>
<td>Blackbridge, nr Pleasley, NG19 8RZ</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>4</td>
<td>The Paddocks, near Old Blackwell DE55 5HY</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>5</td>
<td>Land to the rear of 3-5 Brookhill Lane, Pinxton.</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>18</strong></td>
<td><strong>11</strong></td>
</tr>
</tbody>
</table>

3.2 All of the sites are in private ownership, although Site 3 was once owned by Derbyshire County Council. The sites are in a variety of locations in the district. Sites 3 and 5 are in the countryside away from settlements. Site 2 is in the countryside but adjacent to dwellings. Site 5 is just inside the Development Envelope boundary and close to dwellings and Site 1 is within the urban area in the middle of a residential street. Sites 1 and 3 are brownfield. Sites 2, 4 and 5 were greenfield sites.

3.3 It has been established in the previous chapter that the greatest contributors to the ‘need’ figure are ‘Family Units currently on pitches seeking residential pitches’ and ‘New family formations from within existing family units’. Also the GTAA\(^4\) makes reference to the desire to have family close by -

“Families surveyed stressed the importance of new provision being in the form of small, family sites with good facilities. They spoke about the importance of sites having sufficient space to accommodate future needs as families grow. This is important to residents as having family close by is regarded as a fundamental characteristic of their culture”.

Therefore, in seeking to meet the identified need, extending existing sites and finding sites close to existing sites was the first option to consider. Indeed, one of the recommendations of the GTAA\(^5\) is to review existing provision for opportunities for expansion where suitable and appropriate.

3.4 However, it should be noted that the GTAA (2015) does not specify exactly which of the existing sites the need is derived from.

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\(^4\) GTAA (2015) Paragraph A10
\(^5\) GTAA (2015) Paragraph 10.66
Existing Sites

(1) Charlesworth Street, Carr Vale, Bolsover.

3.5 A retrospective application was granted planning permission in 2011 for three pitches, at Charlesworth Street, Carr Vale, Bolsover. As can be seen from the aerial photograph below, the site is at capacity and as it is surrounded by residential properties there is no room for extension. The site is a good example of how a Traveller site can be integrated into the urban area.

(2) Church Road, Shuttlewood Road, Bolsover.

3.6 A planning permission (08/00724/Retro) was granted in 2009 for the retention of a small caravan site for residential use for a Romany Gypsy family, including a wooden type summer house dayroom on Church Road, off Shuttlewood Road, Bolsover.

3.7 Following a meeting with the Derbyshire Gypsy and Traveller Group (DGTG) to discuss finding sites on 5th April 2016, (also attended by North East Derbyshire District Council) the DGLG suggested the extension of the site for
1 or 2 pitches. One pitch has since been granted planning permission on 1st June 2018.

(3) Blackbridge Caravan Site, near Pleasley.

3.8 In 1984 a Gypsy transit site was granted planning permission for 8 families and 1 warden. In 1999 the transit park was extended for a further 6 families. This totalled 14 pitches, equating to 28 caravans.

3.9 In granting an application (05/00394/FULMAJ)\(^6\) for an extension to the existing gypsy/traveller site to form 25 residential caravan pitches and 11 transit pitches and a warden’s bungalow in 2006, it was noted in the Officer’s Report that the true level of occupation was not 14 transit pitches but rather 4 transit pitches and 10 long term or residential pitches. The application therefore formalised residential provision that had already taken place and retained an element of transit provision. The proposal would therefore increase the transit provision from 4 to 11 pitches, and increase the long term residential pitches from 11 to 25 pitches.

3.10 At the time of the application the level of need for Gypsy and Traveller pitches was stipulated in the Draft East Midlands Regional Plan for up to 11 residential caravans and up to 7 transit pitches. Therefore, at this time, the transit need would be met exactly, and the residential need would be exceeded by 4 pitches.

\(^6\) [http://planning.bolsover.gov.uk/onlineapplications/applicationDetails.do?activeTab=documents&keyVal=II0M9XDD69000](http://planning.bolsover.gov.uk/onlineapplications/applicationDetails.do?activeTab=documents&keyVal=II0M9XDD69000)
3.11 The permission is extant because the construction of the warden’s bungalow has commenced. A revised application was submitted 11/00118/FULMAJ and granted planning permission in April 2012. At this point the need situation had changed. A Gypsy and Traveller Accommodation Needs Assessment for Derbyshire was published in 2008. The GTAA was used to inform Policy 16 of the East Midlands Regional Plan (“the RSS”) which recommended 1 additional pitch as a minimum for gypsies and travellers within Bolsover District for the period to 2012.

3.12 A pitch for a Romany Gypsy family at Bolsover was approved by the Council in 2009, and a further permission for 6 caravans (3 pitches) at Carr Vale was granted in 2011, thus exceeding the identified need at the time. The GTAA (2008) took into account the extant planning permission for the Blackbridge site (25 residential caravan pitches and 11 transit pitches), and therefore the need calculations at the time were in addition to the pitches already granted through the 2006 permission. The latest Derby, Derbyshire and East Staffordshire GTAA (2015) refers to the site

“The 2008 GTAA suggested a (county-wide) need for 58 additional pitches over a 5 year period. This figure excluded planning permission which had

7 http://planning.bolsover.gov.uk/onlineapplications/applicationDetails.do?keyVal=L1LFXDD9Y000&activeTab=summary

8 GTAA (2015) Paragraph 3.71
already been granted for a new 25 pitch site located in Bolsover which would accommodate Gypsies and Travellers from outside of the county.”

3.13 The Council cannot therefore use this permission that amounts to an additional 15 residential pitches and 4 transit pitches, in order to meet its current need requirements because even though the permission still hasn’t been implemented it met a need prior to a previous GTAA period.

3.14 At the meeting with the DGLG in April 2016, the Council informally suggested the potential extension of this site, southwards as a way of partially or fully meeting the newly identified need of 17 pitches.

3.15 The DGLG were not aware of why the permissions granted in 2006 and again in 2012 had not been implemented. There may have been delivery issues due to lack of funding. However, the DGLG advised that, in general, they were opposed to the concentration / ghettoisation of sites because the larger the sites became the more community cohesion and management control problems arose. In their view, the Blackbridge site was large enough at 2016. The GTAA (2015)\(^9\) describes the site as

“a multi-occupancy site, with some occupants not identified as Gypsies and Travellers. There is evidence of overcrowding on this site, limited demarcation of pitches, lack of clear boundaries and spacing between caravans, and limited facilities”.

3.16 Adding to this description of the site, the DGLG reported the site was under new ownership and that non-Gypsies and Travellers, some of whom could be Eastern European migrants were using it. The view of the DGLG was that even if the management and occupancy problems were resolved, they would still not support an extension to it. The GTAA (2015)\(^10\) recommends that no site should be larger than 15 pitches. It should also be noted that an extension to the site has not been suggested by the landowner, and is therefore not ‘available’.

3.18 Such an extension would also be in open countryside and Paragraph 25 of PPTS makes it clear that “Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan.”

3.19 As of July 2018, the Blackbridge Caravan Park is closed and has been for approximately 9 months and no travellers are currently residing on the site, whilst improvement works are underway. In 2014, the GTAA baseline, the

\(^9\) GTAA (2015) Paragraph A9

families residing at pitches at the Blackbridge site took up approximately 65% (11/17) of existing pitches in the district and therefore the percentage of identified need generated from existing families on this site is likely to be a high percentage of the overall identified need from existing families in the district. However, at July 2018, the need that can be attributed to the Blackbridge site is no longer there.

3.20 Even if the site reopens and the 11 pitches becomes fully occupied, it may be from different families than those surveyed at the start of the GTAA. As things currently stand the prospect of this modelled ‘need’ transitioning into actual ‘demand’ in the form of actual planning applications/permissions, by 2019 is low, which severely limits the Council’s ability to show a 5 year supply against the identified need in the GTAA (2015).

(4) The Paddocks, Huthwaite Lane, Old Blackwell

3.21 In 2004, a planning permission was granted for 2 pitches, (5 caravans) at Huthwaite Lane, near Old Blackwell. This site is alongside a main road, on the east side of the M1.

3.22 The DGLG, at the meeting in April 2016 were firmly opposed to an extension in this location because of the proximity to the motorway, and the worsening air quality resulting from vehicle emissions on the M1.

3.23 Ultimately unless the landowner is willing to put a site forward this is not an option that can be considered by the Council.
(5) Land to the rear of 3 – 5 Brookhill Lane, Pinxton

3.24 1 pitch was granted planning permission\(^{11}\) (Planning Committee on 4\(^{th}\) May 2016) on land between 3 and 5 Brookhill Lane, Pinxton, for a residential traveller site for 1 mobile home and two touring caravans. This is the one pitch that has been developed and helps meet the Council’s identified need.

3.25 The granting of this permission meets the 'need' attributed to Unauthorised Developments of 1 pitch as referred to in Paragraph 2.11 in the Calculating and Understanding Need chapter.

3.26 The DGLG had also proposed an extension to the site at Land to the rear of 3 – 5 Brookhill Lane, Pinxton for 1 or 2 additional pitches. (Site shaded, proposed extension in red and white hatch).

3.27 However, in July 2016, at about the same time the site was suggested to the Council for a Traveller site, a planning application for residential development was received on the same land, comprising 5 detached houses and 5 terraced houses on Land to the rear of 2 – 12 Alfreton Road and 1-3 Brookhill Lane, Pinxton. The application was refused in January 2017 due to the site being outside the settlement framework and within an Important Open Area.\(^{12}\)

3.28 In August 2017, the Council wrote to the landowner’s agent to ask if he still wished the site to be considered through the local plan process as a site for travellers. In September 2017, the landowner’s agent was unable to confirm that they still wanted the site to be considered as a traveller site, and as such

\(^{11}\) http://planning.bolsover.gov.uk/online-applications/applicationDetails.do?keyVal=O1PNX3DDMMQ00&activeTab=summary

\(^{12}\) http://planning.bolsover.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=O9UC21DDG8200
the site was not considered in the Councils Land Availability Assessment. During 2017 the Council reviewed its evidence for Development Envelope’s and Important Open Breaks and Publication Local Plan Policies Maps now show the site within the Development Envelope and outside the Important Open Break.

3.29 To conclude, the Council has looked at the possibility of extending sites. Only the site at Shuttlewood Road had been suggested as an acceptable small extension of two pitches. The Publication Local Plan allocates this site. In summary, the situation regarding the other sites is summarised in the following table.

<table>
<thead>
<tr>
<th>Existing Site</th>
<th>Possibility for expansion</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Charlesworth Street, Carr Vale, Bolsover</td>
<td>No room for expansion</td>
</tr>
<tr>
<td>3 Blackbridge, nr Pleasley</td>
<td>Potentially room for expansion but site would become too large and also site not suggested by landowner.</td>
</tr>
<tr>
<td>4 The Paddocks, near Old Blackwell</td>
<td>Potentially room for expansion but site not suggested by landowner.</td>
</tr>
<tr>
<td>5 Land to the rear of 3-5 Brookhill Lane, Pinxton.</td>
<td>Potentially room for expansion but site no longer suggested by landowner.</td>
</tr>
</tbody>
</table>
4) Call for Sites

4.1 At the same time as the Council consulted on its Publication Local Plan between October and December 2016, it also issued a call for sites for Gypsies, Travellers and Travelling Showpeople.

