

Appendix A

Gypsy And Traveller Sites Consultation Report

1.0 Introduction

1.1 Background

- 1.1.1 Chesterfield Borough Council is working towards a Local Plan that will cover the period to 2033. As part of the Local Plan preparation, the council is trying to identify sites to meet the need for Gypsy and Traveller accommodation in the borough.
- 1.1.2 The term 'Gypsies and Travellers' is difficult to define as it does not constitute a single, homogenous group, but encompasses a range of groups with different histories, cultures and beliefs including: Romany Gypsies, Irish Travellers, Scottish Gypsies/Travellers and Welsh Gypsies/Travellers. There are also Traveller groups which are generally regarded as 'cultural' rather than 'ethnic' Travellers. These include 'New' (Age) Travellers and occupational travellers, such as showmen and waterway travellers.
- 1.1.3 The Equality Act 2010 recognises Romany Gypsies, Scottish Travellers and Irish Travellers as being distinct ethnic groups and protects them from discrimination. There is a statutory duty on public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations in the course of developing policies and delivering services.
- 1.1.4 The government's guidance Planning Policy for Travellers 2015 states that "The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of Travellers while respecting the interests of the settled community" (paragraph 3). It This guidance takes 'travellers' to mean gypsies and travellers and travelling showpeople. An update of this guidance defines gypsies and travelers as:

"Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their

family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such."

1.1.5 This guidance sets out the considerations that local planning authorities need to take into account in preparing policies for Traveller sites and number of criteria to be considered when allocating new sites for development and requires local planning authorities to ensure that traveller sites are sustainable economically, socially and environmentally. It requires local planning authorities to make a robust assessment of need for sites for travellers and to identify and update annually a supply of sites to meet pitch targets set to meet the need identified.

1.1.6 Nationally, Travellers can face inequalities in terms of access to a range of services, and experience some of the worst outcomes of any group¹. Ensuring the provision of good quality and a sufficient supply of accommodation for Gypsy and Travellers is key to helping to address these inequalities. By ensuring that there is an adequate supply of pitches on authorised sites, the following can be achieved:

- Conformity with national planning policy and the Equality Act 2010
- Providing decent accommodation for the Travelling Community
- Provide greater opportunities to access a range of facilities particularly health and education, therefore providing better opportunities for improved life outcomes.
- Help to reduce the number of unauthorised sites where Traveller families are more likely to experience poor outcomes in terms of access to health and education services.
- Opportunities for greater social interconnection between the travelling and settled community.

1.1.7 Responses to a number of frequently asked questions are set out in Appendix A.

¹ House of Commons Library Briefing Paper Number 08083, 28 September 2017 Gypsies and Travellers

1.2 The Need for Gypsy and Traveller Pitches

- 1.2.1 The Derbyshire [Gypsy and Traveller Accommodation Assessment 2015 \(GTAA\)](#) forms the evidence base for the council's approach to meeting the accommodation needs of Gypsies, Travellers and Travelling Showpeople.
- 1.2.3 Within Chesterfield borough the GTAA has identified a need for four permanent pitches for gypsies and travellers (not transit pitches) over the period 2014 to 2019, with no requirement for the remainder of the plan period, and no plots for travelling showpeople over the next 20 years. Part of this requirement has already been met by the grant of planning permission for two pitches.
- 1.2.4 This evidence of need means that the council needs to allocate sites for at least two new permanent Gypsy and Traveller pitches in the new Local Plan.
- 1.2.5 The council is seeking to allocate one site to accommodate two pitches (the need requirement), of a sufficient size that allows some room for family expansion, plus a reserve site of a similar size to be brought forward if required (for example if an updated study shows a need). This is the same approach that is taken for housing, and this is important in the interests of equality as well as the soundness of the Local Plan.

1.3 Approach to site identification

- 1.3.1 There have been a number of opportunities for landowners to put forward sites for consideration for all types of land uses, including traveller pitches:
- Local Plan; Sites and Boundaries Issues and Options document (November 2012)
 - Land Availability Assessment (LAA) Call for Sites (January 2016 – this specifically gave Gypsy and Traveller sites as an option on the response form)
 - Draft Local Plan (January 2017)

1.3.2 In addition, Derbyshire County Council was specifically asked if they have sites available for allocation as a Gypsy or Traveller site. No sites were put forward as available for Gypsy or Traveller use in response to recent calls for sites or from Derbyshire County Council.

1.3.3 Other potential sources of sites that were considered included the strategic sites identified in both the adopted Local Plan and the new Draft Local Plan, where the principle of housing development is supported, therefore Gypsy and Traveller pitches are also supported as one form of housing provision.

- Waterside – this site was rejected because it has full planning permission and development has commenced.
- Staveley Works – this is a very large complex site that is very unlikely to be remediated and ready for development within the time period in which the Gypsy and Traveller pitches are needed (i.e. before 2019). This site could be considered for pitches in the future if an updated GTAA identifies additional need.
- Dunston – this was included in the Draft Local Plan as a potential reserved site for future development needs and as such will not be available to meet the current need for pitches. Should this site proceed to formal allocation in the new Local Plan it could be considered for pitches in the future if an updated GTAA identifies additional need.

1.3.4 The other potential source of Gypsy and Traveller sites are suitable sites currently in the Green Belt, where the site could be inset from the Green Belt. No such sites have been put forward to the council for consideration. Sites in the Green Belt for any form of housing (including pitches) are not considered appropriate as there is sufficient land within the borough to accommodate new development without the need to review the Green Belt. The council is committed to working with neighbouring authorities on a strategic review of the Green Belt should this become necessary. However, at the current time no exceptional circumstances have been identified to warrant altering Green Belt boundaries within Chesterfield borough.

1.3.5 As a result, the focus has turned onto sites owned by the council. In particular, garage sites were investigated for two main reasons:

- The council's Housing Service has been doing a review of garage 'plot' sites with a view to disposal where appropriate
- Garage sites tend to be located in or on the edge of the existing urban area and are not 'large', therefore are a reasonable potential source of land supply for meeting the borough's need for Gypsy and Traveller accommodation.

1.3.6 A total of 46 garage sites were identified.

1.4 Purpose of this report

1.4.1 The purpose of this report is to explain why the council needs to find sites for Gypsy and Traveller pitches, how sites were identified and what the assessment process was. This report is a consultation document and should, along with the Sustainability Appraisal (SA) Report and Land Availability Assessment methodologies, provide sufficient information to enable people and organisations to make comments on the Gypsy and Traveller site options.

1.4.2 The findings of the site assessments as set out in this report along with the SA of Gypsy and Traveller site options will help to inform the council's site selection process and therefore the decision on what site/s will be selected for allocation in the Local Plan. It should be noted that other material planning and feasibility considerations can also play a key role in the decision-making process.

1.4.3 Section 2 of this consultation document sets out the councils approach to site assessment, including information on which sites have been rejected and why (set out in appendices).

1.4.4 Section 3 sets out the results of the detailed assessment of the sites that have been shortlisted as Gypsy and Traveller site options.

1.4.5 Section 4 provides concluding comments, a summary of the assessment of the site options, information on what happens next, and details about how to make comments.

2.0 Approach to site assessment

2.1 Stages of site assessment

2.1.1 The 46 sites were assessed using a three stage Land Availability Assessment (LAA). The methodologies for the LAA are available on the council website (www.chesterfield.gov.uk) and at the locations as noted in section 4.3.

Initial Site Assessment Criteria (Stage 1)

2.1.2 This stage assesses sites on fundamental criteria of site size and availability, with some limited suitability screening including whether or not the site is within either a Nature Conservation Designation or the Green Belt.

2.1.3 22 sites did not pass Stage 1 and were rejected as they did not meet the minimum size threshold and/or were unavailable (see Appendix C for a list of these sites).

Initial Site Assessment Criteria (Stage 2a)

2.1.4 This stage assesses sites on a wider range of suitability criteria, including:

- Physical constraints such as flood risk, land stability, and compatibility with surrounding land uses
- Access to and impact on local highways
- Access to key services and facilities
- Achievability/viability

2.1.5 A total of 24 available sites have been assessed in line with the Stage 2a [Land Availability Assessment](#). Of the 24 sites that have been assessed, 18 have been rejected for further consideration (see Appendix D for a list of these sites). It is important to note

that these sites may need to be reconsidered if there are no other suitable, available and deliverable sites.

2.1.6 In addition to these sites, the existing Gypsy and Traveller site was considered for expansion, but this option was rejected due to land stability and contamination issues as evidenced by information and studies submitted as part of the planning application.

2.1.7 Six sites have passed the first two stages of the LAA and have therefore been shortlisted for more detailed assessment under Stage 2b of the LAA and the Detailed Gypsy and Traveller Assessment.

Detailed Site Assessment Criteria (Stage 2b)

2.1.8 This stage assesses sites against detailed criteria including:

- Walking and cycling accessibility
- Capacity of physical infrastructure e.g. water supply
- Capacity of social infrastructure e.g. schools and GPs
- Impact on green infrastructure e.g. public open spaces
- Impact on biodiversity and landscape character
- Pollution
- Impact on amenity
- Impact on heritage

Gypsy and Traveller Sites Detailed Assessment

2.1.9 In order to accord fully with government guidance 'Planning Practice for Traveller Sites' (2015) the council prepared a specific methodology for assessing sites including criteria on:

- Site size and capacity for pitches and phasing
- Scope for live/work (mixed use)
- Adequacy of drinking water, sewerage provision and gas or electricity
- Scale of a site in relation to the nearest settled community to which it relates

- Degree to which the site might promote peaceful and integrated co-existence between the sites occupiers and the local community

2.2 Sustainability Appraisal

2.2.1 The six shortlisted sites have also been subject to Sustainability Appraisal. The SA report is available to view on the website (www.chesterfield.gov.uk) and in the locations stated in section 4 of this report on How to Comment) This is a requirement of Section 19(5) of the Planning and Compulsory Act 2004 and helps the council guide the selection and development of policies and proposals in terms of their potential social, environmental and economic effects. The SA plays an important role in demonstrating that a local plan reflects sustainability objectives and has considered reasonable alternatives.

2.3 Technical Consultation

2.3.1 Internal consultation with the following service areas was carried out.

- Drainage (Engineering Services)
- Development Management including Conservation, Trees and Urban Design
- Environmental Protection
- Housing
- Leisure Services
- Private Sector Housing
- Corporate Policy and Communications
- Community Safety
- Legal Services
- Asset Management

2.3.2 Comments were received from Engineering, Housing and Leisure Services and were taken into account in the assessment of sites.

2.3.3 External consultation was carried out with the Derbyshire County Council Highways Authority on matters of highways access, safety and traffic impact, and also Derbyshire County Council with regard to accessibility information. Comments were received from the

Highway Authority and were taken into account in the assessment of sites.

