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Housing and Planning Futures delivering homes and sites: alternative approaches?

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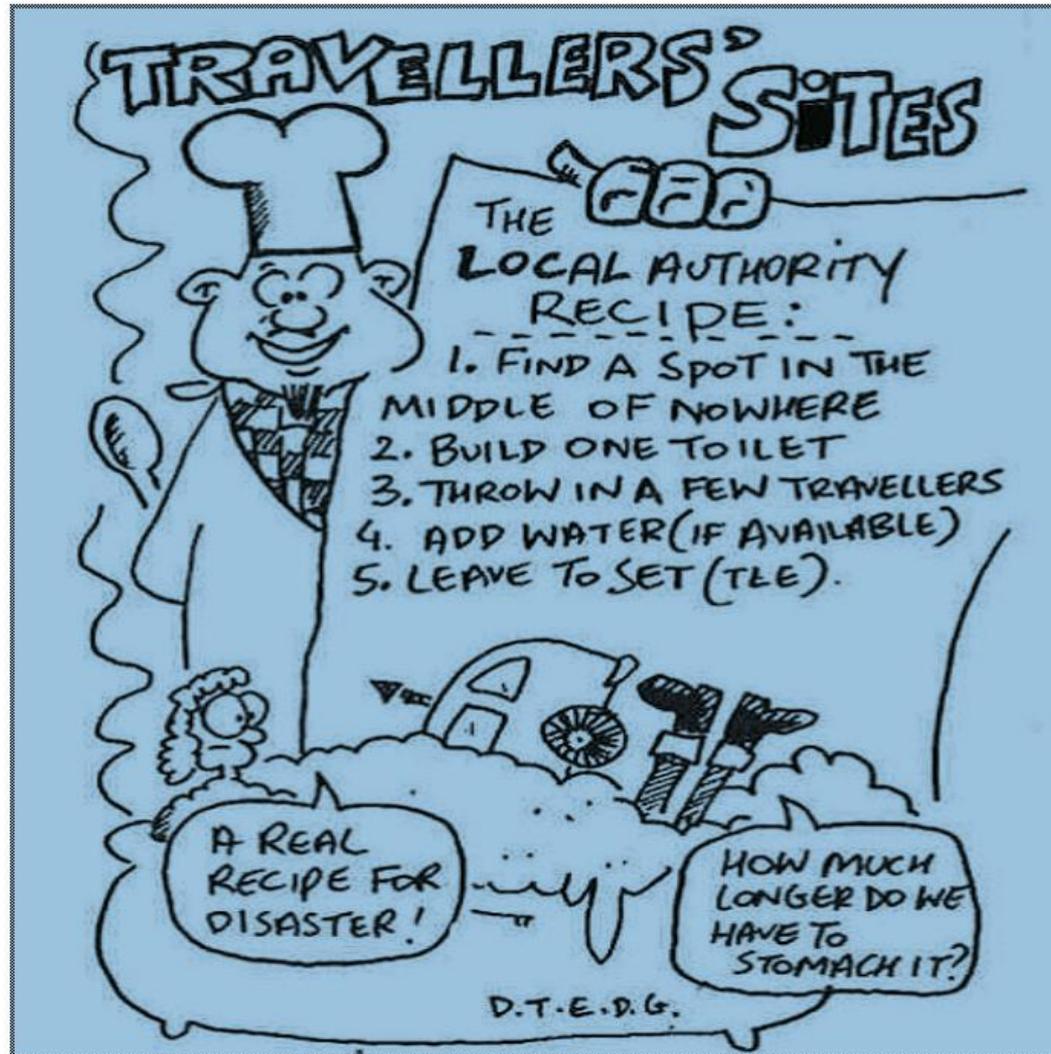


Image courtesy
Dawn Taylor,
Cheshire West
& Cheshire



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National Planning Policy Framework 2012:



4. [This Framework](#) should be read in conjunction with the [Government's planning policy for traveller sites](#). Local planning authorities preparing plans for and taking decisions on travellers sites should also have regard to the policies in this Framework so far as relevant.