4.2 The call for sites was advertised on the Council’s website and written into the email/letter sent to people and organisations on the Council’s Local Plan mailing list, including all of the major landowners within Bolsover District.

Rotherham Road, New Houghton

4.3 In response to this call for sites, a 6 ha site was suggested at Rotherham Road, New Houghton for a Gypsies and Travellers for 50 – 80 pitches (although the site in its entirety could host 180 pitches). This site was also suggested to the Council for a combination of residential and employment use.

4.4 The size of the site was far too big to allocate for a gypsy and travellers site, it far exceeded the area needed for the remaining need of 11 pitches. In October 2017 the Council wrote to the landowner’s agent (see Appendix A) to ask if they would reconsider submitting a smaller part of the site (about 0.10 ha). To date, the agent and landowner have not entered into discussions with the Council about a smaller site. It should be noted that the site has not been allocated in the Publication Draft Local Plan for employment or housing, and remains outside the Development Envelope.

Pasture Lane, Hilcote

4.5 At a very late stage (September 2017) in the Residential Land Availability process, four closely adjoining sites were submitted east of Hilcote for both
residential use and for gypsies and travellers. Two of the four sites were not considered to be suitable because they were substantially affected by HS2 and its safeguarding zone. Another major constraint was identified for the two remaining sites was access to the highway network because Pasture lane is an un-adopted Lane. However, if that constraint could be overcome both sites are still currently considered too large. This is because the GTAA refers to travellers preference for new provision being in the form of small, family sites with good facilities, and based on site densities in Bolsover District being approximately 0.10 ha for 3 pitches, each site would be able to accommodate at least 13 pitches, thus exceeding what is considered to be small.

Pasture Lane, Hilcote (South West Plot) - 0.45 ha
Pasture Lane, Hilcote (South East Plot) – 0.5 ha

4.6 The Council wrote to the landowner in October 2017 (See Appendix B) to ask if they would consider resubmitting a smaller site of about 0.10 hectares. To date, the agent and landowner have not entered into discussions with the Council about a smaller site. The sites were shown as outside the Development Envelope in the Publication Local Plan (May 2018).

4.7 To conclude, the Council has not been able to allocate any new sites suggested to it, and the option remains for the landowners of these three sites to discuss with the Council the possibility of smaller sites in the future.
5) Council Landholdings

Bolsover District Council

5.1 One of the aims of PPTS (2017) is to promote more private traveller site provision while recognising that there will always be those travellers who, cannot provide their own sites.\(^\text{13}\) Therefore publically owned sites should also be looked at, in terms of both the Council selling its land to travellers, and / or developing pitches itself for rent.

5.2 There is no evidence available to suggest that travellers who cannot provide their own sites want to reside in Bolsover District. i.e. the GTAA (2015) does not break down the need figure into private pitches and affordable pitches. That is not to say that such affordable need doesn’t exist only that the Council is not aware of its existence in Bolsover District. The District Council’s Estates Department did not make any sites ‘available’ to the Planning Policy team to consider within their Gypsies and Travellers and Travelling Showpeople Land Availability Assessments.

5.3 However, in the interests of thoroughness and robustness, during 2017 an exercise was undertaken to assess a list of potential redevelopment sites in District Council ownership, which may have the potential to be used ‘if’ the Council did choose to make the site(s) available in the future, and if evidence of an affordable need became apparent.

5.4 The sites assessed were those sites not currently needed for the Council’s own redevelopment programme (a list called further potential pipeline) and are mainly smaller garage court sites.

5.5 Garage Courts forming parts of older Council estates have similar characteristics. They are often awkwardly shaped, and have poor and narrow accesses unsuitable for trailer caravans. They adjoin and are often surrounded by residential properties where overlooking can be an issue. The garage court areas often include pedestrian access rights to the back of residential properties and sometimes linking footpaths through blocks.

5.6 Whilst garage courts provide a hardstanding, and are within the urban area and close to services, they are unlikely to be appealing for travellers who may be horse traders and may need to have a paddock close by, or those who run a business from their premises, and generate noise and disturbance. The GTAA (2015) refers at Paragraph 5.34 ‘travellers frequently want to live away from the settled community’. However, as described in Section 3, the existing sites within Bolsover District do not totally support that view. One site is well within the urban area and another two are on the edge of the urban area. However, these sites have been put forward and developed by the travelling communities themselves and not chosen by the Council. There are other examples throughout Derbyshire where Traveller pitches are located within urban areas.

\(^{13}\) PPTS Paragraph 4.
5.7 Examples of where the travellers have settled, specifically, on former Council garage courts are rare. In neighbouring Chesterfield Borough, a site was granted permission in 2014 for two pitches on former garage courts. However, whilst the site is well separated from the urban area, it is still close enough for users to make use of the facilities there. This site therefore has very different characteristics from the sites discussed below.

5.8 A site threshold criteria of a minimum of 0.10 hectares was used to allow sufficient space for families to grow. The list below shows 39 sites below the threshold that were not investigated further.

<table>
<thead>
<tr>
<th>Sites below the site threshold</th>
<th>Town</th>
<th>Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>St Lawrence Avenue</td>
<td>Bolsover</td>
<td>0.08</td>
</tr>
<tr>
<td>Vale Close</td>
<td>Bolsover</td>
<td>0.05</td>
</tr>
<tr>
<td>Castle Green</td>
<td>Bolsover</td>
<td>0.07</td>
</tr>
<tr>
<td>Orchard Close</td>
<td>Clowne</td>
<td>0.06</td>
</tr>
<tr>
<td>Rose Avenue</td>
<td>Clowne</td>
<td>0.03</td>
</tr>
<tr>
<td>Park View</td>
<td>Clowne</td>
<td>0.09</td>
</tr>
<tr>
<td>Springfield Close</td>
<td>Clowne</td>
<td>0.05</td>
</tr>
<tr>
<td>Harlesthorpe Avenue</td>
<td>Clowne</td>
<td>0.04</td>
</tr>
<tr>
<td>Hazel Crescent</td>
<td>Shirebrook</td>
<td>0.07</td>
</tr>
<tr>
<td>Market Close</td>
<td>Shirebrook</td>
<td>0.03</td>
</tr>
<tr>
<td>Portland Road</td>
<td>Shirebrook</td>
<td>0.09</td>
</tr>
<tr>
<td>Springfield Crescent B.</td>
<td>Shirebrook</td>
<td>0.06</td>
</tr>
<tr>
<td>The Rocklands</td>
<td>Shirebrook</td>
<td>0.05</td>
</tr>
<tr>
<td>Site</td>
<td>Town</td>
<td>Size</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------------</td>
<td>------</td>
</tr>
<tr>
<td>Hazel Grove</td>
<td>South Normanton</td>
<td>0.07</td>
</tr>
<tr>
<td>Duchess Street</td>
<td>Creswell</td>
<td>0.06</td>
</tr>
<tr>
<td>Meadow Close 1</td>
<td>Tibshelf</td>
<td>0.04</td>
</tr>
<tr>
<td>Meadow Close 2</td>
<td>Tibshelf</td>
<td>0.05</td>
</tr>
<tr>
<td>Sleights Lane.</td>
<td>Pinxton</td>
<td>0.07</td>
</tr>
<tr>
<td>Talbot Street / Widmerpool Street.</td>
<td>Pinxton</td>
<td>0.05</td>
</tr>
<tr>
<td>Woodfield Road A</td>
<td>Pinxton</td>
<td>0.04</td>
</tr>
<tr>
<td>Woodfield Road B</td>
<td>Pinxton</td>
<td>0.06</td>
</tr>
<tr>
<td>Woodfield Road C</td>
<td>Pinxton</td>
<td>0.09</td>
</tr>
<tr>
<td>Larpitt Green</td>
<td>Whitwell</td>
<td>0.04</td>
</tr>
<tr>
<td>Longcroft View</td>
<td>Whitwell</td>
<td>0.04</td>
</tr>
<tr>
<td>Station Road</td>
<td>Whitwell</td>
<td>0.06</td>
</tr>
<tr>
<td>Thorpe Avenue</td>
<td>Whitwell</td>
<td>0.08</td>
</tr>
<tr>
<td>New Road</td>
<td>Barlborough</td>
<td>0.06</td>
</tr>
<tr>
<td>Alfreton Road</td>
<td>Blackwell</td>
<td>0.05</td>
</tr>
<tr>
<td>Pendean Close</td>
<td>Blackwell</td>
<td>0.05</td>
</tr>
<tr>
<td>Lime Tree Avenue A</td>
<td>Glapwell</td>
<td>0.06</td>
</tr>
<tr>
<td>Lime Tree Avenue B</td>
<td>Glapwell</td>
<td>0.06</td>
</tr>
<tr>
<td>Charnwood Crescent A</td>
<td>Newton</td>
<td>0.06</td>
</tr>
<tr>
<td>Charnwood Crescent B</td>
<td>Newton</td>
<td>0.05</td>
</tr>
<tr>
<td>Pattison Street</td>
<td>Shuttlewood</td>
<td>0.04</td>
</tr>
<tr>
<td>Queen's Close</td>
<td>Hodthorpe</td>
<td>0.02</td>
</tr>
<tr>
<td>King Street</td>
<td>Hodthorpe</td>
<td>0.03</td>
</tr>
<tr>
<td>Dale Close</td>
<td>Langwith</td>
<td>0.09</td>
</tr>
<tr>
<td>Mag Lane</td>
<td>Whaley</td>
<td>0.06</td>
</tr>
<tr>
<td></td>
<td>Common</td>
<td></td>
</tr>
</tbody>
</table>

5.9 The following 10 sites were above the size threshold but even if the Council’s Estates Department had suggested them for consideration, they would not be suitable for the reasons given above each site plan.

<table>
<thead>
<tr>
<th>Site</th>
<th>Town</th>
<th>Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>A - Blind Lane</td>
<td>Bolsover</td>
<td>0.18</td>
</tr>
<tr>
<td>B - Rowan Drive</td>
<td>Shirebrook</td>
<td>0.20</td>
</tr>
<tr>
<td>C - Springfield Crescent A</td>
<td>Shirebrook</td>
<td>0.20</td>
</tr>
<tr>
<td>D - The Croft</td>
<td>South Normanton</td>
<td>0.13</td>
</tr>
<tr>
<td>E - Baker Street</td>
<td>Creswell</td>
<td>0.12</td>
</tr>
<tr>
<td>F - Hawthorne Avenue</td>
<td>Tibshelf</td>
<td>0.11</td>
</tr>
<tr>
<td>G - Ruthyn Avenue</td>
<td>Barlborough</td>
<td>0.10</td>
</tr>
<tr>
<td>H - Beech Crescent</td>
<td>Glapwell</td>
<td>0.10</td>
</tr>
<tr>
<td>I - Rowthorpe Lane</td>
<td>Glapwell</td>
<td>0.14</td>
</tr>
<tr>
<td>J - Church Close</td>
<td>Westhouses</td>
<td>0.14</td>
</tr>
</tbody>
</table>
A - Blind lane – Bolsover

5.10 The site is accessed off a narrow lane, Blind lane. Council garages are still in use on the site. The site is overlooked from two sides.