3.0 Gypsy and Traveller Site Options

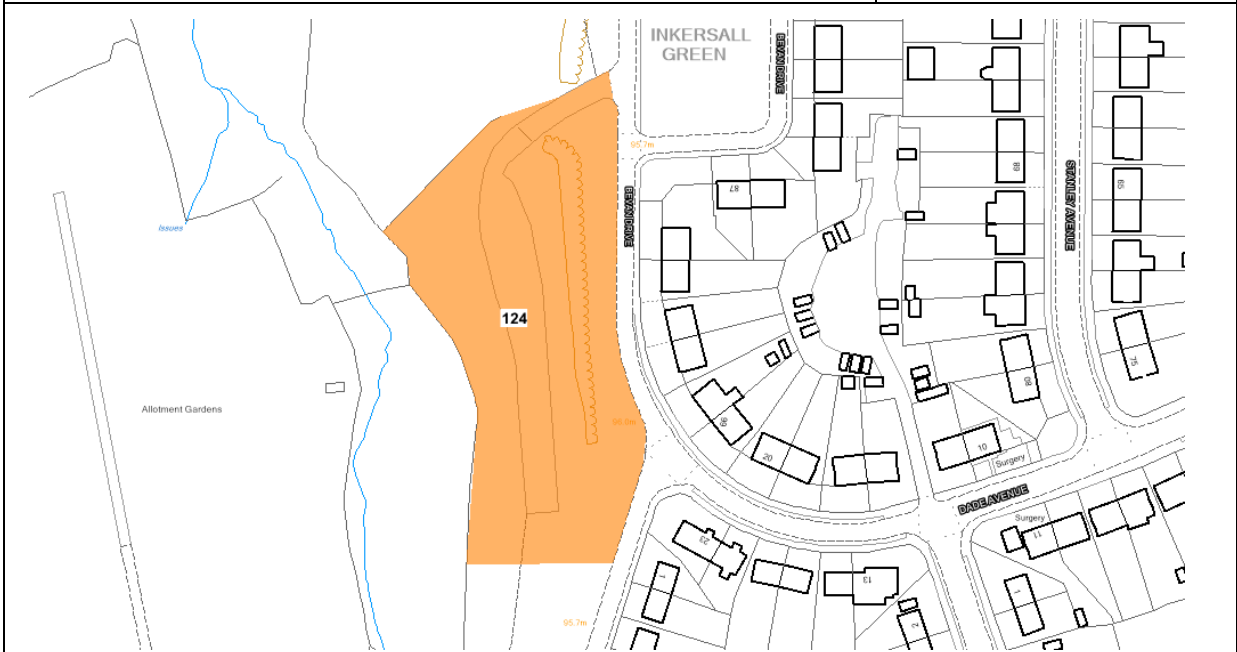
3.1 The six site options are those that are considered to be the most suitable, available and viable following the site assessment. This section of the report provides a summary of each site.

Site 32 Miller Avenue, Mastin Moor		0.41 hectares/4101m²
Green Infrastructure and Biodiversity	<p>Outside the Green Belt with no constraints in terms of protected species, local wildlife sites, ancient woodland or nature designations.</p> <p>Potential impact on biodiversity given boundary vegetation. Garages unlikely to be suitable for bat roosts due to modern style of construction.</p> <p>Potential minor but mitigable impact on landscape character given that the site is an extension of an existing settlement into open countryside.</p> <p>No adverse impacts on green wedge/strategic gap.</p>	
Heritage	<p>No adverse impacts on heritage.</p>	
Flood Risk and	<p>Flood zone 1 and surface water flood risk very low.</p>	

Other Constraints	<p>No known land stability or land contamination constraints.</p> <p>No adverse impacts on air pollution.</p> <p>No natural or topographical obstacles.</p> <p>No known constraints to physical infrastructure.</p> <p>Within a Regeneration Priority Area.</p>
Accessibility	<p>Good - the site is within 15 minutes by foot, bicycle or public transport to a centre, primary school and GP, and within 20 minutes to a secondary school.</p> <p>Significant access or highway safety issues are unlikely.</p>
Infrastructure (GP and Schools)	<p>Sufficient capacity in education infrastructure (Norbriggs Primary School, Netherthorpe School and Springwell Community College) and health (GP Royal Primary Care).</p>
Open Space and Amenity	<p>Capacity of local public open space is unknown (this is the case for all LAA sites as the Council's Public Open Space Assessment has not yet been updated to be NPPF compliant).</p>
Gypsy and Traveller Specific LAA Criteria	<p>Slope on western side of the site will reduce developable area to around 2000 sqm.</p> <p>Good size and phasing potential. Scale of site is subservient to settlement.</p> <p>Sewerage connection potential is good.</p> <p>Drinking water supply potential is moderate. Water Supply 60m to south. 225mm dia. surface water and 150mm dia. Foul immediately adjacent.</p> <p>The access would accommodate a light goods vehicle without problems.</p>
Comments from internal consultation	<p>Housing Services object as the site is being considered for housing redevelopment in connection with wider regeneration.</p>

Site 124 Bevan Drive, Inkersall


**0.61
hectares/6059m²**



**Green
Infrastructure
and
Biodiversity**

Site is within Westwood and Parkers Wood Local Wildlife Site. The majority of the site is located within an area identified as Ancient Woodland and at present there is insufficient information on impact. Site includes areas of hardstanding which could have

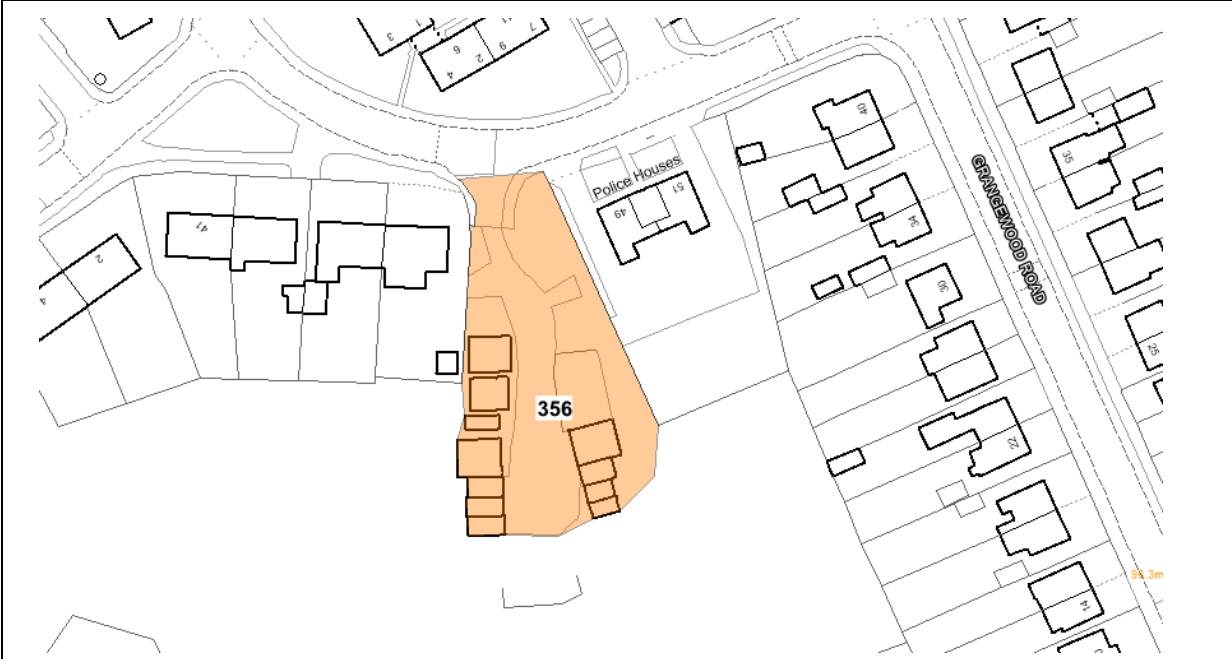
	<p>development potential.</p> <p>No adverse impacts on green wedge/strategic gap, amenity of locality, or air pollution.</p>
Heritage	No adverse impacts on heritage.
Flood Risk and Other Constraints	<p>Small areas of low surface water flooding risk on site.</p> <p>Flood zone 1 FZ1. Small areas of low surface water flooding risk on site.</p> <p>Land contamination assessment required due to former use and potential for asbestos (EHO).</p> <p>No natural or topographical obstacles.</p> <p>No known constraints to physical infrastructure.</p>
Accessibility	<p>Excellent. The site is within 800 metres of a centre, primary and secondary school, and GP.</p> <p>The Highway Authority states that any significant access or highway safety issues are unlikely.</p>
Infrastructure (GP and Schools)	Sufficient capacity in education infrastructure and health (GP Royal Primary Care).
Open Space and Amenity	Capacity of local public open space is unknown (this is the case for all LAA sites as the Council's Public Open Space Assessment has not yet been updated to be NPPF compliant).
Gypsy and Traveller Specific LAA Criteria	<p>Good size and phasing potential.</p> <p>Scale of site is subservient to settlement.</p> <p>Boundary landscape is inadequate but mitigatable.</p> <p>May need pumping of foul to mains due to levels.</p>

Site 341: Brooks Road, Barrow Hill	0.07 hectares / 700m²
	
Green Infrastructure and Biodiversity	<p>Outside the Green Belt with no constraints in terms of protected species, local wildlife sites, ancient woodland or nature designations.</p> <p>No adverse impacts on biodiversity</p> <p>Potential minor but mitigable impact on landscape character given that the site borders open countryside.</p> <p>No adverse impacts on green wedge/strategic gap.</p>
Heritage	<p>No adverse impacts on heritage.</p>
Flood Risk and Other Constraints	<p>Flood zone 1 and surface water flood risk very low. No known land stability or land contamination constraints.</p>

	<p>No adverse impacts on air pollution.</p> <p>No natural or topographical obstacles.</p> <p>No known constraints to physical infrastructure.</p>
Accessibility	<p>Good - the site is within 15 minutes by foot, bicycle or public transport to a centre, primary school and GP, and within 20 minutes to a secondary school.</p> <p>Significant access or highway safety issues are unlikely although note that two way traffic through the access isn't likely to be possible.</p>
Infrastructure (GP and Schools)	<p>Potential issue with capacity in education infrastructure. Sufficient capacity in health (GP Royal Primary Care).</p>
Open Space and Amenity	<p>Capacity of local public open space is unknown (pending an update of the Council's Public Open Space Assessment).</p> <p>No adverse impacts on amenity of locality or amenity on site.</p>
Gypsy and Traveller Specific LAA Criteria	<p>Moderate size but poor phasing potential. Scale of site is subservient to settlement.</p> <p>Sewerage connection potential is excellent. Drinking water supply potential is excellent. 225mm dia. surface water and 225mm dia. Foul in Brooks Road.</p>

Site 356 Birchwood Crescent, Grangewood

**0.16
hectares/1589m²**



Green Infrastructure and Biodiversity	<p>Outside the Green Belt with no constraints in terms of protected species, local wildlife sites, ancient woodland or nature designations.</p> <p>No adverse impacts on biodiversity or landscape character.</p> <p>No adverse impacts on green wedge/strategic gap, amenity of locality.</p>
Heritage	<p>No adverse impacts on heritage.</p>
Flood Risk and Other Constraints	<p>Flood zone 1 FZ1. Lower part of site has a medium risk of surface water flooding, and a minor overlap with high risk area. No known land stability or land contamination constraints.</p> <p>No adverse impacts on air pollution.</p> <p>No natural or topographical obstacles.</p> <p>No known constraints to physical infrastructure.</p> <p>Within a Regeneration Priority Area</p>
Accessibility	<p>Good - the site is within 800 metres of a centre,</p>

	<p>primary school and GP and within 15 minutes by foot, bicycle or public transport to a secondary school.</p> <p>Significant access or highway safety issues are unlikely. The Highway Authority request replacement off-street parking but there is no evidence that the loss of the site would cause a significant on-street parking or highway safety problem. Highway Authority note that the access may need to be widened (there is space within the site to do so).</p>
Infrastructure (GP and Schools)	Sufficient capacity in education infrastructure and health (GP Royal Primary Care).
Open Space and Amenity	<p>Capacity of local public open space is unknown (pending an update of the Council's Public Open Space Assessment).</p> <p>Potential impact on site amenity due to a degree of overlooking and need for boundary screening but mitigable.</p>
Gypsy and Traveller Specific LAA Criteria	<p>Good size but poor phasing potential. Scale of site is subservient to settlement.</p> <p>Sewerage connection potential is good. Drinking water supply potential is excellent. 225mm dia. surface Water and 225mm dia. Foul cross the site.</p>
Comments from internal consultation	<p>Housing object as no current intention to dispose.</p> <p>Leisure Services objection due to impact on open space.</p>

Site 358 Atlee Road, Inkersall

**0.16
hectares/1600m²**



Green Infrastructure and Biodiversity

Outside the Green Belt with no constraints in terms of protected species, local wildlife sites, ancient woodland or nature designations.