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Government's planning policy for traveller sites



5. To benefit those engaged in planning for traveller sites, specific planning policies for traveller sites are clearly set out in this separate document. The Government intends to review this policy when fair and representative practical results of its implementation are clear. It is intended to incorporate a version of this policy within the National Planning Policy Framework at that stage, having taken account of the results of its implementation.

March 2012



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The consultation document [on the draft policy for Gypsy & Traveller Sites] states the reasons for the coming change in planning policy, and is sure to cause concern among Gypsies and Travellers for the way it describes the current situation with respect to planning law.

Whereas planning statistics show that Gypsies and Travellers suffer a 90% likelihood of refusal for any application under current law, the current document implies the opposite. It states that 'There is a perception among many that currently policy treats traveller sites more favourably than it does other forms of housing and that it is easier for one group of people to gain planning permission particularly on sensitive Green Belt land.

'This has led people to believe that the system is unfair and this has led to tension and undermined community cohesion.'

By contrast, the document does acknowledge the government's duty to protect Gypsy and Traveller rights under equalities and human rights law. 'The Government also recognises the need to provide transit sites to facilitate the travel undertaken by these groups to maintain their traditional way of life', it says.



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NPPF Para 55:

Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the exceptional quality or innovative nature of the design of the dwelling.

Such a design should:

- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- reflect the highest standards in architecture;
- significantly enhance its immediate setting; and
- be sensitive to the defining characteristics of the local area.



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INSIDE news, views and jobs in social housing
HOUSING.CO.UK

[Report slams treatment of Gypsies in Scotland](#)

‘Most council sites for Gypsies or Travellers in Scotland are built in undesirable and unsafe locations, such as beside landfill sites and rubbish dumps, canals, or railway lines and under electricity pylons.’

Equal Opportunities Committee of the
Scottish Parliament 25 September 2012



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[Gypsy site allowed after local plan process judged unlikely to deliver](#)

Friday, 10 August 2012

The change of use of a paddock in Nottinghamshire to a gypsy and traveller site has been allowed after an inspector found that a need for 39 pitches in the district is unlikely to be met through the development plan process for the foreseeable future.

Planning



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[Caravan pitches agreed in light of local shortfall in provision](#)

Friday, 15 June 2012

The change of use of land in Leicestershire to accommodate eight caravans and four day rooms was held to be acceptable in part due to the unmet need for additional pitches. The site bordered other land which had received permission for the siting of caravans for Gypsies and travellers. An inspector noted that these developments had created a generally harsh appearance dominated by walls and hardstandings. The open nature of the appeal site provided a degree of relief from this impact which would be lost if the appeal were allowed. Set against this harm was the need for additional plots and the absence of vacancies on private and public sites. It would enable the appellant and his extended family to have a permanent base and enable access to education, healthcare and welfare facilities. Moreover, dismissing the appeal would deprive the family living on unauthorised sites from securing a settled base which would be an interference with their home and family life. This added weight in favour of the appeal, the inspector concluded, which was allowed subject to a range of standard conditions restricting the number of pitches created.



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[Subject to the outcome of consultation.... proposals would remove restrictions on the use of Temporary Stop Notices](#) and help Councils to act immediately and safeguard their local area from the emergence of unauthorised sites. Under the current system Councils are constrained as to when they can use these powers against caravans which are main residences.

This would provide a strong deterrent, and any person guilty of this offence is liable to a fine of up to £20,000, which can be increased to an unlimited fine, on conviction on indictment in the Crown Court.