B - Rowan Drive, Shirebrook – 0.20 ha

5.11 28 garages still in use. The site is used to access neighbouring properties, and is overlooked from two sides.
C - Springfield Crescent A, Shirebrook - 0.20 ha

5.12  7 Garages still in use. Narrow vehicular access. The site is used to access neighbouring properties, and is overlooked from two sides.

D - The Croft, South Normanton – 0.13 ha

5.13 Narrow accesses, 4 garages still in use. Most of the site is an access road to the rear of properties and is overlooked on two sides.
E - Baker Street, Creswell

5.14 Narrow access. 15 garages still in use. There is a footpath into site, and the site is overlooked on three sides.

F - Hawthorne Avenue, Tibshelf

5.15 Narrow and awkward access. Three Garages in use. The site is used to access neighbouring properties.
G - Ruthyn Avenue, Barlborough – 0.10 ha

5.16  Narrow access. 8/24 garages in use. Awkward shape. Overlooking from all sides.

H - Beech Crescent, Glapwell

5.17  Narrow access. 7 garages still in use. Site used for neighbour access. Overlooking.
I - Rowthorne Lane, Glapwell – 0.14 ha

5.18 20 garages still in use. Used to access rear of properties. Narrow access. Overlooking issues.

J - Church Close, Westhouses – 0.14 ha

5.19 Six garages still in use. Most of site is scrubland. Sites used to access privately owned land.

5.20 Having undertaken this exercise of broadly assessing the sites not currently part of the Council’s Redevelopment Programme, it can be concluded that none of the ten sites over the size threshold would be suitable for Gypsy and Travellers even if the Council were to make them ‘available’.
5.21 The sites all have garages that are still in use, some have narrow accesses, some are awkwardly shaped making it difficult for caravans to manoeuvre. All sites are so close to, and in some cases surrounded by existing residential development. One of the aims of PPTS (2017) is to reduce tensions between settled communities and traveller communities in plan making, and having sites surrounded by the settled community may not achieve this. There is also no evidence to suggest that the travelling community prefer to locate on this type of site.

**Derbyshire County Council**

5.22 As stated in Paragraph 5.1, publically owned land should be considered and in June 2016 the Council wrote to Derbyshire County Council in their capacity as a landowner to ask them if they would review their landholdings to put forward sites that might be suitable for Gypsies, Travellers and Travelling Showpeople. A copy of the email can be found in the Appendix C.

5.23 Whilst the Council is aware, through officer conversations, that a site search did take place, to date the Council has had no formal written response to this request, and as such no sites have been suggested. It is assumed that sites looked at were deemed to be unsuitable but the reasons for this are unknown. It might be the case that sites might have met the district council’s draft policy. The District Council remains open to discussions with the County Council should the County wish to suggest a site(s) in the future.
6) Criteria Based Policy

6.1 Paragraph 11 of PPTS (2015) states that -

6.2 “Criteria should be set to guide land supply allocations where there is identified need. Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community.”

6.3 Aim G) of PPTS is for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies. The Council uses the Joint methodology for its Land Availability Assessment as a high level broad brush approach to guide land supply allocations.

6.4 Policy LC 6 below was consulted on in the Publication Local Plan.

| Policy LC6: Applications for Gypsies, Travellers and Travelling Showpeople |
| Planning permission for new sites will be granted if the proposed development: |
| a) is shown to meet a need identified in an independent assessment; |
| b) will result in an acceptable living environment for its residents; |
| c) is located within a reasonable distance (preferably within 2 kilometres) of a convenience food store, a primary school, and a doctor’s surgery |
| d) has safe highway access with adequate provision for parking and servicing; and in the case of sites for travelling showpeople has good access to the strategic highway network; |
| e) is so located, designed and landscaped that its use will not significantly detract from the character of the area or from the amenity of adjoining or nearby land and so enclosed as to prevent encroachment onto adjoining land; |
| f) is appropriate to the scale of the nearest settlement, its local services and infrastructure; |
| g) will not cause unacceptable nuisance to existing neighbours by virtue of noise and other disturbance caused by on-site activity and/or movement of vehicles to and from the site; |
| h) is not within the green belt, or in areas at high risk of flooding; |
| i) provides for a S106 agreement that ensures that the future use of the site shall only be to meet the identified need. |
Consideration may be given to development adjacent to existing permitted sites where it has been demonstrated that there are benefits to the social grouping and that overall impacts meet the criteria of this policy.

Where it is possible that a proposal may cause material harm to nearby uses, a temporary permission may be granted to assess its actual impact provided that there are strong compassionate or other personal grounds on behalf of the applicant to do so. In such cases the temporary permission may be restricted to a personal permission for the applicant only.

Applications for new sites and refurbishment of existing sites should meet the design guidelines as detailed in National Guidance, where possible and relevant.

The Council will seek to meet any new need deemed to be necessary for further provision of sites to accommodate Gypsies, Travellers or Travelling Showpeople as the Gypsy and Traveller Accommodation Assessment is updated over the plan period.

6.5 Looking at each of the criteria in turn can show how they are justified:

a) is shown to meet a need identified in an independent assessment;

PPTS 11 states that where there is no identified need, criteria based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Therefore, it is unjustifiable for a policy to require that there must be an identified need. Therefore a main modification is suggested to delete this criterion.

b) will result in an acceptable living environment for its residents

It is considered that this criterion is in accordance with PPTS paragraph 13 e) provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development.

c) is located within a reasonable distance (preferably within 2 kilometres) of a convenience food store, a primary school, and a doctor’s surgery.

PPTS\textsuperscript{14} promotes access to appropriate health services, and attendance at school on a regular basis, and one of the aims of PPTS is to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure. Being within 2 km from a doctor’s surgery, and school is considered to be reasonable distance to access health services and attend a primary school. While there is no similar policy about access to a convenience store in PPTS, it is considered reasonable and sustainable to be within walking distance of at least a small

\textsuperscript{14} PPTS Paragraph 13.
convenience store and a site more than 2 km away would not be a sustainable location. The GTAA (2015) states that Gypsies and Travellers surveyed suggested that it was important to be ‘close to shops, schools and health facilities.’

By drawing 2 km radii around the primary schools, convenience stores and Doctor’s Surgeries, it can be shown just how much of the District’s area is covered by these distance thresholds.

<table>
<thead>
<tr>
<th></th>
<th>% of District covered by Distance Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doctor’s Surgeries</td>
<td>77%</td>
</tr>
<tr>
<td>Convenience Stores</td>
<td>86%</td>
</tr>
<tr>
<td>Primary Schools</td>
<td>89%</td>
</tr>
</tbody>
</table>

Plans showing how much of the district is covered by these can be found in the appendix (D, E and F). The table above shows that a very high percentages of the district fall within the distance thresholds and these high percentages are helped by the dispersed settlement pattern of the district, its narrow administrative geography, and the existence of settlements close to the district’s border.

The plans in the appendix also show that:

1) All of the existing Gypsy and Traveller sites are within the smallest distance threshold land area for Doctor’s Surgeries.

2) Large areas of the 23% of land not covered by the threshold distance are not accessible from roads or country lanes anyway (but that is also the case for sites within the threshold as well.
   i. It is true to say that some shops might close during the plan period thus reducing the area within the threshold but it is equally true to say that new shops might open.
   ii. To put this into perspective, the land area available to the settled community, sites within Development envelopes is considerably less.

d) has safe highway access with adequate provision for parking and servicing; and in the case of sites for travelling show-people has good access to the strategic highway network;

The GTAA (2015) states that “Those surveyed spoke about the importance of access to the motorways as they “provide good links to potential work opportunities”. Due to the size of their work equipment and vehicles. Travelling Showpeople felt that yards need to have good access to

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15 GTAA (2015) Paragraph 10.52
16 GTAA Paragraph 10.60
motorways and major roads and should not be too near minor small village roads.”

e) is so located, designed and landscaped that its use will not significantly
detract from the character of the area or from the amenity of adjoining
or nearby land and so enclosed as to prevent encroachment onto
adjoining land:

One of the aims of PPTS is for LPAs to have due regard to the protection of
local amenity and local environment.

f) is appropriate to the scale of the nearest settlement, its local services
and infrastructure;

Paragraph 25 of PPTS states that “Local planning authorities should ensure
that sites in rural areas respect the scale of, and do not dominate, the
nearest settled community, and avoid placing an undue pressure on the
local infrastructure.”

g) will not cause unacceptable nuisance to existing neighbours by virtue of
noise and other disturbance caused by on-site activity and / or
movement of vehicles to and from the site;

One of the aims of PPTS is for LPAs to have due regard to the protection of
local amenity and local environment.

h) is not within the green belt, or in areas at high risk of flooding;

Paragraph 13 of PPTS states:
• “plan-making and decision-taking should protect Green Belt from
inappropriate development.
• “do not locate sites in areas at high risk of flooding, including functional
floodplains, given the particular vulnerability of caravans.

i) provides for a S106 agreement that ensures that the future use of the
site shall only be to meet the identified need.

This is to ensure that sites brought forward for this purpose continue to
meet the purpose

6.6 The Policy goes on to give the following advice:

I. Consideration may be given to development adjacent to existing
permitted sites where it has been demonstrated that there are benefits to
the social grouping and that overall impacts meet the criteria of this
policy.
This would be supported by the GTAA (2015) as stated in paragraph 3.3.

II. Where it is possible that a proposal may cause material harm to nearby uses, a temporary permission may be granted to assess its actual impact provided that there are strong compassionate or other personal grounds on behalf of the applicant to do so. In such cases the temporary permission may be restricted to a personal permission for the applicant only,

PPTS states that LPAs should consider other personal circumstances of the applicant when considering planning applications.

III. Applications for new sites and refurbishment of existing sites should meet the design guidelines as detailed in National Guidance, where possible and relevant.

Designing Gypsy and Traveller Sites: Good Practice Guide (2008) was withdrawn in May 2015. However, this has not been replaced, and is still accessible. The wording also covers the situation if the guide were to be replaced later on in the plan period

IV. The Council will seek to meet any new need deemed to be necessary for further provision of sites to accommodate Gypsies, Travellers or Travelling Showpeople as the Gypsy and Traveller Accommodation Assessment is updated over the plan period.

This paragraph explains that there will be another GTAA and applications may come forward later on in the plan period to meet a future need.
7) Gypsy and Traveller – Definition Change

7.1 In 2015 the Government changed the definition of Gypsies and Travellers to exclude those that had ceased to travel permanently.