No adverse impacts on biodiversity or landscape character.

No adverse impacts on green wedge/strategic gap, amenity of locality.

Heritage

No adverse impacts on heritage.

Flood Risk and Other Constraints

Flood zone 1 and no surface water flood risk. No known land stability or land contamination constraints.

No adverse impacts on air pollution.

No natural or topographical obstacles.

No known constraints to physical infrastructure.

Accessibility

Excellent. The site is within 800metres of a centre, primary and secondary school, and GP.

	<p>Potential access or highway safety issues as the width of the sites access poses a significant constraint to any intensification of use. The access is likely to be unsuitable for vehicles with trailers and would need modification within highway land to prevent over-run of light goods vehicles and/or trailers. The Highway Authority has not confirmed if they would accept alterations to the highway to accommodate access for light goods vehicles and trailers. The Highway Authority request replacement off street parking but there is no evidence that the loss of the site would cause a significant on-street parking or highway safety problem.</p>
Infrastructure (GP and Schools)	<p>Sufficient capacity in education infrastructure and health (GP Royal Primary Care).</p>
Open Space and Amenity	<p>Capacity of local public open space is unknown (pending an update of the Council's Public Open Space Assessment).</p> <p>Potential adverse impacts on site amenity as the site feels overlooked on two sides and given the overlooking is at first floor level mitigation may not be feasible.</p>
Gypsy and Traveller Specific LAA Criteria	<p>Good size but poor phasing potential. Scale of site is subservient to settlement.</p> <p>Sewerage connection potential is moderate. Drinking water supply potential is good. 225mm dia. surface water in Attlee Road and 225mm dia. Foul approx. 30m to the East of the site along Attlee Road</p>
Comments from internal consultation	<p>Housing object as the site is overlooked on all sides.</p>

Site 365 Keswick Drive, Newbold

**0.13
hectares/1300m²**



Green Infrastructure and Biodiversity

Outside the Green Belt with no constraints in terms of protected species, local wildlife sites, ancient woodland or nature designations.

No adverse impacts on biodiversity or landscape character.

No adverse impacts on green wedge/strategic gap, amenity of locality.

Heritage

No adverse impacts on heritage.

Flood Risk and Other Constraints

Flood zone 1 and no surface water flood risk. No known land stability or land contamination constraints.

No adverse impacts on air pollution.

No natural or topographical obstacles.

No known constraints to physical infrastructure.

Accessibility

Excellent. The site is within 800metres of a centre, primary and secondary school, and GP.

Potential access or highway safety issues as the width

	<p>of the sites access poses a significant constraint to any intensification of use. The access is likely to be unsuitable for vehicles with trailers and would need modification within highway land to prevent over-run of light goods vehicles and/or trailers. The Highway Authority has not confirmed if they would accept alterations to the highway to accommodate access for light goods vehicles and trailers. The Highway Authority request replacement off-street parking but there is no evidence that the loss of the site would cause a significant on-street parking or highway safety problem.</p>
Infrastructure (GP and Schools)	<p>Sufficient capacity in education infrastructure and health (GP Royal Primary Care).</p>
Open Space and Amenity	<p>Capacity of local public open space is unknown (pending an update of the Council's Public Open Space Assessment).</p> <p>Potential adverse impacts on site amenity as there is a degree of overlooking but this is likely to be mitigable.</p>
Gypsy and Traveller Specific LAA Criteria	<p>Good size but poor phasing potential. Scale of site is subservient to settlement.</p> <p>Sewerage connection potential is moderate. Drinking water supply potential is excellent. 225mm dia. surface water approx. 40m North and 225mm dia. Foul approx. 75m North in Keswick Drive.</p>

4.0 Conclusions and Next Steps

This section briefly summarises the key conclusions from the report and sets out the next steps, including details of how to comment on this report.

4.1 Summary of Site Assessments

- 4.1.1 The site assessments so far indicate that there are different impacts that would need to be addressed with all the six sites.
- 4.1.2 The larger sites with scope for some live/work element (Miller Avenue and Birchwood Crescent) may need mitigation to ensure that impacts arising from any work element on neighbours amenity are acceptable due to the proximity to residential properties.
- 4.1.3 In determining the suitability of sites it is important to consider the proximity of the sites to the settled community and the extent to which sites would be overlooked by existing residential properties and vice versa. This is an issue for three of the six sites. The three sites that will not be overlooked (Miller Avenue, Bevan Drive and Brooks Road) are those that border open countryside, and therefore have a potential impact on landscape character and/or biodiversity.
- 4.1.5 Key conclusions from the Sustainability Appraisal are that aside from the potential significant negative impact on biodiversity of Bevan Drive in Inkersall, the effects on the Sustainability Appraisal objectives are largely positive or neutral, although the site in Grangewood may require mitigation due to surface water flood risk.

4.2 Next Steps

- 4.2.1 The Council will take into account responses to this consultation (on both this report and the accompanying SA Report) including those from the public and statutory authorities and if the Council comes to the decision that a site is appropriate for use as a Gypsy or Traveller site, then it will be proposed for allocation in the new Local Plan.

4.2.2 The new Local Plan will be published for public consultation and 'submitted' to the Government for examination. The version of the new Local Plan submitted to Government will be accompanied by supporting documents, including a Statement of Representations that sets out details of who was consulted when preparing the Plan and how the main issues raised have been addressed. This provides a formal opportunity for the local community and other interests to comment on the 'soundness' of any proposed Gypsy or Traveller site allocation(s). An independent Inspector will be appointed to consider the soundness of the Plan i.e. is it justified, effective (deliverable) and consistent with national policy. Everyone who makes an objection has the right to appear at the Inquiry. The Inspector will then make recommendations for the Council to consider.

4.2.3 Allocated sites will still have to go through the planning application process to determine the detailed aspects of development such as design, highways access and landscaping before development can commence. This will mean further information in the form of ecology and highways assessments may still be required on individual sites to gain planning permission and further local consultation will take place for any planning application with residents having an opportunity to make comments on the detailed design and layout of a site.

4.2.4 The findings of the site assessments and the sustainability appraisal, and the responses to the consultation on Gypsy and Traveller sites (both the consultation document itself and the accompanying SA) will be used in the next (and subsequent) stage(s) of Local Plan development (and accompanying SA reporting).

4.3 How to Comment on this Report

4.3.1 This Report and accompanying SA Report will be subject to a **6 week consultation period from Monday 12th February 2018 to 5pm on Monday 26th March 2018.**

4.3.2 The council is seeking comments on any aspect of this consultation, including the SA Report and the LAA site assessment methodologies.

4.3.3 It is important to note that the 2015 Gypsy and Traveller Accommodation Assessment (the document that identifies how many sites are needed) is evidence published by Derbyshire County Council and as such comments on this are not being sought.

4.3.4 Planning officers will be available to answer surface waterer questions at the following events:

Drop in Sessions

- Chesterfield Town Centre – Market Hall Meeting Room 10am – 8pm XX 2018
- Staveley Healthy Living Centre 10am – 8pm XX 2018

4.3.5 This report, the Sustainability Appraisal Report, the site assessment methodologies and Response Forms are available on the council website www.chesterfield.gov.uk/gypsyandtravellersites and to view at the Customer Contact Centre 85 New Square, Chesterfield, S40 1AH and Chesterfield Library.

4.3.6 Please note that comments cannot be treated confidentially and will be made available on the council website along with the respondents name. Please also be aware that representations which are discriminatory will be omitted from the decision making process. Discriminatory comments may be referred to the Equality and Human Rights Commission (EHRC) or to the police.

This Consultation: How to Give Us Your Views

We would welcome your views on any aspect of this Report.

Please provide your comments by 5pm Monday 26th March 2018. Comments should be sent to:

By email: local.plan@chesterfield.gov.uk

By post: Strategic Planning and Key Sites Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

Frequently Asked Questions

Q: Who are Gypsies and Travellers?

For planning purposes Gypsies and Travellers are defined as:

"Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such."(Planning Policy for Traveller sites, CLG, 2015 update.)

Within the main definition are a number of cultural groups, including:

- Romany gypsies
- Irish Travellers and
- New Travellers

Romany gypsies and Irish travellers are recognised in law as distinct ethnic groups and legally protected from discrimination under the Equalities Act 2010.

Q: Why does Chesterfield Borough need Gypsy and Traveller sites?

Gypsies and Travellers face the most serious disadvantages of all ethnic minority groups with a much shorter life expectancy, high child mortality rates and the lowest educational attainment. The lack of legal sites make accessing key services and facilities much harder.

Councils are required by law to assess the accommodation needs of all people living in the area they are responsible for; this includes Gypsies and Travellers. A detailed study carried out on behalf of all Derbyshire local authorities identified that 4 new permanent residential pitches need to be built for Gypsies and Travellers in the borough over the period to 2019.

Chesterfield Borough Council now has one authorised permanent sites with two pitches following the granting of planning permission. This leaves a need for two pitches.

Q: What is the difference between permanent and transit sites?

There is a significant shortage of permanent residential sites nationwide. Permanent sites can either be provided by local authorities, Registered Providers or owned by Gypsies and Travellers themselves. The sites are used as a long-term residence and typically have a number of amenities, including water supply, electricity, individual toilets and utility rooms.

Transit sites are permanent developments, but are for temporary residence, allowing people to reside legally on serviced land without the need to resort to unauthorised encampment. By providing transit pitches the Council will be able to offer a legal solution to those wanting to stop temporarily in the borough. Facilities on transit sites are usually more basic than on permanent sites and stays are limited to a period set by a site manager. Management of transit sites limits the length of stays. All transit sites are subject to rent and council tax.

Q: Shouldn't Travellers be 'travelling'?

Not all Gypsies and Travellers live an itinerant lifestyle. Some groups are highly mobile, moving on to find work elsewhere and others live permanently in one area or only travel for a few weeks or months of the year. The main reason for travelling is to work, follow fairs and visit family and so a 'base' site is required from which to live when not travelling.

As Gypsies and Travellers grow older and become less able to travel on a regular basis, some require a safe and secure stopping place where they can maintain the cultural traditions of being a Gypsy or Traveller. Gypsies and Travellers also sometimes stop travelling temporarily to care for sick or elderly relatives or to continue a child's education. Families will then normally take up the travelling way of life again following these events. National planning guidance recognises the needs of Gypsies and Travellers even when they may have ceased to travel temporarily or permanently.

Q: How will residents' comments be taken into account?

Residents comments will be fully reported to Cabinet, and will inform any decisions made should the Council allocate a site. Significant levels of objection to a site will not necessarily mean that a site is not considered suitable for allocation, but it may inform any measures that

need to be in place to try and address any concerns. For example, this could be in terms of access arrangements or landscaping to provide privacy.

Representations that are discriminatory will be omitted from the decision making process. A discriminatory representation is one which could include words, phrases or comments which are likely to:

- Be offensive to a particular group,
- Be abusive, insulting or threatening,
- Apply pressure to discriminate, or
- Stir up hatred or contempt of a particular part of the community.

Discriminatory comments may be referred to the Equality and Human Rights Commission (EHRC) or to the police.

Q: What benefit to the (settled) community will new sites provide?