Published: 10 October 2012

Minister: [The Rt Hon Eric Pickles MP](#)



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Case Study:



**Cheshire West
and Chester**

Emphasises need for :

- Communication
- Time/patience
- Expertise/evidence
- Continuity/commitment
- Political astuteness

1.	September 2009	Interviews with consultants
	October 2009	Contract awarded to Ekosgen
	November 2009 – December 2009	Consultation on criteria and call for sites
	November 2009	Cross-departmental workshops to go through the long list
	November 2009 – February 2010	Information gathering to narrow 1300+ sites down to 299
	September 2009	Interviews with consultants
<p>Study undertaken: http://www.cheshirewestandchester.gov.uk/your_council/policies_and_performance/council_plans_and_strategies/planning_policy/emerging_local_plan/background_documents/gypsy_and_traveller_sites.aspx</p>		
2.	Timeline of study.	 2012.02.28 G&T Timeline.doc
3.	Position statement & executive report December 2009	     \$GypsyTravellersAtt GypsyTravellersMAP. \$GypsyTravellersAtt \$GypsyTravellers.do 20091022-Encampm achment2F.docA.ps.} pdf achment1.docA.ps.px cA.ps.pdf entsMap.pdf
4.	Link to G&T pages on CWaC web pages	http://www.cheshirewestandchester.gov.uk/residents/housing/gypsies_and_travellers.aspx
5.	Executive report September 2011 – item 14	

6	Executive report November 2011	
7	The decision was called in by members	 20120125-ExecBriefingNoteGT (2).doc
8	Outline planning permission February & March 2012	 ufm17.rtf For Rossfield Road the application reference is 11/05215/OUT
9	Full permission for 18 pitches Barlow Drive Winsford 10 October 2012	 ufm17.rtf



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Communication

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There will be communications about the following:

1. Gypsy and Traveller accommodation needs
2. The local authority's statutory obligations
3. The draft Planning Enforcement Policy and procedures
4. The methodology for the Gypsy and Traveller site identification work
5. The consultation programme for the Gypsy and Traveller site identification work
6. Ellesmere Port and other specific site provision

We will also improve the information available:

- Information on the website, will include this Position Statement, Useful Contacts, Myth-busters, links to neighbouring LA's. (a copy of the Gypsy and Traveller Myth-Buster document is attached at Appendix 4)
- FAQ for Gypsies and Travellers, eg. Schools, health, facilities, finding sites
- Member training
- Race Hate crime training for specific residents groups



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Time/patience

[Site identification] is a six stage process as follows:

1. Compiling a long list of sites
2. Site appraisal
3. Filtering the long list
4. Site Surveys
5. Site Assessment
6. Establishing the shortlist and site delivery.



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Expertise/evidence

The methodology for the [site identification] study was developed to take into account relevant Government, local and other guidance on planning for Gypsy, Traveller and Travelling Showpersons as well as the experience of the consultant team in undertaking similar research elsewhere in the country. The methodology was discussed and agreed at an inception meeting between a steering group for the study and consultants. It has been regularly reviewed throughout the preparation of the study to reflect changing circumstances (i.e. political change and emerging policy).



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Continuity/commitment

Having permanent sites provides certainty for everyone. A lack of permanent Gypsy and Traveller sites in the Borough has led to a number of developments being permitted on a temporary basis in the green belt, contrary to normal planning policies. This has led to local tensions, along with considerable costs in enforcement and appeal proceedings.



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Political astuteness

3.0 How does the Decision contribute to the Council's Corporate Priorities?

3.1 The report and recommendations provide a robust framework for addressing the future accommodation needs of Gypsies and Travellers whilst also offering assurances to local communities that the authority will robustly challenge unauthorised encampments and developments.

3.2 The proactive framework will ensure that the council meets its pledges within 5 of the 6 Themes of the Corporate Plan. These themes are Children and Young People, Safer and Stronger Communities, Adult Health and Well-Being, Environmental Sustainability and Resources and Transformation.

Addressing Gypsy and Traveller
Accommodation Needs

A POSITION STATEMENT

November 2009