7.2 The need identified in the Derbyshire GTAA (2015) has not taken this change of definition into account, (as it was finalised only months before the new definition took effect) where it states in paragraph 1.52

“As part of the CLG consultation on Planning Policy and Traveller Sites noted above, in September 2014 the CLG began consultation on its intention to remove the word ‘permanently’ from its definition of Gypsies and Travellers i.e. the definition would be limited to those who have a nomadic habit of life. The consultation ended in November 2014 with any change likely to be undertaken sometime during 2015. As such, it does not impact on the findings of this study. However, it would impact on future Gypsy and Traveller accommodation assessments by not considering the needs of families who have permanently ceased to travel”.

7.3 Given that Bolsover and a number of other authorities in Derbyshire would be approaching their examinations soon, and would be trying to identify sites to meet the need under the old definition, the issue was with Derbyshire County Council in October 2017. Derbyshire County Council obtained quotes from consultants and options for a full or partial review to update the GTAA in respect of further work to address the definition change.

7.4 Not all authorities in Derbyshire wanted to undertake further work, and at the Derbyshire Traveller Issues Working Group (TIWG) meeting on 23 January 2018, there was extensive discussion between group members on the merits of commissioning further work from RRR consultancy and the potential impacts of the new definition of Gypsies and Travellers on the pitch requirements set out in the GTAA. However, the overall conclusion of the Group was that, as there had not been a consensus of views from partners, it would not be feasible to commission RRR to undertake any further work at present. Furthermore, there was also a common view amongst Group members that the best way forward would be for a full review / refresh of the GTAA to be commissioned in 2019 /2020 on behalf of partners, when the first five year tranche of pitch requirements from 2014 to 2019 set out in the GTAA had expired.

7.5 Where other authorities have evidence base documents that have considered the new definition the overall requirement has come down. For example, Swale District Council re-evaluated their assessment of need based on the new definition. Swale District Council produced an update paper on GTAA and Policy Implications[^17] that set out a range of options to address the change.

Swale re-interrogated the raw Swale GTAA data to see if it could reasonably provide an adequate basis on which to provide a need assessment which accords with the new PPTS. The option chosen resulted in a need reduction from 85 down to 61 pitches. A reduction of 29% in the need for pitch provision.

7.6 Without further work, it is impossible to say for sure but the likely impact of the definition change is that need will be reduced, and if the decision at the TIWG had been different and further work had been commissioned, it might have been the case that the need within Bolsover District would be reduced at this point and that a 5 year supply could have been achieved, which in addition to compliance with the legal definition change, is an important consideration under PPTS.

7.7 The recent NPPF July 2018, refers to travellers, in discussing the number of homes needed for the settled community, at Paragraph 61, it states 18“Within this context, policies should identify the size, type and tenure of homes required for different groups in the community including…travellers…”

8) Five Year Supply

8.1 PPTS\textsuperscript{19} expects Local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets.

8.2 The GTAA (2015) organises need into 5 year tranches, which effectively frontloads almost half of the need into the first 5 years as shown by the circled numbers below, where the need for the study area is 142 pitches over the study period but is 76 pitches over the first 5 years. The reason for this is because of the way in which survey information is collected - "Is there a need within the next 5 years?" etc. However, although it would be logical to do so, the GTAA (2015) does not make it clear that these should be used for 5 year supply calculations as such.

| Table Twenty year Gypsy and Traveller pitch needs summary 2014-34 |
|-------------------|---------------|---------------|---------------|---------------|---------------|
| Amber Valley | 0 | 7 | 1 | 1 | 1 | 10 | 10 |
| Bolsover | 17 | 9 | 2 | 3 | 3 | 17 | 34 |
| Chesterfield | 2 | 2 | 0 | 0 | 0 | 2 | 4 |
| Derby City | 17 | 20 | 3 | 4 | 4 | 31 | 48 |
| Derby Dales | 0 | 6 | 1 | 1 | 1 | 9 | 9 |
| E. Staffs | 15 | 11 | 2 | 3 | 3 | 19 | 34 |
| Erewash | 0 | 1 | 0 | 0 | 0 | 1 | 1 |
| High Peak | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| NE Derby | 23 | 6 | 3 | 3 | 3 | 15 | 38 |
| Peak District | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| S. Derbyshire | 63 | 14 | 7 | 8 | 9 | 38 | 101 |
| Total | 137 | 76 | 19 | 23 | 24 | 142 | 279 |

8.3 There is no published guidance regarding how to calculate a 5 year supply of Gypsies and Travellers or Travelling Showpeople. A method similar to that for calculating a housing 5 year supply should therefore be followed. However, a Housing 5 year supply calculation uses an objectively Assessed Housing

\textsuperscript{19} PPTS Paragraph 10.
Need per Annum figure multiplied by 5 years. There is no equivalent OAN per annum for Gypsies and Travellers or Travelling Showpeople but it is possible to calculate one.

8.4 For Housing, the amount of undelivered need for previous years or backlog can either be added to the current 5 year requirement (Sedgefield method) or added to the full 20 year requirement (Liverpool method) and of which 5 years’ worth can be added to the current 5 year supply requirement.

8.5 The following table shows how the GTAA yearly figure differs from an annualised figure. It shows the current 5 year period in yellow and the backlog period in green and shows how the resulting totals will also differ.

<table>
<thead>
<tr>
<th>Year</th>
<th>GTAA Frontloaded Approach</th>
<th>OAN per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Backlog</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2014/2015</td>
<td>8 ÷5 = 1.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2015/2016</td>
<td>8 ÷5 = 1.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2016/2017</td>
<td>8 ÷5 = 1.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2017/2018</td>
<td>8 ÷5 = 1.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>Current 5 Year Period</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018/2019</td>
<td>8 ÷5 = 1.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2019/2020</td>
<td>2÷5 = 0.4</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2020/2021</td>
<td>2÷5 = 0.4</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2021/2022</td>
<td>2÷5 = 0.4</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2022/2023</td>
<td>2÷5 = 0.4</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2023/2024</td>
<td>2÷5 = 0.4</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2024/2025</td>
<td>3÷5 = 0.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2025/2026</td>
<td>3÷5 = 0.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2026/2027</td>
<td>3÷5 = 0.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2027/2028</td>
<td>3÷5 = 0.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2028/2029</td>
<td>3÷5 = 0.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2029/2030</td>
<td>3÷5 = 0.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2030/2031</td>
<td>3÷5 = 0.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2031/2032</td>
<td>3÷5 = 0.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2032/2033</td>
<td>3÷5 = 0.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>2033/2034</td>
<td>3÷5 = 0.6</td>
<td>16 ÷ 20 = 0.80</td>
</tr>
<tr>
<td>Total</td>
<td>16</td>
<td>16</td>
</tr>
</tbody>
</table>

8.6 The table shows how much more difficult it is to achieve a 5 year supply using the GTAA frontloaded approach because over the first 5 years the need is 1.6 pitches a year as opposed to 0.80 pitches a year, using an Objectively Assessed Need per Annum approach.

8.7 Lichfield District Council calculated its 5 year supply for Gypsies and Travellers in the same way as calculating its housing supply, by using an

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20 https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Resource-
annualised figure and the ‘Liverpool’ approach to calculating the backlog. The different methods of calculating a 5 year supply are shown in the Appendix G.

**Existing Planning permissions**

8.8 The number of pitches already developed and pitches with planning permission need to be taken into account when calculating a 5 year supply. As shown earlier in the paper, one pitch at Brookhill Lane, Pinxton, has already been developed.

8.9 Planning permission was granted for a 3 pitch traveller site at Hilcote Lane Hilcote in April 2017. The site is under construction at June 2018. The Council has allocated the site in the Publication Local Plan.

8.10 As stated in paragraph 3.7 a site at Church Road, near Shuttlewood Road has also been granted planning permission more recently, for 1 pitch on 1st June 2018.

8.11 The table below shows that the Council is not able to demonstrate a 5 year supply however it chooses to calculate it (Calculations shown in Appendix G), but it does get close using the Liverpool method where the district can show a slight undersupply.

<table>
<thead>
<tr>
<th>Method</th>
<th>Year supply</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sedgefield</td>
<td>2.9</td>
</tr>
<tr>
<td>Liverpool</td>
<td>4.13</td>
</tr>
<tr>
<td>GTAA Frontloading</td>
<td>2.5</td>
</tr>
</tbody>
</table>

9) Transit Sites

9.1 Transit Sites are intended for short-term use with a maximum period of stay. As stated earlier in the paper the Blackbridge site (although currently closed) has 4 Transit pitches and planning permission for a further 7 pitches.

9.2 PPTS \(^{21}\) states that LPAs should “cooperate with travellers, their representative bodies and local support groups; other local authorities and relevant interest groups to prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs of their areas over the lifespan of their development plan, working collaboratively with neighbouring local planning authorities.”

9.3 This cooperation has been undertaken as part of the Derby and Derbyshire GTAA (2015)\(^{22}\). The transit site need for the whole of Derbyshire between 2014 and 2019 is calculated as 3 additional transit sites consisting of at least 4 or 5 pitches, with no further requirement between years 2019 - 2034. The sites are not allocated to any individual authority.

9.4 However, the GTAA\(^{23}\) warns against providing these before the shortfall in residential pitches is met, because there is a risk that they will effectively be used as permanent/residential sites with all the ensuing management issues that would incur.

9.5 The GTAA\(^{24}\) recommends that emergency stopping places are located close to the main arterial routes in Derbyshire such as the M1, M6, M42, A6, A61, A38, A50 or A52. Local authorities should also consider locating emergency stopping places close to where a large proportion of unauthorised encampments have previously occurred (none of which are in or close to Bolsover District) i.e. Aston-on-Trent, Derby, Doveridge, Foston, Sinfín, Sudbury, and Swarkestone. The M1 goes through Bolsover District and two junctions are within the district J28 and J30 and two other junctions are close to the district and roads from it lead into the district. Bolsover District would not therefore be outside a site search exercise.

9.6 An email from Derbyshire County Council in May 2018 (Appendix H) explains the steps taken since 2016 to establish a transit site in Derbyshire. The funding stream that was available from Homes England was heavily oversubscribed and no money was available but the scheme was subsequently scrapped in any case. Homes England no longer has a specific funding

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\(^{21}\) PPTS Paragraph 7B  
\(^{22}\) GTAA (2015) Page 149.  
\(^{23}\) GTAA (2015) Paragraph 10.47  
\(^{24}\) GTAA (2015) Paragraph 10.48
scheme for Traveller site provision. TIWG then investigated whether there was a possibility of the local authorities in Derbyshire and East Staffordshire funding a site (s) themselves but investigations revealed that to establish a single site with all the necessary servicing and management arrangements would have been anything between £50,000 - £100,000 and none of the local authorities in the TIWG were in a position to provide funding of that magnitude collectively. So there was no realistic prospect of public sector funding being available for such a purpose.

9.7 In view of the above, the Publication Local Plan (2018) does not therefore refer to Transit Sites.
10) Duty to Co-operate, including Neighbouring Authorities

10.1 One of the aims of PPTS is to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet the need for such provision through the identification of land for sites\(^{25}\).

10.2 The GTAA (2015) recommends that the study area local authorities adopt HMA-type collaborative structures to help determine how to jointly meet the accommodation needs of Gypsies and Travellers\(^{26}\). It suggests that the study area should be split into three HMA type areas with Bolsover in the northern area alongside North East Derbyshire District Council and Chesterfield Borough Council\(^{27}\).