If sites can be identified through the planning process it should reduce the need for unauthorised encampments which often cause conflict with the settled community and can cost the Council money if legal action has to be taken. It arguably is better for all members of the community if sites can be identified by agreement following consultation in suitable locations as it provides an opportunity for communities to have their say before any decisions are made on sites. By taking a positive approach the Council should have greater control over the type, location and size of sites. It also means that if illegal encampments occur in the borough the Council will be far more likely to be successful if it has to take action against those sites..

Q: What happens if planning permission is sought for sites that are not allocated?

Allocating sites to meet the identified needs does not mean that planning permission cannot be sought on other unallocated sites. The Local Plan has a policy which sets criteria for making decisions in cases where an unanticipated need for a site arises and a planning application is submitted for a traveller site on land that is not allocated for traveller pitches. This is less likely to happen if enough sites are allocated and a reserved site is set aside.

Q: Can you build houses on a site allocated for traveller pitches?

No. Not without obtaining planning permission for a change of use.

Q: What is likely to be on a traveller pitch?

An average sized family pitch would be capable of containing a single storey amenity building, a large trailer and touring caravan, parking space for two vehicles and a small garden area. It would also include a static caravan and a hard standing for a storage shed and drying. It might also include space for family on a short term visit.

Q: Can a business be operated from a traveller site?

Yes. A Traveller can live and work from a site provided there are no unacceptable impacts to highway safety and the local environment (including future and neighbouring occupier's amenities). This would take into account matters such as; the sensitivity of neighbouring land uses to effects such as noise from working and disturbance from traffic, local ecology, prominence to view, access and boundary treatments. Employment uses would require separate planning consent. Conditions can be imposed on any planning permission to restrict commercial activities on site.

Q: How is the impact on local communities being assessed?

The impact on the amenity of neighbouring residents is taken into account in the assessment of sites as well as the impact of locations on the future occupants of potential sites. The scale of the site in relation to the nearest settled community to which it relates is considered, along with the degree to which the site might promote peaceful and integrated co-existence between the sites occupiers and the local community.

Policy CS12 in the Core Strategy and in the draft new Local Plan, against which planning applications for Gypsy and Traveller sites will be considered, will ensure that a site will have satisfactory boundary treatment to ensure privacy and maintain visual amenities.

Q: What happens if the council does not allocate sites for travellers?

If sites to meet the need are not allocated the Local Plan (which allocates land for all types of development) will not be considered 'sound' by a planning inspector. This means that development may take place in areas that the council and communities want to protect such as the green spaces between settlements. It will have a negative impact on the economy and jobs if sites aren't allocated for new business and industrial uses. There is also a risk that if the council doesn't have a Local Plan in place, the government will step in and there will be a loss of local control over where development goes in the borough.

Q: What happens if there are unauthorised encampments?

The same process as is the case now. For more information see http://www.derbyshire.gov.uk/environment/land_premises/traveller_sites/gypsies_travellers_law/

Q: Who will pay for the development of sites?

The Council is only committed to identifying sites but is not legally obliged to develop sites. The Council could decide to develop site(s) but site development may also be brought forward by private individuals or Registered Providers such as Housing Associations. Site development costs would fall to the individual developer, and would include paying for site infrastructure, such as connection to utilities and mains sewerage, as well as any remediation works that may be required to make a site acceptable. Running costs of sites will depend on tenure but could be met by rents if owned by a Registered Provider

Q: Will the residents of the sites pay tax?

As with all other residential properties, each pitch will be assessed by the local taxation officer and given a council tax rating. Residents will then pay the appropriate level of council tax for their property. Charges for water, electricity and other amenities are also paid on Traveller sites. Gypsies and Travellers are subject to the same law enforcement rules as the settled community for non-payment of taxes.

Q: How will the Council control unauthorised expansion of sites?

Unauthorised expansion of sites could be addressed in the detailed design stage, so that this is made physically difficult. Any unauthorised

expansion of sites would be dealt with by the Council in partnership with the police and other relevant agencies. If the Council makes adequate provision for Gypsy and Traveller accommodation needs by identifying sites to be allocated for authorised use in the first place then the pressure to expand sites in an unauthorised way should be reduced.

Q: Are we meeting local Gypsy and Traveller needs or those from elsewhere?

Gypsy and Traveller Accommodation Needs Assessments (GTAA) identify need from people living in unauthorised sites or sites with only temporary planning permission in the study area (Derbyshire and East Staffordshire). They also identify where existing sites in the study area are overcrowded, and also include an allowance for family growth, the same as for settled communities. In this way need is attributed to local areas. Historically Chesterfield has not seen as many unauthorised or authorised sites as surrounding Local Authority areas and as a consequence has not been attributed as significant a need as other areas such as North East Derbyshire or Bolsover in the GTAA. However, neighbouring Local Authorities can ask Chesterfield Council to accommodate any need that they cannot find sites for and Chesterfield Council would have to decide whether or not to do so and give sound reasons for any decision it made on the matter. It is worth bearing in mind that in the same way as members of the settled community, gypsies and Travellers may decide they wish to live in a different area so people will come and go from one area to another.

Q: What are the Council's legal obligations to conduct this work?

Housing and Planning Act (2016)

Section 124 of the Housing and Planning Act 2016 removes the duty on local authorities under the Housing Act 2004 to assess the accommodation needs of Gypsies and travellers in their area as a distinct category. Instead, it specifies that local housing authorities should consider the needs of people "residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored".

In March 2016, the Department for Communities and Local Government

published draft guidance on how it expects local authorities to interpret this provision. [This draft guidance can be found through this link.](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/507289/clause_115_draft_guidance.pdf)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/507289/clause_115_draft_guidance.pdf

Planning Policy for Travellers Sites

The national planning guidance set out in Planning Policy for Traveller Sites is to be read alongside the general policies of the National Planning Policy Framework. The guidance, first issued in 2012, places a requirement on local authorities to set pitch targets for Gypsies and Travellers and plot targets for Travelling Showpeople which address the likely permanent and transit site accommodation needs of their area. To set those pitch and plot targets local authorities should prepare and maintain an up-to-date understanding of accommodation need using a robust evidence base.

In addition to setting pitch targets local authorities are required to identify a supply of specific deliverable sites, sufficient to provide five years' worth of sites against the locally set targets. There is also a requirement to plan for a further 10 years' supply of sites.

Planning Policy for Traveller Sites was updated in August 2015. It amends the planning definition of travellers to limit it to those who have a nomadic habit of life, meaning that where someone has given up travelling permanently they should be treated no different from the settled population.

It also restricts circumstances in which temporary permission for Gypsy sites may be given in the Green Belt. It updates policy so that a lack of an up-to-date five-year supply of deliverable sites is not a significant material consideration in planning decisions involving the grant of temporary planning permission in sensitive areas, such as land designated as Green Belt. Councils are now expected to "very strictly limit" new traveller sites in open countryside.

Equality Act (2010)

The Act does not define race, however case law has established that Roma gypsies and Irish travellers are covered by the protected characteristic of race for the Equality Act 2010.

Local authorities have a duty under the Equality Act to actively seek to eliminate unlawful discrimination, advance equality of opportunity and promote good race relations.

Gypsy and Traveller Sites – Detailed Site Assessment Methodology

1. Introduction

- 1.1 The Local Plan Steering Group (LPSG) in January 2016 agreed an approach and methodology for identifying and assessing sites for Traveller accommodation in the borough. That approved methodology takes a step by step approach which considers the suitability, availability and viability of land.
- 1.2 However, the agreed approach acknowledged that a more detailed methodology for assessing specific aspects of viability and suitability would be needed. The following report sets out that more detailed methodology and also updates the LPSG on progress towards identifying suitable sites. It also provides further clarification of the assessment of availability for potential Traveller sites.

2. Policy Context

National Planning Policy Framework (NPPF)

- 2.1 The National Planning Policy Framework clearly sets out the role of the planning system in significantly boosting the supply of housing. In plan-making, local planning authorities are directed to plan positively to meet the housing needs of an area and respond to market signals such as housing affordability in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 2.2 To deliver this, paragraph 50 states that local planning authorities should plan for a mix of housing based on demographic and market trends as well as the specific needs of different groups in the community. Furthermore, it directs planning authorities to identify the size, type, tenure and range of housing required in particular locations.

Planning Policy for Traveller Sites

- 2.3 The government published a separate planning document alongside the NPPF with a specific focus on providing traveller

accommodation. 'Planning policy for traveller sites' (PPTS August 2015) requires local authorities to:

- make their own assessment of need for the purposes of planning
- set pitch and plot targets for permanent and transit accommodation
- identify a five year supply of specific and deliverable sites against locally set targets
- identify a supply of specific developable sites or broad locations for growth , for years 6 to10 and where possible for year 11to15
- 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)

2.4 PPTS aims to ensure local authorities increase the number of sites in suitable locations with permission to address under provision, reduce tensions between the settled community and traveller communities in plan making and planning decisions and have due regard to the protection of local amenity and local environment.

2.5 PPTS is clear that if a local authority cannot demonstrate a five year supply of specific and deliverable sites against our target, it should give this significant consideration in favour of granting temporary permission for traveller accommodation unless in Green Belt.

3. Duty to co-operate

3.1 Currently the assessment of sites is not sufficiently progressed to know if there is a requirement to approach neighbouring councils to accommodate the borough's need. Currently no neighbouring council has yet approached the borough to cater for need outside the borough.

3.2 In terms of neighbouring council's progress in finding new sites to meet need the adjoining authorities, North East Derbyshire District Council (NEDDC) and Bolsover District Council have not as yet identified potential sites. NEDDC are consulting on a draft Local Plan but have not identified any new sites as being appropriate to meet

their Traveller accommodation need. Bolsover have undertaken a call for sites but have not identified any new sites within their draft Local Plan as being appropriate to meet their Traveller accommodation need.

- 3.3 Should neighbouring authorities seek co-operation of Chesterfield to meet need identified in their area they will need to provide robust to support the request.

4. Chesterfield Borough Traveller Accommodation Needs

4.1 The Joint Gypsy and Traveller Accommodation Assessment² (2014) forms the evidence base for the Council's approach to meeting the accommodation needs of Gypsies, Travellers and Travelling Showpeople. It was undertaken in accordance with the requirements of the Housing Act 2004 and PPTS (2012). The GTAA shows that there is a need within the study area for 70 additional pitches during the period 2014-2019 and 134 additional pitches for the period 2014-2034.

4.2 More locally, the TAA shows that there is a need in the 'North Derbyshire' Gypsy and Traveller housing market area for 17 new pitches between 2014 and 2019 and 34 pitches between 2019 and 2034. A total of 51 pitches.

4.3 Within Chesterfield Borough the TAA has identified a need for 4 pitches for gypsies and travellers and no plots for travelling showpeople over the next 20 years. Part of this requirement has already been met by the grant of planning permission for 2 pitches. The pitches should be provided between 2014 and 2019.

4.4 The TAA indicated that a 'Housing Market Area'-style approach may be appropriate. This would include the Local Authority areas for Chesterfield, Bolsover and North East Derbyshire. The relationship of need and also the options for provision across these three authorities needs to be considered as part of the Duty to Co-operate.

5. Site Search methodology

² The Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment 2014

- 5.1 No sites were put forwards as available for Traveller use, in response to recent call for sites: for the Local Plan; Sites and Boundaries Issues and Options document (November 2012); and the January 2016 call for sites. No sites were put forward as part of the consultation on the Draft Local Plan which ended in February 2017.
- 5.2 Derbyshire County Council were specifically asked if they have sites available for allocation as a Traveller site but to date has not made the borough council aware of any such sites. Consequently the focus has turned onto sites owned by CBC and in particular garage sites. CBC Housing Services have been undergoing a review of garage 'plot' sites (sites where tenants provide their own hard surfacing and garages as opposed to sites with council built garages) with a view to disposal where appropriate. The process undertaken by Housing Services has not as yet taken into account the garage sites suitability or otherwise as Traveller site allocations. However, the possibility of Traveller site use as an alternative land use was referred to in an appendix to the relevant Housing Services report to Cabinet on disposal of the sites.
- 5.3 The garage sites tend to be located in or on the edge of the existing urban area and are not 'large', being a reasonable potential source of land supply for meeting the borough's need for Traveller accommodation. The LPA has been provided with a list of garage 'plot' sites that Housing Services currently deems available for disposal and will assess these sites for their suitability (in accordance with planning policy) and viability, as Traveller site allocations with a view to finding a pool of available sites that can be subject to public consultation prior to a council decision on which if any, should be included in the draft local plan.