10.3 This is a reasonable idea in principle, but the GTAA (2015) doesn’t provide any guidance about how such an arrangement would work in practice. In essence there has been a duty to cooperate approach, and authorities discuss these issues. It is also not clear from the study whether a lack of provision within one district can be reasonably met by over-provision elsewhere. In essence this is a complicated situation with limited clarity as to what individual needs may cumulatively require.

10.4 PPTS (2015) is quite specific where it refers to LPAs and not ‘collaborative HMA Structures’. The onus is therefore on individual Councils to identify a 5 year supply of deliverable sites and developable sites or areas of search for those years after. The same paragraph also refers to the consideration of producing a joint development plan to set targets on a cross boundary basis to provide more flexibility in providing sites\(^{28}\). The Council has not undertaken to produce a joint development plan with North East Derbyshire District Council or Chesterfield Borough Council or indeed any of its other 5 local authority neighbours.

10.5 The starting point in working collaboratively has been for each to try to meet its own need, on the basis of taking the same approach to identifying and seeking to meet the need.

10.6 Whilst the three authorities in the Northern G&T MA do not have a jointly agreed methodology or agreement, in place about working together on this particular issue, we have worked together as part of the wider GTAA. Also, the Councils have carried out a number of similar actions following on from our discussions together including:

a) A Joint North Derbyshire and Bassetlaw Land Availability Assessment Methodology (2016).

b) All undertaken a call for sites

c) All contacted Derbyshire County Council to review its landholdings

d) All reviewed own Council’s landholdings.

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\(^{25}\) PPTS paragraph 4
\(^{26}\) Paragraph S58
\(^{27}\) Paragraph S56
\(^{28}\) PPTS paragraph 10
have met on two separate occasions to discuss relevant matters concerning site identification issues.

Requests from Neighbouring Authorities

10.7 One of the tests of soundness is Positively Prepared. The plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

10.8 The Council has received requests from the following local authorities:

   a. North East Derbyshire District Council in January 2018 – unmet need of 15 pitches

10.9 At the time of writing June 2018, and indeed at the time of these requests Bolsover District Council was unable to meet its own objectively assessed need and therefore it was unreasonable to meet requests from neighbours.

Requests to Neighbouring Authorities

10.10 In November 2017, the Council wrote to each of its 7 neighbouring authorities to ask if they were in a position where they could help Bolsover District Council meet its needs for Gypsies and Travellers.

10.11 The Council has received a reply from all authorities other than Bassetlaw District Council. No authority was able to assist Bolsover District Council with its request. Copies of correspondence are at Appendix I.
11) Travelling Showpeople

11.1 Bolsover District Council is the only local authority within the GTAA study area that contains permanent Travelling Showpeople accommodation. The GTAA identifies a need for Travelling Showpeople of 13 plots up until 2034, and 8 plots between 2014 and 2019, for the whole study area. All of this need was allotted to Bolsover District.

11.2 Existing Travelling Showpeople’s plots in the District are all found within the Brookhill Industrial Estate in Pinxton in the south of the district, shown on the plan below.

11.3 A site was suggested by the Showmen’s Guild for 14 plots on land north of the Guildhall Drive site shown by the hatched area on the site plan below.
11.4 The GTAA (2015) explains that “Those surveyed spoke about the importance of access to the motorways as they “provide good links to potential work opportunities”. Due to the size of their work equipment and vehicles, Travelling Showpeople felt that yards need to have good access to motorways and major roads and should not be too near minor small village roads.”

11.5 The Brookhill Industrial Estate is close to Junction 28 of the M1 where the A38 also meets the M1. Roads connecting the site and Junction 28 pass through the built up area of Pinxton, but this is not a considerable distance.

11.6 The site north of Guildhall Drive was granted planning permission for a change of use to a Showmans Business Park for 14 plots on the 9th November 2016, and has until 9th November 2019 to be delivered, and at June 2018 conditions still need to be discharged. The Council has not received information to suggest that the site is not yet deliverable. This site is allocated in the Publication Local Plan for Travelling Showpeople.

11.7 Since 2014, 1 plot has been delivered at a site along Brookhill Road, Pinxton in 2017. Therefore the overall requirement was reduced to 12 plots.

11.8 In June, 2018, planning permission was granted for a further 6 plots on a neighbouring site at Brookhill Road, Pinxton. Shown on the plan in a red hatch below.
At June 2018, the 5 year supply position was as follows, taking the GTAA frontloaded approach.

<table>
<thead>
<tr>
<th>Travelling Showpeople's Plots Annual Requirement 2014 – 2034</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Year</strong></td>
</tr>
<tr>
<td><strong>Backlog</strong></td>
</tr>
<tr>
<td>2014/2015</td>
</tr>
<tr>
<td>2015/2016</td>
</tr>
<tr>
<td>2016/2017</td>
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<tr>
<td>2017/2018</td>
</tr>
<tr>
<td><strong>Current 5 Year Period</strong></td>
</tr>
<tr>
<td>2018/2019</td>
</tr>
<tr>
<td>2019/2020</td>
</tr>
<tr>
<td>2020/2021</td>
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<tr>
<td>2021/2022</td>
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<tr>
<td>2022/2023</td>
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<tr>
<td>2023/2024</td>
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<tr>
<td>2024/2025</td>
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<td>2025/2026</td>
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<td>2026/2027</td>
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<td>2027/2028</td>
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<tr>
<td>2028/2029</td>
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<tr>
<td>2029/2030</td>
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<tr>
<td>2030/2031</td>
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<tr>
<td>2031/2032</td>
</tr>
<tr>
<td>2032/2033</td>
</tr>
<tr>
<td>2033/2034</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>

Calculating the five year requirement for Travelling Showpeople’s Plots

Plots required within plan period (2014-2034) = 17
Less plots delivered = 1
5 year requirement = 2.4
Planning permissions and Allocations at May 2018 = 20
Previous unmet need 1.4 x 4 = 5.6
Added to 5 year requirement = 8
1 year supply is 8 / 5 = 1.6
Total allocations and permissions / 1 year supply = 20 / 1.6 = 12.5

**Under this method the Council can demonstrate a 12.5 year supply of deliverable sites.**

There has been considerable demand for Travelling Showpeople’s plots in the district that has exceeded the need identified in the GTAA within the first 5 year period where 8 plots were needed, yet the Council has already granted planning permission for 21 plots, 1 of which has been developed.
12) Protecting Existing Sites

12.1 The Publication Local Plan (2018) includes a policy to protect existing Gypsy and Traveller and Travelling Showpeople’s sites from a change of use unless it can be demonstrated that the site is no longer suitable for such a use.

12.2 The policy is intended to prevent the change of use to other uses and therefore losing pitches and adding to the Council’s need, which in order to address, as this paper has shown, is a process fraught with difficulty.

12.3 PPTS or the GTAA (2015) do not recommend for or against such a policy, however, other Councils have included such a policy and have been found sound. Examples include:

a) Policy CS11 of the Ipswich Core Strategy and Policies DPD Review Adopted (February 2017) 29
b) Policy DM10 of the Swale Local Plan Adopted July 2017 30
c) Policy 18 of the Sutton Local Plan31 Adopted February 2018

29 https://www.ipswich.gov.uk/sites/default/files/adopted_core_strategy_and_policies_dpd_review_1_march.pdf
30 http://services.swale.gov.uk/media/files/localplan/adoptedlocalplanfinalwebversion.pdf
31 https://drive.google.com/file/d/1MdX6GlaHD0bG6CTsvjFaIuPtIa9idSO/view
13) Conclusions

13.1 The Publication Local Plan allocates 5 Gypsy and Traveller pitches out of a modelled need of 17 pitches, with one pitch already developed.

13.2 The Council has allocated a site for 14 Travelling Showpeople’s plots out of a modelled need of 13, with one plot already developed.

13.3 PPTS does not actually state that LPAs should allocate sites to meet its entire need across the whole plan period. Instead, it breaks it down between
   a) A 5 year supply of specific deliverable sites, and
   b) Specific, developable sites or broad locations for growth between years 6 – 10, and where possible between years 11 and 15.

13.4 The Council can demonstrate a 5 year supply of specific deliverable sites for Travelling Showpeople but cannot demonstrate a 5 year supply of specific deliverable sites for Gypsies and Travellers, but in attempting to do so the following should be recognised:

   a) The GTAA (2015) identified 1 unauthorised development of 1 pitch. In 2016, the Council granted planning permission for this development.
   b) One site was suggested to the Council as an extension of a small family site to meet need. The Council has allocated two pitches in the Publication Local Plan, and one of these pitches has been granted planning permission already.
   c) Although the GTAA (2015) only apportioned 0.4 pitches of need for family units arriving from elsewhere, the Council granted planning permission 3 pitches at a site on Hilcote Lane, Hilcote for Travellers arriving from elsewhere. This site is under construction.
   d) Two landowners who suggested sites for Residential development for the settled community also suggested the same parcels of land for Traveller sites. The landowners or their agents have yet to enter into discussions with the Council over bringing forward a smaller parts of the sites that would actually meet the requirements.
   e) An extension to the site at Land to the rear of 3 – 5 Brookhill Lane, Pinxton for 1 or 2 additional pitches was proposed. Since the site was suggested an application for 5 dwellings was refused on the site due to the site being outside the settlement framework and within an Important Open Area. In September 2017, the landowner’s agent was unable to confirm that they still wanted the site to be considered as a Travellers site, and as such the site was not considered in the Councils Land Availability Assessment. During 2017, the Council reviewed its evidence for Development
13.5 The GTAA (2015) identified a need for 2.7 residential pitches for unauthorised encampments for Gypsies and Travellers requiring permanent accommodation within Bolsover District. There have been no unauthorised encampments in Bolsover District since 2014, and there are none currently. It is difficult for the Council to meet this part of the modelled need if it hasn’t materialised.

13.6 In 2014 the Blackbridge site made up 65% of existing pitches in the district, it follows that a significant amount of the identified need derived from new family formations would have come from this source. The Blackbridge site is currently vacant, the Travellers residing there have moved on, and therefore ‘in reality’ the ‘need’ generated from them is no longer attributable to Bolsover District.

13.7 It is important to note that the Council have a good track record for supporting sites where they reasonably can and allowing for and allocating new sites.

13.8 The Council is proposing a fair and flexible criteria based policy whereby a site can be within 2km of a school, convenience store and a Doctors Surgery. These thresholds offer a large choice almost (77% of the district’s area), and succeeds in this district because of overall narrow shape of the district and relatively even spatial distribution of its settlements.

13.9 The GTAA does not differentiate between need for those Gypsies and Travellers that can develop their own site and those that cannot afford to. Out of the identified need for 17 pitches it cannot be determined how many, or if any, pitches must be provided by the Local Authority.

13.10 The District Council did not suggest any sites to be considered for allocation, and the 50 sites not currently part of the Council’s redevelopment programme are garage courts that are unsuitable for usage as a Travellers site for a number of reasons. Derbyshire County Council a public sector major landowner in the District have not yet suggested a site.

13.11 Since 2014 the Council has seen very different levels of demand for both Gypsies and Travellers and Travelling Showpeople, where demand for Travelling Showpeople has exceeded identified need, and for Gypsies and Travellers demand has been below identified need.
13.12 The pitch and plot requirements in the GTAA are theoretical, arbitrary figures. The GTAA Position Statement refers to them as ‘a starting point’ for considering pitch and plot requirements in the study area and that they could be used as the basis for further bespoke studies of their own supplemented by local survey and monitoring evidence. While the Council has not commissioned a further study, it can point to local evidence to support its case, as summarised in the above paragraphs of this conclusion.
Appendices
Appendix A

Mr Black,

I am writing to you with reference to the Land Availability Assessment forms you submitted in 2016 in which you suggested Land at Rotherham Road, New Houghton for consideration as a suitable site to be allocated for either residential use, a residential / employment mixed use proposal, or 50 - 80 Gypsy and Traveller pitches in the Council's new Local Plan.

Bolsover District Council began work on the Local Plan for Bolsover District in October 2014. This allocates land for housing for the period up to 2033 and the Consultation Draft Local Plan that was published in October 2016 looks to direct housing to the District's most sustainable settlements. The Council has received a very large number of proposals for housing sites in locations which are far more sustainable than New Houghton, and therefore, residential development on a site submitted next to this small village is not supported by the Council’s spatial strategy.

Regarding your representation for a mixed use development where 2 hectares are put forward for employment use as part of a mixed use development integrated with housing and live work units. As explained in the previous paragraph because residential use is not considered to be in line with the Council’s spatial strategy and because you are proposing a mixed use development, and not an employment site in isolation, this proposal is also not supported.

However, regarding your proposal for Gypsies and Traveller pitches, the Council is yet to meet its identified need for Gypsy and Traveller pitches, and very few sites have been proposed. We are therefore able to discuss this aspect of your submission in further detail should you wish to. It should be noted that, the size of the site you have put forward far exceeds the amount of land the Council requires to meet its identified need.

The Council would be able to consider the possibility of considering a smaller site of around 0.10 hectares on Land at Rotherham Road, New Houghton specifically for Gypsy and Travellers.

The site may be suitable for a private development undertaken by or on behalf of the Gypsy and Traveller community for approximately 3 Traveller’s pitches. The future development of such a site would of course depend upon sufficient interest by the Traveller community for a site in this location.

Without identifying the precise 0.10 hectare area at this stage, I would be grateful if you would confirm in writing if you wish to have Land at Rotherham Road to be allocated as a small Gypsy and Traveller site, should the Council’s further consideration indicate that course of action. Such an approach would only allow for that specific form of development and should not be considered as an indication that housing may be allowed in the future.

It would be much appreciated if you could reply within a 14 days of the date of this email.
If you have any queries regarding this email, please do not hesitate to contact me using the details below.

Yours sincerely,

Jon Hendy  
Senior Planner  
Department of Planning  
The District of Bolsover  
The Arc  
High Street  
Clowne  
Derbyshire  
Tel: 01246 242294  
Fax: 01246 242423  
Website: www.bolsover.gov.uk

The contents of this e-mail represent my personal, professional, views, and do not necessarily represent the views of the Local Planning Authority, unless this is specifically stated in the e-mail.
Appendix B

James Arnold
BA, B Arch, MA, ARB, MRTPI
Joint Assistant Director - Planning

Plots off Pasture Lane West, Hilcote

Dear [Redacted]

I am writing to you with reference to the Land Availability Assessment form you submitted recently in which you suggested 4 separate plots of land at Pasture Lane, Hilcote for consideration as a suitable site to be allocated for either residential use or Gypsy and Traveller pitches in the Council’s new Local Plan.

As explained in the recent letter from my colleague, Jonathan Gaynor, Bolsover District Council began work on the Local Plan for Bolsover District in October 2014. This allocates land for housing for the period up to 2033 and the Consultation Draft Local Plan that was published in October 2016 looks to direct housing to the District’s most sustainable settlements. The Council has received a very large number of proposals for housing sites in locations which are far more sustainable than Hilcote, and therefore, residential development of any of the four parcels submitted next to this small village is not supported by the Council’s spatial strategy.

However, regarding your proposal for Gypsies and Traveller pitches, the Council is yet to meet its identified need for Gypsy and Traveller pitches, and very few sites have been proposed. We are therefore able to discuss this aspect of your submission in further detail should you wish to. It should be noted that, the size of the individual sites you have put forward far exceed the amount of land the Council requires to meet its identified need.

The Council would be able to consider the possibility of considering a smaller site of around 0.10 hectares on either of the two plots to the south of Pasture Lane specifically for Gypsy and Travellers. We have determined that the route of HS2 and its safeguarding zone rules out the consideration of the two sites to the north of Pasture Lane.
The sites south of Pasture Lane may be suitable for a private development undertaken by or on behalf of the Gypsy and Traveller community for approximately 3 Traveller’s pitches. The future development of such a site would of course depend upon sufficient interest by the Traveller community for a site in this location.

Without identifying the precise 0.10 hectare area at this stage, I would be grateful if you would confirm in writing if you wish to have the plots of land to the south of Pasture Lane to be allocated as a small Gypsy and Traveller site, should the Council’s further consideration indicate that course of action. Such an approach would only allow for that specific form of development and should not be considered as an indication that housing may be allowed in the future.

It would be much appreciated if you could reply within a 14 days of the date of this letter.

If you have any queries regarding this letter, please do not hesitate to contact me using the details above.

Yours sincerely,

Jonathan Hendy
Senior Planning Officer
Appendix C

Dear Ian Stephenson

**Bolsover District Council – Sites for Gypsy and Traveller Pitches and Travelling Showpeople’s Plots**

In order to be considered ‘sound’, the Council’s new Local Plan, will need to identify 16 pitches for Gypsies and Travellers, and 13 plots for Travelling Showpeople. To date, sufficient potential sites have not come forward and therefore I would be grateful if you would review your landholdings within the District of Bolsover to see whether any sites within the County Council’s ownership might be suitable for either Gypsies and Travellers or Travelling Showpeople.

It is vital that the Council secures a sound Local Plan, and without sufficient allocations the Council might not achieve this. The Council would therefore appreciate your support in helping to identify sites.

**Gypsy and Traveller Pitches**

The Derby and Derbyshire Gypsy and Traveller Accommodation Assessment (2015) identifies a need for 17 pitches to be provided in the district between 2014 and 2034. One pitch has already been identified, and extensions to existing sites are under review, but these will not be enough to meet the identified need. The Council, in consultation with the Derbyshire Gypsy Liaison Group, does not wish to see all of these pitches in one location. Instead, smaller family sites are preferred but with sufficient space to accommodate family needs as families grow. Therefore sites no larger than approximately 0.25 hectares would be required.

A pitch is an area of land where a Gypsy or Traveller household can reside; typically this may contain a building, parking space and one or more caravans with sufficient space to enable the easy manoeuvrability of caravans up to 20 metres in length. The site must be accessible by vehicles and be served, or be capable of being served, with water, electricity, drainage and sanitation.

**Travelling Showpeople’s Plots**

The GTAA identifies a need for 13 plots to be provided in the district between 2014 and 2034. A planning application to extend the Showman’s yard for 14 plots at Pinxton is currently under consideration, but with the decision uncertain, the Council cannot rely on this site to meet the district’s and indeed Derbyshire County’s needs at this time. Travelling Showpeople sites normally accommodate both residential and business uses, including the storage and repair of fairground equipment. Larger sites are often subdivided into individual family ‘plots’ or ‘yards’. The site must be accessible by large vehicles and be served, or be capable of being served, with water, electricity, drainage and sanitation.

If you have any site suggestions that might be suitable please complete the attached Land Availability Form and include a site plan for each site by 20th July 2016.
Please note that until such time as any site is formally allocated through the Local Plan, any submissions will have no weight as a material planning consideration in the determination of planning applications. Once received, sites will be assessed against a range of physical and environmental constraints to determine their suitability.

For further information please contact Jonathan Hendy on 01246 242294.

Kind Regards

Jon Hendy
Planning Officer
Department of Planning
The District of Bolsover
The Arc
High Street
Clowne
Derbyshire
Tel: 01246 242294
Fax: 01246 242423
Website: www.bolsover.gov.uk

The contents of this e-mail represent my personal, professional, views, and do not necessarily represent the views of the Local Planning Authority, unless this is specifically stated in the e-mail
Appendix D

Land area within 2km of a Convenience Store

86% of land area is within 2km of a Convenience Store

Key
- District Boundary
- Gypsy & Traveller Sites
- Convenience Stores
- 2km Buffer for Convenience Stores

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Ordnance Survey (100019526)
Appendix E

Land area within 2km of a Doctors Surgery

77% of land area is within 2km of a Doctors Surgery

Key
- District Boundary
- Gypsy & Traveller Sites
- Doctors Surgery
- 2km Buffer for Doctors Surgery

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Ordnance Survey (10019520)
Land area within 2km of a Primary, Infant or Junior School

89% of land area is within 2km of a Primary, Infant or Junior School

Key
- District Boundary
- Gypsy & Traveler Sites
- Primary, Infant & Junior Schools
- 2 km Buffer for Primary, Infant & Junior Schools

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Ordnance Survey (100019526)
Appendix G

5 Year requirement Calculations

LIVERPOOL METHOD

<table>
<thead>
<tr>
<th>Calculating the five year requirement</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Pitches/plots required within plan period (2014-2034) = 17</td>
<td>17</td>
</tr>
<tr>
<td>Annual pitch requirement (17 ÷ 20)</td>
<td>0.85</td>
</tr>
<tr>
<td>Five year requirement (0.85 x 5)</td>
<td>4.25</td>
</tr>
<tr>
<td>2014 – 2034 net pitches delivered</td>
<td>1</td>
</tr>
<tr>
<td>Remaining Need</td>
<td>16</td>
</tr>
<tr>
<td>Planning permissions and Allocations at May 2018</td>
<td>5</td>
</tr>
<tr>
<td>Remaining requirement divided by years left 16/16 years left = 1</td>
<td>1</td>
</tr>
<tr>
<td>Annual Requirement is 5 x 1 =</td>
<td>5</td>
</tr>
<tr>
<td>Previous unmet need 0.85 x 4 =</td>
<td>3.4</td>
</tr>
<tr>
<td>Unmet need divided by remaining years of plan period 3.4 / 16</td>
<td>0.21</td>
</tr>
<tr>
<td>And multiplied by 5</td>
<td>1.06</td>
</tr>
<tr>
<td>And added to Annual 5 year requirement</td>
<td>6.06</td>
</tr>
<tr>
<td>1 year supply is 6.06 / 5 =</td>
<td>1.21</td>
</tr>
<tr>
<td>Total allocations and permissions / 1 year supply 5/1.21</td>
<td>4.13</td>
</tr>
</tbody>
</table>