6. Sites Assessment

- 6.1 Sites will be considered using the criteria set out in the Land Availability Assessment methodology (LAA) and previously approved Traveller Site Assessment Methodology. There is no need to duplicate this methodology where it can be appropriately applied to the assessment of Traveller Sites. Consequently the existing

approved methodology will be sufficient to guide an appraisal of a site in terms of the following:

- Flood Risk
- Pollution Risk
- Risk from Hazardous Installations
- Heritage Impact
- Impact on biodiversity, ecology and local nature conservation
- Safe and convenient access to the highway network
- Impact on the highway network
- Privacy and residential amenity for neighbouring and future occupiers
- Impact on green infrastructure (e.g. green wedges, strategic gaps, public open spaces)
- Adequacy of existing local infrastructure

6.2 However, there is a need for clarification of how Traveller specific planning policies and also the specific difficulties relevant to assessing a land supply for potential Traveller sites³ will be factored into certain site assessment criteria.

6.3 The criteria in question are: -

- Availability
- Viability
- Green Belt
- Accessibility to local services and facilities by walking, cycling and public transport, in particular access to centres, health services and schools
- Scope for live/work (mixed use)
- Site size and capacity for pitches and phasing
- Adequacy of drinking water, sewerage provision and gas or electricity
- Scale of a site in relation to the nearest settled community to which it relates
- Degree to which the site might promote peaceful and integrated co-existence between the sites occupiers and the local community

³ Assessing local housing authorities' progress in meeting the accommodation needs of Gypsy and Traveller communities in England (Equalities and Human Rights Commission) 2009 and also; Inequalities Experienced by Gypsy and Traveller Communities: A Review (Equalities and Human Rights Commission) 2009

- 6.4 The above when combined with the already approved methodology should equate to an assessment against the requirements of policy CS12 and the national Planning Policy for Traveller Sites.
- 6.5 It is acknowledged that over-long criteria can be confusing for both settled communities and Traveller communities and can make the process of site assessment less transparent. Hence the aim is to cover relevant considerations in as straightforward manner as is reasonable, avoiding complex scoring systems. There is an intention to summarise the assessment criteria provided below for public consultation purposes.

Availability

- 6.6 Availability will be considered with regard to the approved joint North Derbyshire and Bassetlaw Land Availability Assessment methodology but a more sophisticated approach is needed given the inherent problems associated with land availability for Traveller sites. Availability for use as a Traveller site is not a simple matter of sites being for sale on the open market. Research indicates that Travellers are subject to high levels of poverty as a community⁴ and it is unlikely that most have the capital to compete on the open market for land when combined with the further cost of providing essential services to a site. Furthermore, the potential for hostility in local land markets is acknowledged in planning guidance as a possible barrier to the purchase of land⁵ and the intention of land owners is an important consideration. Accordingly any call for sites for the Local Plan or Land Availability Assessment shall include an invitation to submit sites that are specifically available for Traveller use.
- 6.7 Furthermore, the LPA will seek to assess any new potentially surplus public sector land when it becomes aware of other Council departments reviewing their land holdings. For the purposes of initial assessment and consultation such land will be treated as available where a Council Department identifies it as so. However, before wider consultation is carried out and the site is categorised

⁴ Inequalities Experiences by Gypsy and Traveller Communities: A Review (Equalities and Human Rights Commission 2009)

⁵ Paragraph 16 Gypsy and Traveller Accommodation Needs Assessment (DGLG October 2007)

as definitely available, the LPA will seek confirmation from the relevant Council department responsible for the land that the land would be available for Traveller use including options such as long term lease. The reason for such an approach is that for a site to be realistically available for use by a Traveller family an alternative to open market auction or sale is likely to be needed.

- 6.8 The Council's legal services will be consulted to determine if any legal constraints prevent such sites being available for Traveller use.

Viability

- 6.9 Planning Practice Guidance⁶ states that plans should be deliverable and the NPPF requires the realistic likelihood of development happening to be taken into account. LPA's are advised not to plan to the margin of viability and instead to provide a buffer to respond to changing markets. Normally a potential sites land and development value, costs of development and likely return for land owner and developer would be assessed. However, research has indicated that the Travelling community is subject to high levels of poverty⁷ and so are unlikely to be able to compete on the open market for sites. The GTAA 2014 acknowledges the problem:

'The traditional method of identifying need by considering the ability to afford the required accommodation on the open market cannot be applied to Gypsies and Travellers: firstly since the barriers to accessing pitches are not always cost-related, and secondly because gathering reliable financial and employment information from Gypsies and Travellers, due to cultural barriers, can be difficult.'
(paragraph 10.5 Derbyshire and East Staffordshire GTAA 2014)

- 6.10 The GTAA confirms that most existing sites in Derbyshire and East Staffordshire are privately owned and that families would prefer to reside on privately owned sites, however, only two respondents to the survey indicated that they could afford to purchase land to develop their own site. As a consequence of the resulting need for affordable provision, the GTAA advises that funding where available should be sought by the LPA to facilitate sites on a cooperative

⁶ Paragraph: 001 Reference ID: 10-001-20140306 Planning Practice Guidance

⁷ Inequalities Experiences by Gypsy and Traveller Communities: A Review (Equalities and Human Rights Commission 2009)

basis. This would include shared ownership, or small sites owned by a local authority, but rented to an extended Gypsy or Traveller family for their own use. These options might involve the families carrying out physical development of the site (self-build) with the land owner providing the land on affordable terms.

6.11 Accordingly the LPA will categorise site’s viability as follows: -

Table 1		Land Tenure Options
Viability (Land)	Good	Shared ownership or long lease
	Moderate	Freehold but sale to Travelling Community only at equivalent agricultural land value
	Poor	Freehold for sale on open market

Table 2		Likely Development Costs (site servicing and preparation)
Viability (Site)	Good	Low
	Moderate	Moderate
	Poor	High

Green Belt

6.12 Policy CS12 is clear in not permitting Traveller sites that are in Green Belt. The LAA methodology does not categorise sites that are mainly outside of Green Belt as unsuitable, on the basis that an element of development could occur without compromising openness or the purposes of Green Belt. A similar approach can be applied to Traveller sites on the basis that provided the minimum site size can be accommodated outside of the Green Belt designation as site will not be categorised as unsuitable.

Accessibility to local services and facilities

6.13 Local⁸ and national⁹ planning policy in effect require sites to be 'reasonably' accessible to community services and facilities, in particular health services and schools. This requirement is different to that required for bricks and mortar accommodation in the Core Strategy, in that it does not rule out sites that are more than 800m from a centre where these sites are otherwise accessible to community services and facilities. The reason for this difference is to take into account the fact that the potential supply of available land for a Traveller allocation is likely to be significantly limited relative to that for bricks and mortar housing and that applying the '800m of a centre' restriction on suitability to such a limited supply, would potentially rule out sites that are in all other respects in accordance with planning policy and could make an important contribution towards addressing inequalities¹⁰ in the Travelling communities health and wellbeing.

6.14 By way of an example, sites that are within 800m walking distance of a town, district or local centre¹¹, a GP surgery and also a Primary School will clearly meet planning policy in respect of accessibility. However, other locations which are not so close could still be described as 'reasonably accessible' to a centre, services and facilities. For instance a site that is within 15 minutes travel time by bus of a centre and the same community facilities, would satisfy the planning policies relevant to Traveller sites. To ensure that suitable locations are not overlooked, any site that has moderate to good accessibility to a centre, a primary school, a GP's surgery and a secondary school will be considered to be 'reasonably accessible to community services and facilities'. Accessibility will be judged as follows: -

Table 3

Distance/Time to Community Services / Facilities			
Centre	Primary School	GP Surgery	Secondary School

⁸ CBC Local Plan: Core Strategy 2011-2031 policies CS1 and CS12

⁹ Planning Policy for Traveller Sites (August 2015) DCLG

¹⁰ Ministerial Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Traveller April 2012 and Inequalities Experienced by Gypsy and Traveller Communities: A Review 2009 by the Equalities and Human Rights Commission

¹¹ Consistent with the CBC LAA Methodology Stage 2b

Accessibility	Excellent	Destinations are all within 800m on foot.	
	Good	Destinations are within 15 minutes by foot, bicycle or public transport.	Destination within 20 minutes by foot, cycle or public transport
	Moderate	Destinations are all within 30 minutes by foot, bicycle or public transport.	
	Poor	Any one destination is over 30 minutes by foot, bicycle or public transport.	

Scope for live/work (mixed use)

6.15 National planning policy requires consideration of the extent to which a site can accommodate a business use (allowing a Traveller to live and work from home). In practice this means making a judgment as to the capacity of a site to contain a business use without causing unacceptable impacts to highway safety and the local environment (including future and neighbouring occupier's amenities)¹². This would take into account matters such as; the sensitivity of neighbouring land uses to effects such as noise from working and disturbance from traffic, local ecology, prominence to view, access and boundary treatments.

6.16 The scope for a mixed residential and business use on a site will be categorised as follows: -

Table 4		Likely Impact on Locality of a Mixed Use
Scope for Mixed Use	Excellent	No material adverse impact
	Good	Adverse impact could happen but mitigation is feasible.
	Moderate	Adverse impact likely and the feasibility of mitigation need's further investigation.
	Poor	Adverse impact is likely but mitigation is not feasible.

¹² CBC Local Plan: Core Strategy 2011-2031 policies CS2,CS8, CS9, CS12, CS18 and CS20

Site size and capacity for pitches and phasing

- 6.17 The now withdrawn (and not replaced) Government design guide for Traveller sites¹³ still sets out relevant information. The guide advised that there is no 'one-size-fits-all' pitch size. However, the guide did suggest that an average sized family pitch would be capable of containing an amenity building, a large trailer and touring caravan, parking space for two vehicles and a small garden area. The Derbyshire GTAA 2014 advises that 500sqm would accommodate the above including a static caravan and a hard standing for a storage shed and drying. As such 500sqm is to be used as a minimum pitch size.
- 6.18 In terms of site size the Derbyshire GTAA 2014 identifies a need for 2 pitches which suggests a need for one site for use by a single extended family. The withdrawn Government guide suggested a maximum site size of 15 pitches and also that smaller sites of 3-4 pitches could be successful, particularly where designed for one extended family.
- 6.19 To take account of guidance and need a minimum site size of 500sqm will be used in the land search in line with the Local Plan call for sites threshold. The ideal size of site would accommodate one extended family (catering for growth in the family over time). Such a site of 3-4 pitches would be around 2000sqm in area and would allow for a phasing over time. The shape of a site will also affect the sites ability to be phased. A maximum size is also appropriate given the need to promote peaceful co-existence between settled and travelling communities and an area of 2180sqm would be appropriate (2000sqm plus a 2m wide landscaping boundary). Where part of a larger site can be appropriately used with defensible boundaries the assessment will focus on the smaller part of the wider site.