**Under this method the Council can demonstrate a 4.13 year supply of deliverable sites.**

SEDGEFIELD METHOD

<table>
<thead>
<tr>
<th>Calculating the five year requirement</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Pitches/plots required within plan period (2014-2034) = 17</td>
<td>17</td>
</tr>
<tr>
<td>Annual pitch requirement (17 ÷ 20)</td>
<td>0.85</td>
</tr>
<tr>
<td>Five year requirement (0.85 x 5)</td>
<td>4.25</td>
</tr>
<tr>
<td>2014 – 2034 net pitches delivered</td>
<td>1</td>
</tr>
<tr>
<td>Remaining Need</td>
<td>16</td>
</tr>
<tr>
<td>Planning permissions and Allocations at May 2018</td>
<td>5</td>
</tr>
<tr>
<td>Annual Remaining requirement divided by years left 16/16 years left = 1</td>
<td>1</td>
</tr>
<tr>
<td>Current 5 year Requirement is 5 x 1 =</td>
<td>5</td>
</tr>
<tr>
<td>Previous unmet need 0.85 x 4 =</td>
<td>3.4</td>
</tr>
<tr>
<td>Added to 5 year requirement</td>
<td>8.4</td>
</tr>
<tr>
<td>1 year supply is 8.4 / 5 =</td>
<td>1.68</td>
</tr>
<tr>
<td>Total allocations and permissions / 1 year supply 5/1.68</td>
<td>2.9</td>
</tr>
</tbody>
</table>

**Under this method the Council can demonstrate a 2.9 year supply of deliverable sites.**
### GTAA FRONTLOADED

<table>
<thead>
<tr>
<th>Calculating the five year requirement</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Pitches required within plan period (2014-2034)</td>
<td>17</td>
</tr>
<tr>
<td>Less pitches delivered</td>
<td>16</td>
</tr>
<tr>
<td>5 year requirement</td>
<td>3.6</td>
</tr>
<tr>
<td>Planning permissions and Allocations at May 2018</td>
<td>5</td>
</tr>
<tr>
<td>Previous unmet need $1.6 \times 4 =$</td>
<td>6.4</td>
</tr>
<tr>
<td>Added to 5 year requirement</td>
<td>10</td>
</tr>
<tr>
<td>1 year supply is $10 / 5 =$</td>
<td>2</td>
</tr>
<tr>
<td>Total allocations and permissions / 1 year supply $5 / 2$</td>
<td>2.5</td>
</tr>
</tbody>
</table>

**Under this method the Council can demonstrate a 2.5 year supply of deliverable sites.**
On the issue of transit site provision, as you'll be aware the Derby, Derbyshire, Peak District National Park and East Staffordshire GTAA recommended the need for 4 transit sites across the study area.

In 2016, the County Council took this issue forward through the Derbyshire Traveller Issues Working Group (TIWG) and investigated a number of work streams related to this. One of the key issues we investigated was funding, so contact was made with the Homes England (HCA at the time) to enquire whether any funding was available for local authorities in seeking to establish the provision of Traveller sites in their area. Unfortunately, at the time the funding stream that was available was heavily over-subscribed and so no money was available but the scheme was subsequently scrapped in any case. Homes England no longer has a specific funding scheme for Traveller site provision.

TIWG then investigated whether there was a possibility of the local authorities in Derbyshire and East Staffordshire funding a site (s) themselves but investigations revealed that to establish a single site with all the necessary servicing and management arrangements would have been anything between £50,000 - £100,000 and so none of the local authorities in the TIWG was in a position to provide funding of that magnitude collectively. Towards the end of 2016 / early 2017, therefore, the TIWG resolved that the costs of establishing a transit site or sites in the study area was prohibitive and so there was no realistic prospect of public sector funding being available for such a purpose.

Unfortunately, therefore, the recommendations of the GTAA relating to transit site provision have not been implemented across the study area.

I hope that helps.

Regards

Steve
Appendix I

Jon
Having considered your request under our obligations within the Duty to Cooperate, I am writing to advise that Amber Valley BC have also not received any details of potential sites for gypsies and travellers through the ‘call for sites’ process, and that we are therefore not in a position to offer potential sites to meet the number of pitches identified through the GTAA for Bolsover.

Regards
Noel

Noel Bell | Planner
The Local Plan Team, Planning & Regeneration | Amber Valley Borough Council
Town Hall, Ripley, Derbyshire DE5 3BT | Tel: 01773 841520 (direct line)
Email: noel.bell@ambervalley.gov.uk | Website: www.ambervalley.gov.uk
Making A Difference for Amber Valley

From: Bell, Noel
Sent: 24 November 2017 09:46
To: 'Jonathon.Hendy@bolsover.gov.uk'
Subject: RE: Request to help meet identified need for Gypsies and Traveller Pitches under Duty to Cooperate

Hi Jon
Please treat this response as formal acknowledgement of receipt of your request. Amber Valley BC will need to give further thought to the issues you raise and will report back accordingly.

Regards
Noel

Noel Bell | Planner
The Local Plan Team, Planning & Regeneration | Amber Valley Borough Council
Town Hall, Ripley, Derbyshire DE5 3BT | Tel: 01773 841520 (direct line)
Email: noel.bell@ambervalley.gov.uk | Website: www.ambervalley.gov.uk
Making A Difference for Amber Valley

From: Jonathan Hendy [mailto:Jonathon.Hendy@bolsover.gov.uk]
Sent: 23 November 2017 15:41
To: Planning Policy
Subject: Request to help meet identified need for Gypsies and Traveller Pitches under Duty to Cooperate

Dear Sir/Madam,

Bolsover District Council carried out a call for sites, for Gypsy and Traveller Pitches in November 2016, and requested that Derbyshire County Council, and the District Council’s own estates department review their landholdings for potential, suitable sites. However, a lack of sites have come forward to help the Council meet its need for Gypsy and Traveller Pitches as identified in the Derby, Derbyshire and East Staffordshire GTAA 2014 – 2034. The Council’s identified need is 17 pitches.

Since 2014, 1 pitch has been developed and a further 3 pitches have planning permission. The Council intends to allocate a site for 2 pitches that has been suggested through the call for sites. The Council therefore needs to find a further 11 pitches to meet the entire need, and a further 4 pitches to be able to demonstrate a 5 year supply
of specific and deliverable sites as required by Planning Policy for Traveller Sites (2015).

Therefore, having taken all reasonable steps to try to identify a site, the District Council would ask, under the Duty to Cooperate, whether your Council as a neighbouring authority is able to help Bolsover District Council to meet some of its remaining need? I recognise that this may be difficult for you and in many cases I know Council’s are unable to meet their own need. However, in order to show that we have tried all approaches I would request a formal response to this request.

I would be grateful if you were able to reply by the 14th December 2017.

Please contact me if you wish to discuss this matter further.

Kind Regards

Jon Hendy
Senior Planner
Department of Planning
The District of Bolsover
The Arc
High Street
Clowne
Derbyshire
Tel: 01246 242294
Fax: 01246 242423
Website: www.bolsover.gov.uk

The contents of this e-mail represent my personal, professional, views, and do not necessarily represent the views of the Local Planning Authority, unless this is specifically stated in the e-mail
Dear Jonathon,

Request to help meet identified need for Gypsies and Traveller Pitches under Duty to Cooperate – Localism Act 2011

I am writing in response to your email request dated 23rd November 2017, in which you seek confirmation whether the Council, as a neighbouring authority, is able to help Bolsover District Council to meet some of its remaining need for Gypsy and Traveller sites.

We are currently in the process of assessing potential sites for Gypsy and Traveller Pitches with the aim of meeting our own need as identified in the Derby, Derbyshire, Peak National Park and East Staffordshire Gypsy and Traveller Accommodation Assessment 2014. We are intending to consult on potential sites in the New Year, and it will not be until this process is complete that we will be able to fully confirm our own position. Until this process is complete we are unable to confirm the availability and suitability of sites and are therefore not currently in a position to assist Bolsover in meeting its own unmet land requirement for Gypsy and Traveller pitches.

I trust that this information clarifies the current position, if you require anything further please do not hesitate to contact me.

Yours sincerely,

Alan Morey.
Hi Jon,

Thank you for your Email dating 23rd November 2017 where you requested the Council to help meeting identified need for Gypsies and Traveller pitches under the Duty to Cooperate.

Since the County-wide Gypsy and Traveller Accommodation Assessment (GTAA) this Council has endeavoured to meet its identified needs (15 additional pitches (2014-2034), 6 of which are required between 2014 to 2019). However, there are currently no sites that have contributed to this requirement, either through existing or emerging allocations, or planning permissions.

The initial assessment work undertaken could not identify suitable Traveller sites for allocation in the upcoming Local Plan. Although, the Council is currently re-assessing potential sites with an updated methodology and an emphasis on small ‘family sites’, it is unknown at the moment whether this will identify enough suitable sites for our own requirement. The timescale for this work extends beyond the current timetable for Publication and possibly Submission.

Uncompleted work on Traveller sites means that the Council is currently not in a position to confirm whether or not it would be able to help Bolsover District Council to meet some of its remaining need. However, we are happy to continue to discuss possible joint provision with yourselves as well as Chesterfield Borough Council.

Kind regards,

Philipp Tschavoll-Selenko
Senior Planning Officer
North East Derbyshire District Council, 2013 Mill Lane, Wingerworth, Chesterfield, Derbyshire, S42 6NG
Email: philipp.tschavoll@ne-derbyshire.gov.uk
Telephone: 01246 217694
www.ne-derbyshire.gov.uk

From: Jonathan Hendy
Sent: 23 November 2017 15:41
To: Planning Policy
Subject: Request to help meet identified need for Gypsies and Traveller Pitches under Duty to Cooperate

Dear Sir/Madam,

Bolsover District Council carried out a call for sites, for Gypsy and Traveller Pitches in November 2016, and requested that Derbyshire County Council, and the District Council’s own estates department review their landholdings for potential, suitable sites. However, a lack of sites have come forward to help the Council meet its need for Gypsy and Traveller Pitches as identified in the Derby, Derbyshire and East Staffordshire GTAA 2014 – 2034. The Council’s identified need is 17 pitches.

Since 2014, 1 pitch has been developed and a further 3 pitches have planning permission. The Council intends to allocate a site for 2 pitches that has been suggested through the call for sites. The Council therefore needs to
find a further 11 pitches to meet the entire need, and a further 4 pitches to be able to demonstrate a 5 year supply of specific and deliverable sites as required by Planning Policy for Traveller Sites (2015).

Therefore, having taken all reasonable steps to try to identify a site, the District Council would ask, under the Duty to Cooperate, whether your Council as a neighbouring authority is able to help Bolsover District Council to meet some of its remaining need? I recognise that this may be difficult for you and in many cases I know Council’s are unable to meet their own need. However, in order to show that we have tried all approaches I would request a formal response to this request.

I would be grateful if you were able to reply by the 14th December 2017.

Please contact me if you wish to discuss this matter further.

Kind Regards

Jon Hendy
Senior Planner
Department of Planning
The District of Bolsover
The Arc
High Street
Clowne
Derbyshire
Tel: 01246 242294
Fax: 01246 242423
Website: www.bolsover.gov.uk

The contents of this e-mail represent my personal, professional, views, and do not necessarily represent the views of the Local Planning Authority, unless this is specifically stated in the e-mail
Dear Mr Hendy

RE: Duty to Cooperate Request to meet identified need for Gypsy and Traveller Pitches.