Sites that are above the minimum size will be categorised as follows:-

¹³ Designing Gypsy and Traveller Sites: Good Practice Guide (DCLG May 2008)

Table 5		Site Size
Suitability of Site Size	Excellent	2000sqm to 2180sqm
	Good	1000sqm to 1999sqm
	Moderate	800sqm to 999sqm
	Poor	500sqm to 799sqm Or materially larger than 2180sqm

Sites will be categorised as follows in terms of phasing: -

Table 6		Ability to phase
Phasing Potential	Good	Site can be phased
	Poor	Phasing is not feasible

Utilities (Drinking water, sewerage, electricity and gas)

6.20 Local planning policy requires sites to be adequately served with drinking water and sewerage facilities, whilst national policy also requires an adequate electricity or gas supply. To determine the potential for a supply the relevant utility provider will be consulted. Constraints such as proximity to utilities, capacity of existing services, legal and ownership constraints, need for engineering solutions will be taken into account.

6.21 In the case of drinking water a private supply can be accepted with evidence. With regard to sewerage, a mains connection is not always necessary to ensure adequate servicing for a caravan site with possible alternatives of package sewage treatment plant, septic tank or cess pit. However, package treatment plants will be treated as good quality non-mains provision, whilst septic tanks and cess pits will not, given their higher potential for environmental problems.

Table 7

		Availability of Supply
Potential for a Utility / Provision	Excellent	Straightforward connection to mains readily achievable.
	Good	Connection to mains is feasible. Constraints are present but readily mitigated.
	Moderate	Connection to mains is feasible but constraints are significant and not readily mitigated; or Mains not feasible but a good quality alternative non-mains provision feasible.
	Poor	Connection to mains not feasible; or Mains not feasible and a poor quality alternative is feasible or not feasible.

Scale of a site in relation to the nearest settled community to which it relates

6.22 National planning policy requires that Traveller sites do not dominate the nearest settled community in rural and semi-rural locations. It is considered that this aspect of size is an appropriate consideration given that Chesterfield Borough has settlements surrounded by open countryside. To assess this aspect of a site a judgment is necessary on the degree to which a site would complement the character of an existing settlement in terms of scale.

6.23 For the purposes of assessment scale will be taken as the area covered by the site in relation to that of the nearest existing settlement and also the likely possible population of the site versus that of the existing settlement. Where the site would represent more than 25% of the existing nearest settlements size or population then it will be considered to have significant potential to

dominate, any final judgment also being subject to consideration of its visual prominence and visual relationship to that settlement.

Table 8		Scale in Relation to Nearest Settlement in terms of population or area
Scale of Site	Excellent	10% or less
	Good	20% or less
	Moderate	25% or less
	Poor	More than 25%

Degree to which the site might promote peaceful and integrated co-existence between the sites occupiers and the local community

6.24 The national policy for traveller sites requires consideration of the degree to which a site might promote peaceful co-existence between the sites occupiers and the local community but the Government has provided little in the way of guidance as to how such a matter might be assessed. What is clear from relevant research is that it is not merely a matter of a site's physical characteristics that influences community cohesion. Nevertheless the following are proposed as important factors in terms of site assessment, for peaceful co-existence: -

- Small size of site for one extended family
- Site located to give privacy to existing and future occupiers but still readily accessible to community services and facilities especially schools
- Site not adjoining communal land uses or open spaces such as play areas or football pitches unless possible issues such as opportunity for encroachment, vulnerability to antisocial behavior, opportunity for visitors to camp outside the site and community fear have the potential to be mitigated.
- Private non-shared access which isn't used by pedestrians
- A location and site boundary that means the site is inconspicuous or blends in with the character of the locality

6.25 Whilst the above can be taken into account for each site assessed another aspect of reducing community tension is an early effective approach taken by the Council to stakeholder, public and Traveller consultation when looking to find a suitable site and make a decision on allocation. The process of consultation will be set out in a separate document.

6.26 The degree to which a site is likely to promote peaceful co-existence will be subject to an analysis via a commentary and on this basis a category of excellent, good, moderate or poor will be given.

7 Consultees

7.1 The approach to site search and assessment requires full public and stakeholder consultation as part of a new draft Local Plan. However, an initial internal consultation process is appropriate in order that any sites with fundamental problems be identified early so as to minimise the likely public controversy. The following are considered to be appropriate internal consultees. The only exception to this internal list would be the Highway Authority, whose view would also be sought at an early stage and other neighbouring planning authority teams where cross boundary issues might arise.

- Asset Management
- Community Safety
- Corporate Policy Team
- Drainage (Engineering Services)
- Development Management (inc Conservation, TPO's and Urban Design)
- Environmental Protection
- Housing
- Legal Services
- Leisure Services
- Private Sector Housing (Site Licensing)

Sites Rejected at Stage 1 of the LAA

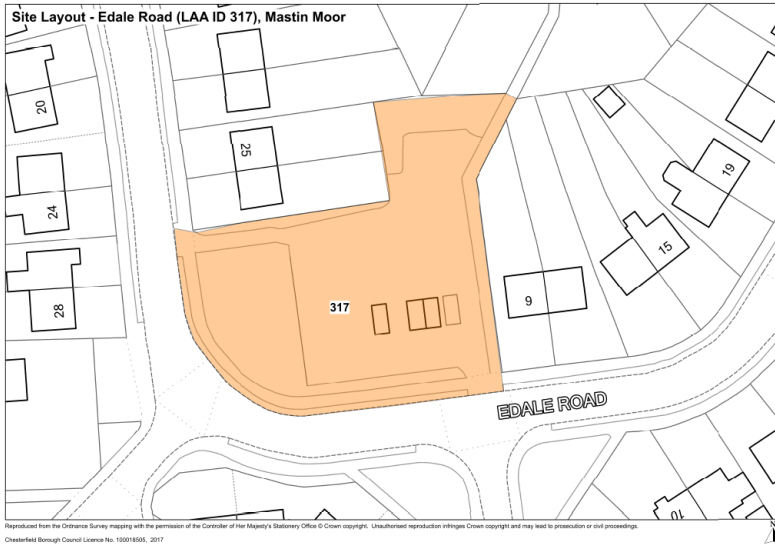
Site Address	Reason
Brooks Road (North)(Land off), Barrow Hill	Unavailable. To be retained by CBC Housing.
Brocklehurst Piece, Brampton	Unavailable. To be retained by CBC Housing.
Traffic Terrace, Barrow Hill	Unavailable. To be retained by CBC Housing.
Vernon Road, Brampton	Unavailable. CBC Housing are in the later stages of a sale of the site.
Cross Street, Brimington	Too Small.
John Street, Brimington	Too Small.
Newbridge Lane, Brimington	Unavailable. To be retained by CBC Housing.
Wikeley Way, Brimington	Too Small.
Calow Lane, Hasland	Unavailable. To be retained by CBC Housing.
Bradshaw Road, Inkersall	Unavailable. CBC Housing are in the later stages of a sale of the site. Too small.
Sidlaw Close, Loundsley Green	Too Small.
Dunston Lane, Newbold	Unavailable. To be retained by CBC Housing.
Sanforth Street, Newbold	Unavailable. To be retained by CBC Housing.

Poolsbrook View, Poolsbrook	Unavailable. To be retained by CBC Housing.
Cottage Close, Poolsbrook	Unavailable. To be retained by CBC Housing.
Belmont Drive, Staveley	Too Small.
Ireland Street, Staveley	Too Small. (now sold)
Middlecroft Road (South), Staveley	Unavailable. To be retained by CBC Housing.
Roecar Close, Old Whittington	Too Small.
Newbridge Street, Old Whittington	Too Small. (now sold)
Hardwick Street, Stonegravels	Too Small. (now sold)
Catherine Street Bank Street Chesterfield	Unavailable. CBC Housing intend to redevelop for housing.

Sites Rejected at Stage 2a of the LAA

**LAA Site
reference: 317**

Site Name: Edale Road, Mastin Moor



Reason for rejection:

The site is very prominent, located near the centre of the settlement and boundary treatments to achieve privacy and security are likely to be out of character with the streetscene, making the site visually conspicuous and thus likely to cause a significant problem with regard to promoting peaceful co-existence.

**LAA Site
reference: 335**

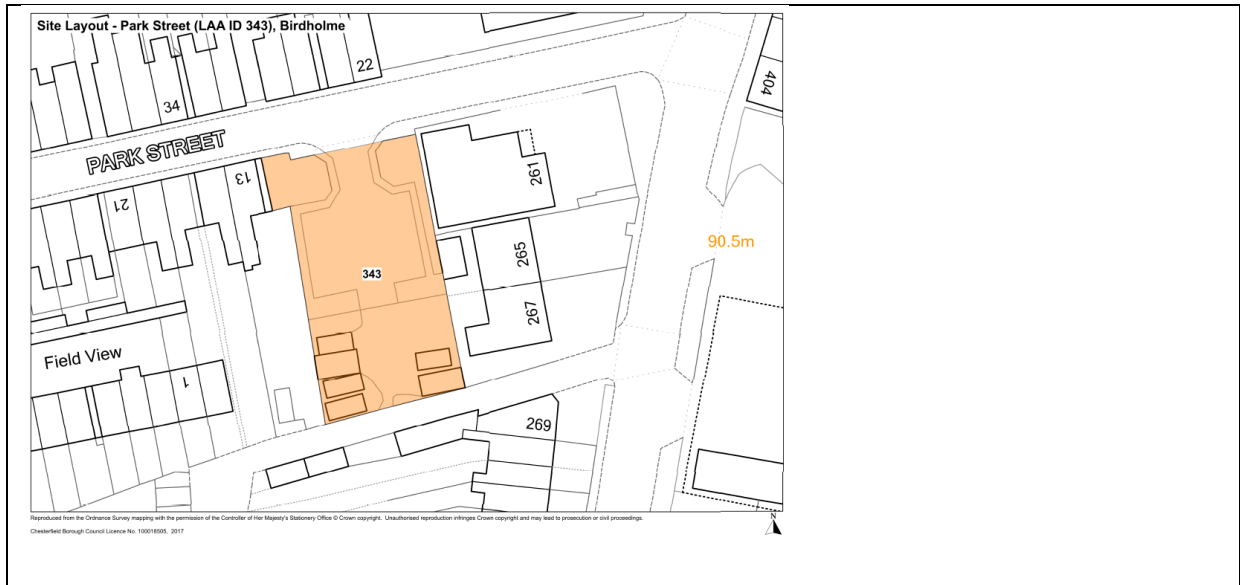
Site Name: Ringwood Avenue



Reason for rejection:

The sites access is located where two footpaths meet the highway footway with the potential for conflict between pedestrians and vehicles. There is significant potential for overlooking given the elevated position of some neighbouring dwellings. The two footpaths which adjoin two sides of the site have the potential to make the site feel insecure and give rise to the potential for antisocial behaviour and a significant problem with regard to promoting peaceful co-existence.

<p>LAA Site reference: 343</p>	<p>Site Name: Park Street, Birdholme</p>
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Reason for rejection:

The site is served by a narrow street with prevalent on-street parking and this is likely to be a significant problem for vehicles with trailers/caravans. The site is overlooked by dwellings to the east to a degree that is significant and unmitigable.