Please accept this letter as Mansfield District Councils formal response under the Duty to Cooperate to your email dated 23 November 2017, to help meet the identified need for Gypsy and Traveller Pitches that cannot be accommodated within the District of Bolsover.

Mansfield District Council commissioned a Gypsy and Traveller Needs Accommodation Assessment in 2016 which identifies that Mansfield District Council currently has a requirement to identify sites for 3 permanent pitches and 1 transit site.

We are currently in the process of identifying potential sites to accommodate the districts needs for the plan period, until this work has been completed we are unable to accommodate an additional 15 pitches from the unmet need identified within the district of Bolsover.

I look forward to our continued positive working together as we progress with the preparation of our Local Plans.

Yours Sincerely

Martyn Saxton
Director of Place and Wellbeing
Morning Jonathon,

In response to your request I can confirm that Ashfield are not in a position to meet any of Bolsover’s outstanding need for Traveller pitches.

Ashfield are in a similar position with no suitable sites being submitted under 2 separate call for sites. Under the current Ashfield Traveller Assessment the Council have an a marginal under provision of pitches across the District.

Kind Regards

Lisa Furness  
Planning Policy Officer  
(Tuesday-Thursday)  
01623 457 382

From: Jonathan Hendy [mailto:Jonathon.Hendy@bolsover.gov.uk]  
Sent: 23 November 2017 15:41  
To: Planning Policy <Planning.Policy@bolsover.gov.uk>  
Subject: Request to help meet identified need for Gypsies and Traveller Pitches under Duty to Cooperate

Dear Sir/Madam,

Bolsover District Council carried out a call for sites, for Gypsy and Traveller Pitches in November 2016, and requested that Derbyshire County Council, and the District Council’s own estates department review their landholdings for potential, suitable sites. However, a lack of sites have come forward to help the Council meet its need for Gypsy and Traveller Pitches as identified in the Derby, Derbyshire and East Staffordshire GTAA 2014 – 2034. The Council’s identified need is 17 pitches.

Since 2014, 1 pitch has been developed and a further 3 pitches have planning permission. The Council intends to allocate a site for 2 pitches that has been suggested through the call for sites. The Council therefore needs to find a further 11 pitches to meet the entire need, and a further 4 pitches to be able to demonstrate a 5 year supply of specific and deliverable sites as required by Planning Policy for Traveller Sites (2015).

Therefore, having taken all reasonable steps to try to identify a site, the District Council would ask, under the Duty to Cooperate, whether your Council as a neighbouring authority is able to help Bolsover District Council to meet some of its remaining need? I recognise that this may be difficult for you and in many cases I know Councils are unable to meet their own need. However, in order to show that we have tried all approaches I would request a formal response to this request.

I would be grateful if you were able to reply by the 14th December 2017.

Please contact me if you wish to discuss this matter further.

Kind Regards

Jon Hendy  
Senior Planner  
Department of Planning  
The District of Bolsover  
The Arc  
High Street
Clowne
Derbyshire
Tel: 01246 242294
Fax: 01246 242423
Website: www.bolsover.gov.uk

The contents of this e-mail represent my personal, professional, views, and do not necessarily represent the views of the Local Planning Authority, unless this is specifically stated in the e-mail.
Dear Jon

Rotherham Borough Council is unable to offer any capacity to meet Gypsy and Traveller need in Bolsover.

We have allocated a site for Gypsy and Traveller use in our emerging Local Plan Sites and Policies DPD. This site is sufficient to meet the need for Rotherham identified in the South Yorkshire Gypsy and Traveller Accommodation Needs Assessment. The need figure was confirmed through the examination of the Local Plan Core Strategy and has informed the identification and allocation of a site in the Sites and Policies DPD.

The Council has not identified or allocated any additional sites suitable for Gypsy and Traveller provision above this need figure that could provide capacity to neighbouring districts.

Regards

Andy

Andy Duncan DipURP MRTPI MCMI
Planning Policy Manager
Planning, Regeneration and Transport
Rotherham Metropolitan Borough Council

Tel: 01709 823830
Email: andy.duncan@rotherham.gov.uk
Web: http://www.rotherham.gov.uk

From: Jonathan Hendy [mailto:Jonathon.Hendy@bolsover.gov.uk]
Sent: 23 November 2017 15:41
To: Planning Policy
Subject: Request to help meet identified need for Gypsies and Traveller Pitches under Duty to Cooperate

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Since 2014, 1 pitch has been developed and a further 3 pitches have planning permission. The Council intends to allocate a site for 2 pitches that has been suggested through the call for sites. The Council therefore needs to find a further 11 pitches to meet the entire need, and a further 4 pitches to be able to demonstrate a 5 year supply of specific and deliverable sites as required by Planning Policy for Traveller Sites (2015).

Therefore, having taken all reasonable steps to try to identify a site, the District Council would ask, under the Duty to Cooperate, whether your Council as a neighbouring authority is able to help Bolsover District Council to meet some of its remaining need? I recognise that this may be difficult for you and in many cases I know Council’s are unable to meet their own need. However, in order to show that we have tried all approaches I would request a formal response to this request.

I would be grateful if you were able to reply by the 14th December 2017.
Please contact me if you wish to discuss this matter further.

Kind Regards

Jon Hendy
Senior Planner
Department of Planning
The District of Bolsover
The Arc
High Street
Clowne
Derbyshire
Tel: 01246 242294
Fax: 01246 242423
Website: www.bolsover.gov.uk

The contents of this e-mail represent my personal, professional, views, and do not necessarily represent the views of the Local Planning Authority, unless this is specifically stated in the e-mail.
Dear Adele,

As you are aware, Mansfield District Council is progressing its Local Plan which will provide a blueprint for development within the District between 2013 and 2033.

In developing the plan, Mansfield District Council has sought to engage with your Council on the key ‘strategic issues’ that cross administrative boundaries. As a Neighbouring Authority, the Council are grateful for your cooperation to date and would like to continue this in advance of the publication of the Local Plan.

A key issue has arisen in relation to the provision of Gypsy and Traveller pitches. I have been asked to explore opportunities to work with our neighbouring Local Authority partners in order to help address an unmet need.

As you are aware, a Gypsy and Traveller Accommodation Needs Assessment was prepared for Mansfield District Council in February 2017. The assessment concluded that there was an outstanding need for 3 permanent Gypsy and Traveller pitches, 0 Travelling Showpeople plots, and 1 transit / emergency stopping place across the district over the period 2017-2033.

Since the publication of this evidence, the Council has sought to identify sites to meet the identified need which are capable of being delivered during the plan period. The Council has contacted the landowners of several sites identified as potentially suitable for Gypsy and Traveller pitches. No positive responses have been received which indicate that these are, or will become available. In addition, the Council has recently assessed all potentially available land in its ownership and has been unable to identify a suitable site.

As a result of being unable to identify a suitable site, and given the relatively constrained nature of the District, we are writing to all neighbouring authorities to understand whether you are able to help meet the Council’s unmet need for 3 pitches and 1 transit site.

The Council is mindful of the ‘Planning policy for Traveller sites’ guidance which states:

“Local planning authorities should, in producing their Local Plan:
…. consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries)…..”

In light of this, we would welcome discussions with you in order to understand if you are able to assist us in meeting this unmet need. In particular, we would like to explore whether you may have surplus provision in relation to your identified need or where potential sites have been identified that may be capable of being delivered.

I would be grateful if you confirm whether you are the most appropriate person to discuss this issue with, and provide a contact telephone number.

If you wish to discuss this with me in the meantime please call 01623 463195 or e-mail ptebbitt@mansfield.gov.uk.

Many thanks for your assistance with this issue.

Regards,

Paul Tebbitt

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error
Hi Phillip,

Thank you for your email, that requests under the Duty to Cooperate, whether Bolsover District Council can help North East Derbyshire District Council meet some its identified requirement for Gypsy and Traveller Pitches.

Bolsover District Council is also in a position where it cannot meet its identified needs in full that were specified in the Derby and Derbyshire GTAA (2014). The Council needs to find a further 11 pitches to meet its needs in full and a further 3 to be able to demonstrate a 5 year supply. The Council is hopeful that deliverable sites will come forward either through the local plan process or through planning permissions, but currently, no new planning applications have been received and no new sites have been suggested by landowners.

Therefore, at the moment the Council is not in a position to offer assistance to neighbouring authorities that are unable to meet their needs.

Kind Regards

Jon Hendy
Senior Planner
Department of Planning
The District of Bolsover
The Arc
High Street
Clowne
Derbyshire
S43 4JY
Tel: 01246 242294
Fax: 01246 242423
Website: www.bolsover.gov.uk

The contents of this e-mail represent my personal, professional, views, and do not necessarily represent the views of the Local Planning Authority, unless this is specifically stated in the e-mail

From: Tschavoll, Philipp
Sent: 09 January 2018 12:33
To: Planning Policy; 'local.plan@sheffield.gov.uk'; 'planning.policy@rotherham.gov.uk'; 'forward.planning@chesterfield.gov.uk'; 'enquiry@ambervalley.gov.uk'; 'planning@derbyshiredales.gov.uk'; 'customer.service@peakdistrict.gov.uk'; 'planningpolicy@derbyshire.gov.uk'
Cc: Fairfax, Helen; Cooper, Richard (Planning)
Subject: Traveller sites, request to help meet identified need under DtC
Importance: High

Dear Sir/Madam,

Since the County-wide Gypsy and Traveller Accommodation Assessment (GTAA) North East Derbyshire District Council has endeavoured to meet its identified needs (15 additional pitches (2014-2034), 6 of which are required between 2014 to 2019). However, there are currently no sites that have contributed to this requirement, either through existing or emerging allocations, or planning permissions.
The initial assessment work undertaken could not identify suitable Traveller sites for allocation in the upcoming Local Plan. Although, the Council is currently re-assessing potential sites with an updated methodology and an emphasis on small ‘family sites’, it is unknown whether this will identify enough suitable sites for NEDDC requirement. Further to this, timescale for this work potentially extends beyond the current timetable for Publication and possibly Submission which creates uncertainty for the Plan.

Therefore, North East Derbyshire District Council would ask, under the Duty to Cooperate, whether your Council as a neighbouring authority is able to help NEDDC to meet some of its need? I recognise that this may be difficult for you and in many cases I know councils are unable to meet their own need. However, in order to show that we have tried all approaches I would request a formal response to this request.

I would be grateful if you were able to reply by Tuesday, the 30th January 2018.

Please don’t hesitate to contact me or my colleague Richard Cooper to discuss this further.

Kind regards,

Philipp Tschavoll-Selenko
Senior Planning Officer

North East Derbyshire District Council, 2013 Mill Lane, Wingerworth, Chesterfield, Derbyshire, S42 6NG
Email: philipp.tschavoll@ne-derbyshire.gov.uk
Telephone: 01246 217694
www.ne-derbyshire.gov.uk