<p>LAA Site reference: 347</p>	<p>Site Name: Foljambe Road, Brimington</p>
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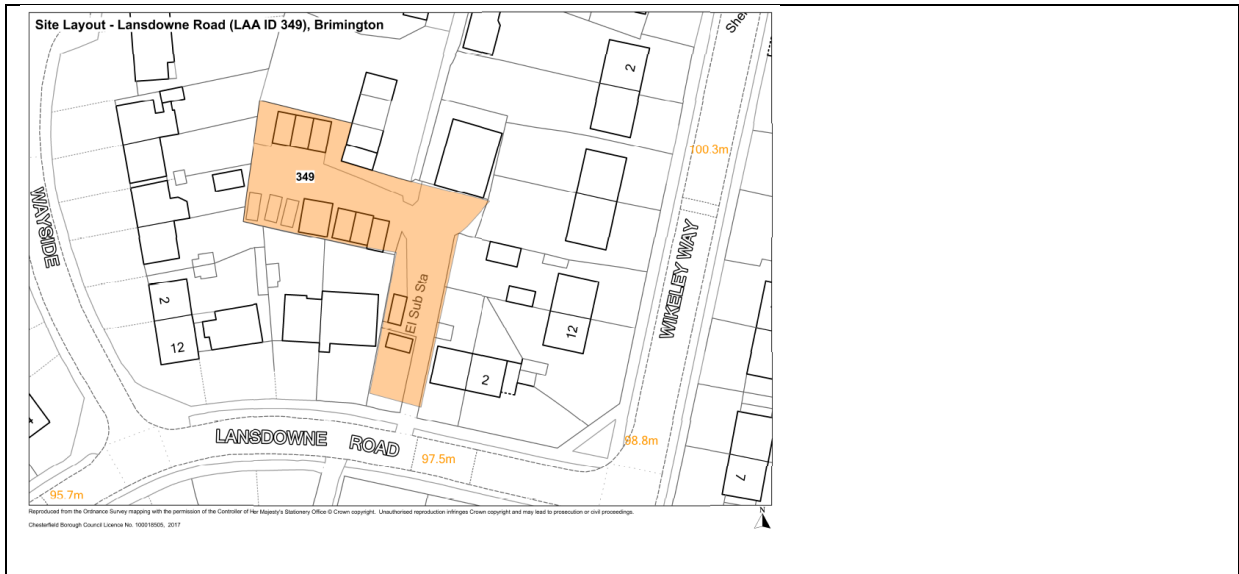


Reason for rejection:

The site served by a narrow street that has substandard pedestrian provision. The narrow street, small site size, gradients onto the site and the shape of the site are likely to pose a significant problem for access and manoeuvring vehicles with trailers/caravans. The site is overlooked to a significant and unmitigable degree by dwellings to the north.

LAA Site reference: 349

Site Name: Lansdowne Road, Brimington



Reason for rejection:

The sites access off the highway is narrowed by an electricity substation and it has poor highway and pedestrian inter-visibility to the east. The sites size and shape are likely to cause significant problems for manoeuvring vehicles with trailers/caravans. The site is overlooked to a significant and unmitigable degree by dwellings to the south and west.

LAA Site reference: 350

Site Name: Manor Drive, Brimington

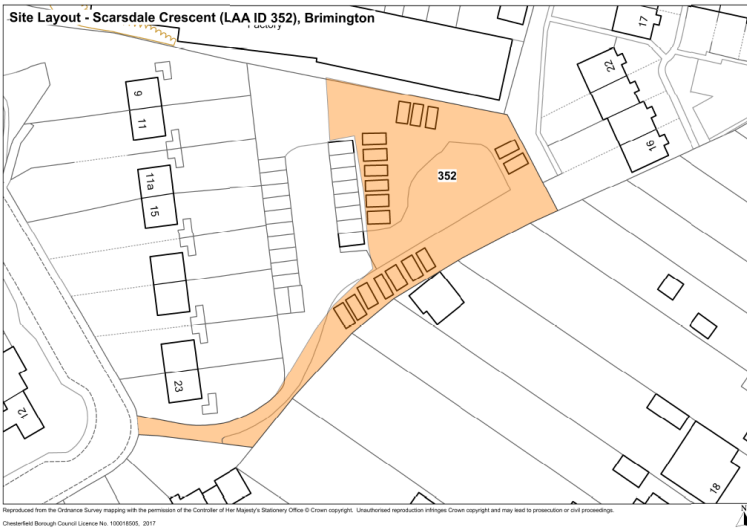


Reason for rejection:

The site access is narrow and is shared by two other dwellings. There is potential for poor highway and pedestrian inter-visibility should boundary treatments be altered on third party land. The site is overlooked by a first floor habitable room window on an adjoining property to a degree that is unlikely to be mitigable.

LAA Site reference: 352

Site Name: Scarsdale Crescent, Brimington

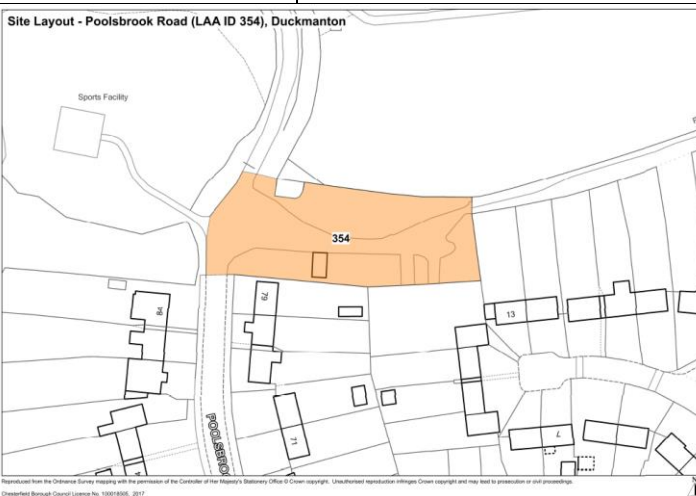


Reason for rejection:

Highways Safety and Vehicular access - The site access has poor pedestrian inter-visibility and there is little scope to improve this without third party land. Development would represent an intensification of vehicular activity over the existing situation with the site being clearly disused.

LAA Site reference: 354

Site Name: Poolsbrook Road, Duckmanton

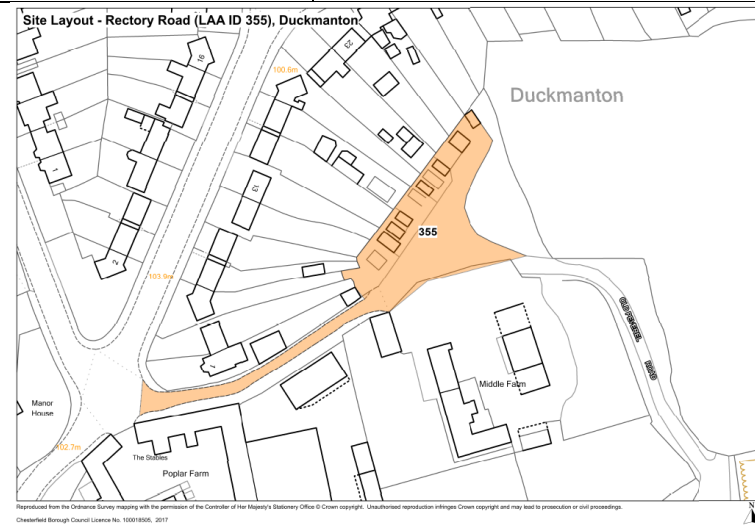


Reason for rejection:

The sites access is shared by a public right of way and an access to a play area and would give rise to conflict with vehicles. The proximity of the site to the play area and the shared nature of the site access has the potential for significant problems with regard to privacy, security and promoting peaceful co-existence. Leisure Services object to a Gypsy or Traveller use.

LAA Site reference: 355

Site Name: Rectory Road, Duckmanton

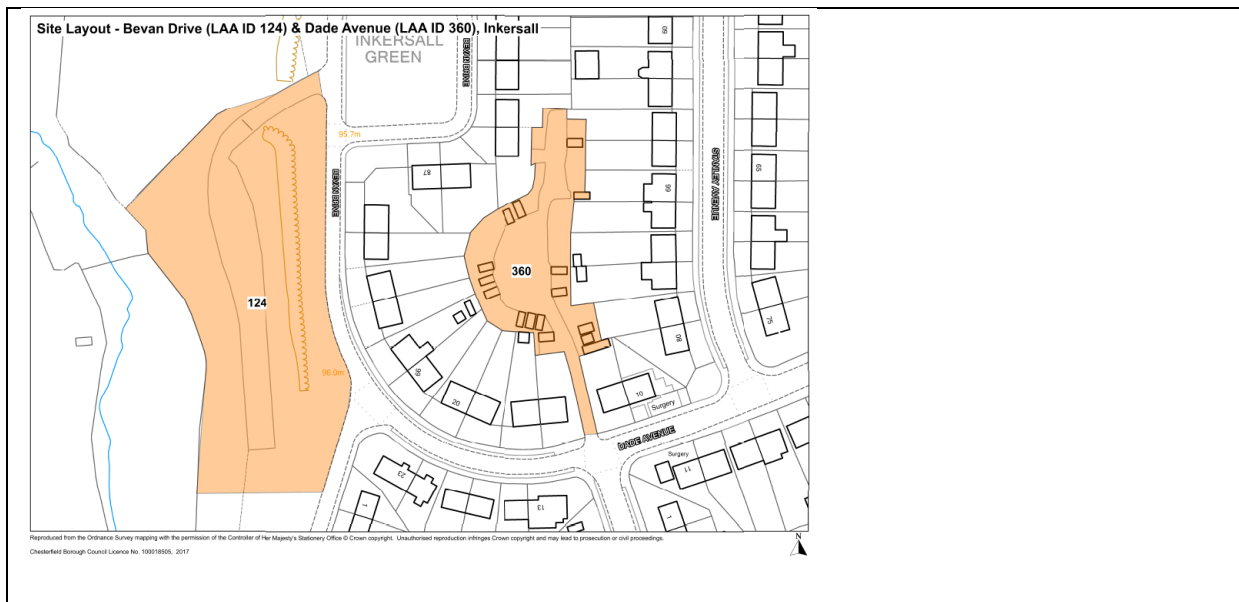


Reason for rejection:

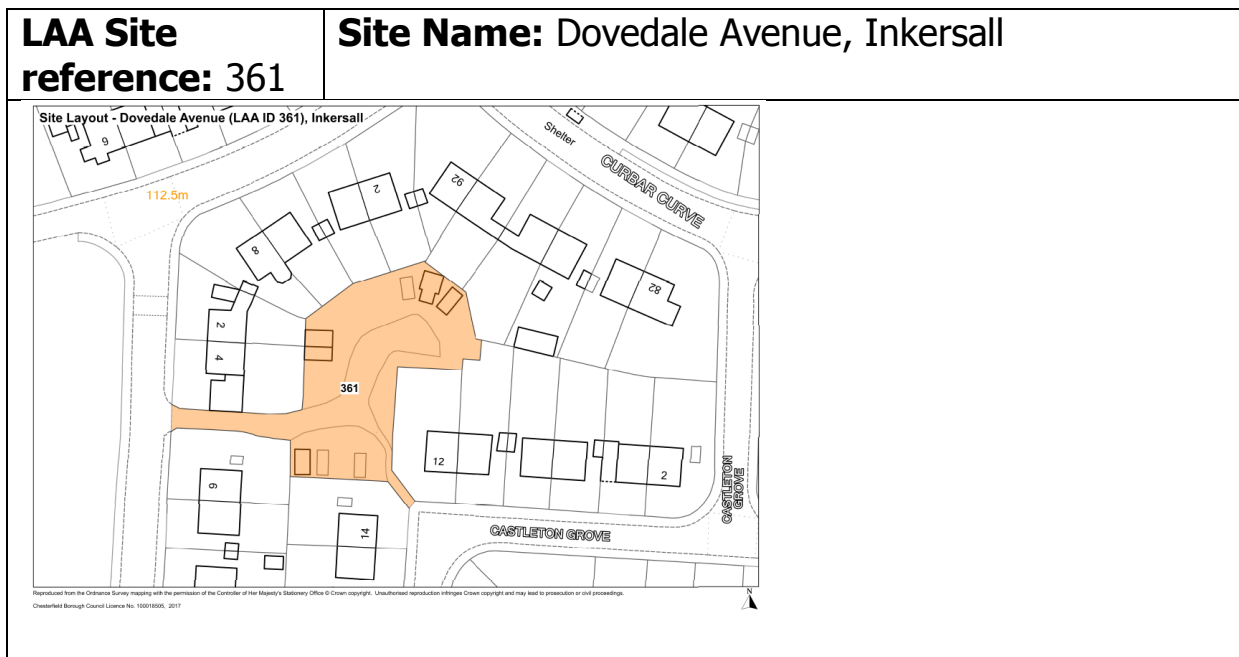
The site access is wide but narrows and is shared with Middle Farm and an informal footpath route that links to Right of Way network. The shared nature of the access is likely to pose significant problems with regard to privacy, security and promoting peaceful co-existence.

LAA Site reference: 360

Site Name: Dade Avenue, Inkersall



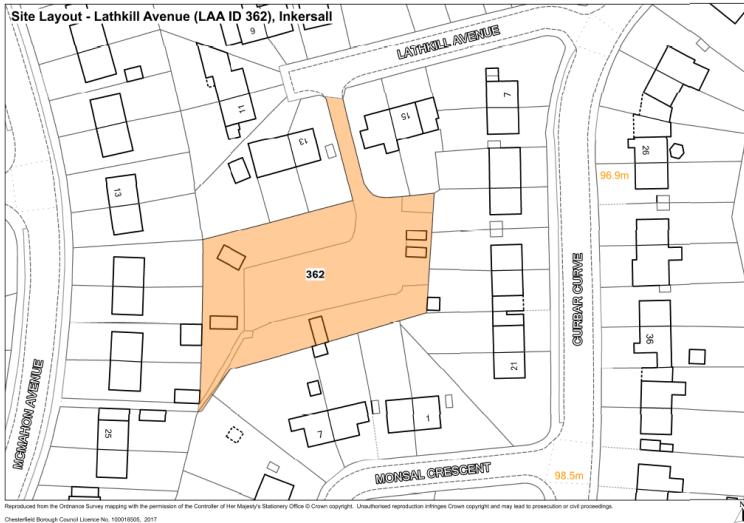
Reason for rejection:
 Site has a narrow access with poor pedestrian inter-visibility and third party land would be required for improvements. Housing object as they opine that the site is overlooked on all sides.



Reason for rejection:
 Site access is narrow and has poor highway and pedestrian inter-visibility with third party land necessary for improvements. The site is significantly overlooked to an unmitigable degree.

LAA Site reference: 362

Site Name: Lathkill Avenue, Inkersall

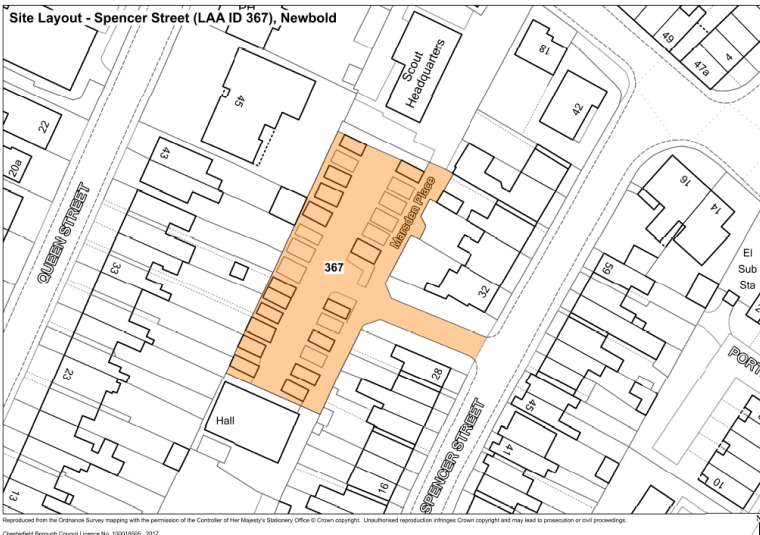


Reason for rejection:

Site access is narrow with poor highway inter-visibility requiring third party land to improve. Site feels significantly overlooked and mitigation is unlikely to be feasible due to elevated position of overlooking dwellings and the small size of site.

LAA Site reference: 367

Site Name: Spencer Street, Newbold



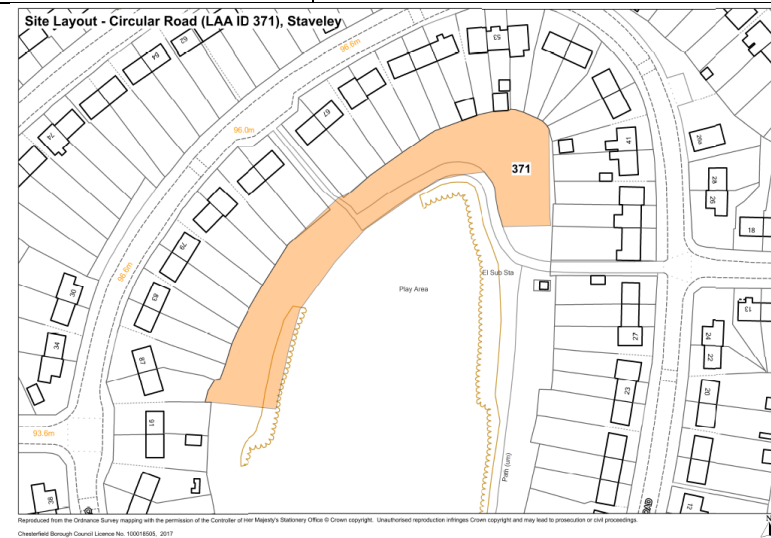
Reason for rejection:

Site access width is narrow due to off-street parking. Nearby community use shares an access with the site and has the potential to generate access and parking issues. A footpath crosses the site access. The site access situation has potential to cause disputes and a significant

problem with regard to promoting peaceful co-existence. Site is overlooked to a significant and unmitigable degree.

LAA Site reference: 371

Site Name: Circular Road, Staveley



Reason for rejection:

Site access has poor highway and pedestrian inter-visibility, is narrow and steep and shared with public access to public open space. There is a significant potential for a highway/access safety issue. Site adjoins play area and public open space and privacy and security is likely to be difficult to achieve. The relationship with public open space is such that a significant problem with regard to promoting peaceful co-existence is likely. The fear of encroachment or expansion is also likely to cause a problem with regard to the promotion of a peaceful co-existence. Housing object as no current intention to dispose and an aim to return to open space. Leisure Services object due to impact on open space and restricted access to play area.

**LAA Site
reference: 372**

Site Name: Franklyn Drive, Staveley

Site Layout - Franklyn Drive (LAA ID 372), Staveley

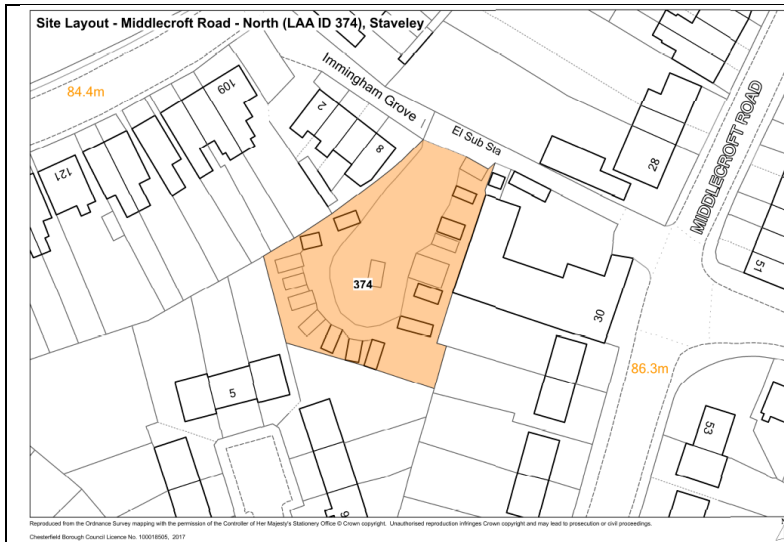


Reason for rejection:

The sites size is likely to be a significant problem for parking and manoeuvring. The site access is also used as pedestrian access to public open space (a play area) and a significant problem with regard to promoting peaceful co-existence is likely.

**LAA Site
reference: 374**

Site Name: Middlecroft Road (North), Staveley

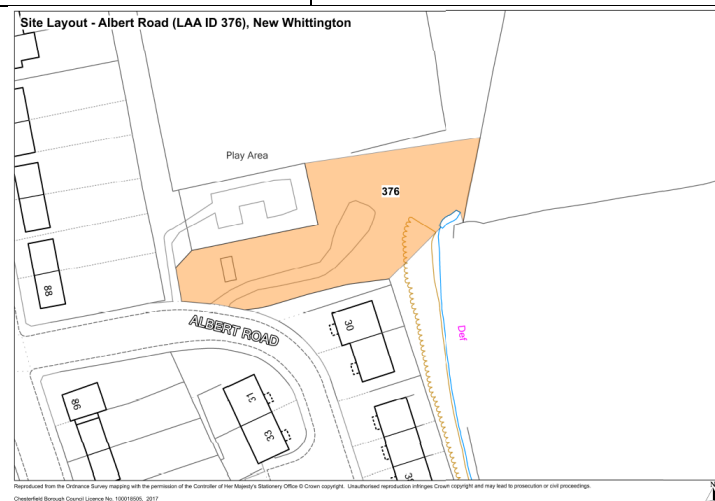


Reason for rejection:

Highways Safety, Vehicular Access, Surface Water Flooding and Amenity - Site has a narrow access with poor highway visibility and pedestrian inter-visibility to the north. The site is significantly overshadowed by trees and a building to the east to the extent that amenity levels are likely to be poor. Housing object as they opine that the site is overlooked on all sides.

LAA Site reference: 376

Site Name: Albert Road, New Whittington



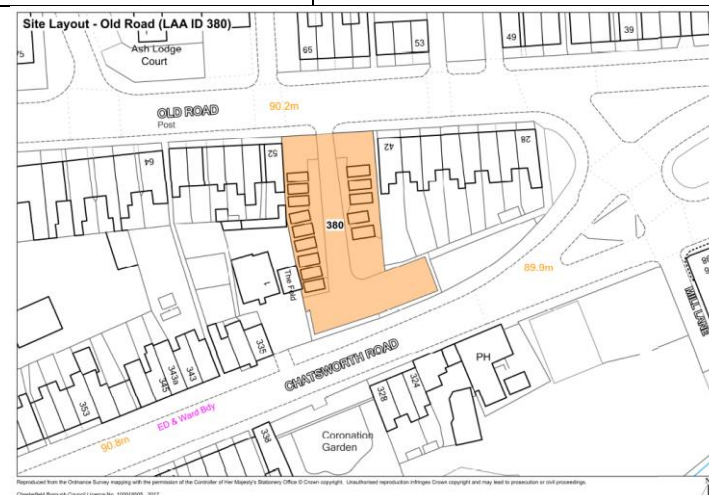
Reason for rejection:

Vehicular Access, Parking and Turning, Surface Water Flooding and Amenity - Site access visibility and width is limited albeit could be improved. However, access is shared with public access to a play area with the potential for pedestrian safety issues. The site shape limits manoeuvring space. Ensuring adequate privacy and security would be problematic given the proximity to public open space. The proximity to a

public open space and shared nature of the access is likely to give rise to significant problems with regard to privacy, security and promoting peaceful co-existence. The fear of encroachment or expansion is also likely to cause a problem with regard to the promotion of a peaceful co-existence.

LAA Site reference: 380

Site Name: Old Road



Reason for rejection:

The site access has highway inter-visibility constrained by on-street parking. The site is adjacent to Chatsurface waterorth Road and likely to be subject to significant noise pollution and air pollution.

