

## **North East Derbyshire Local Plan Examination**

Inspector - Mrs S Housden BA (Hons) BPI MRTPI  
Programme Officer – Louise St John Howe  
[programme.officer@ne-derbyshire.gov.uk](mailto:programme.officer@ne-derbyshire.gov.uk)

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### **EXAMINATION CONSULTATION – PROVISION FOR GYPSIES AND TRAVELLERS**

#### **MATTERS, ISSUES AND QUESTIONS (MIQs)**

**These Matters, Issues and Questions should be read in conjunction with the Inspector’s Briefing Note at the end of the document. The Briefing Note outlines how to respond to the questions and the arrangements for the Examination hearing sessions.**

References in brackets are to the document references in the Evidence Base which can be found on the Examination web site <http://www.ne-derbyshire.gov.uk/index.php/local-plan-examination>. If you do not have access to the internet please contact the Programme Officer using the contact details provided above so that alternative arrangements can be made. The documents referred to in these questions are as follows:

- Gypsy and Traveller Accommodation Assessment (GTAA) Position Statement (2014) (EB-G&T1a)
- Gypsy and Traveller Accommodation Assessment Final Report (2015) (EB-G&T1b)
- Gypsy and Traveller Topic Paper (May 2018) (EB-G&T2)
- Updated Addendum to the Gypsy and Traveller Topic Paper (December 2018) (ED44d)
- Sustainability Appraisal of the Gypsy and Traveller Sites Assessments (EB44b)
- Landscape Appraisal Technical Note (ED44c) for Site GT/09 Temperance Hill, Woolley Moor

**Main Matter 15 – Whether or not the plan would make appropriate provision for gypsy and traveller accommodation over the plan period having regard to the evidence of need and proposed sites?**

Issue – Whether the plan is based on a robust assessment of need for gypsies and travellers

Context –The Gypsy and Traveller Accommodation Assessment (GTAA) (EB-G&T1b) identifies a need for 15 additional residential pitches over the plan period from 2014 to 2034 in North East Derbyshire District, 6 of which would be required within the 5 year period from 2014 to 2019.

- 1 Has the Council complied with the duty to co operate in respect of the assessment of need and provision of sites for gypsies and travellers? How has that co operation been undertaken and what outcomes have resulted from that process?
- 2 Is the assessment methodology in the GTAA robustly based and in line with national policy as set out in the Planning Policy for Traveller Sites (2015) (PPTS)? Does the PPTS have any implications for the assessment and would the definition of gypsies, travellers and travelling showpeople in the PPTS<sup>1</sup> have any implications for the level of need identified?
- 3 Does the GTAA appropriately identify the level of need for different types of accommodation in the plan area including permanent residential sites, transit sites and emergency stop over sites and for different types of tenure on residential sites?
- 4 Does the GTAA identify any need for travelling showpeople’s accommodation within the District?
- 5 Is any further joint assessment of the need for gypsy, traveller and travelling showpeople’s accommodation with other adjoining local planning authorities necessary and are there any firm proposals to undertake this work?
- 6 How would the needs of the wider community who reside in caravans or houseboats including people who are no longer classified as gypsies, travellers and travelling showpeople be identified and addressed?
- 7 In assessing the level of need, has appropriate account been taken of:
  - Overcrowding on existing sites;
  - Newly forming households;
  - Future household formation from families moving out of bricks and mortar accommodation.

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<sup>1</sup> ‘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’.

- 8 Have the affordable housing needs of gypsies and travellers been assessed as part of the mix of affordable housing provision? How would this need be identified and addressed?
- 9 Does the GTAA address the qualitative as well as quantitative need for additional pitches including in terms of site location, site size, access to services and facilities and site facilities?
- 10 Do the 5 authorised sites in the District referred to in the Gypsy and Traveller Topic Paper (EB – G&T2) (paragraph 3.13) have a permanent planning permission? In addition, are any of the permissions personal to the occupants and if so, can the Council please provide the necessary details?
- 11 Are any improvements to facilities and services on any of the existing authorised sites necessary and which policies in the plan would be used to assess such proposals?

*Issue – Whether or not the proposed sites identified for gypsy and traveller accommodation would be soundly based in terms of their location and site specific impacts*

Note: The four proposed sites are set out in the Updated Addendum to the Gypsy and Traveller Topic Paper (ED44d) and the Gypsy and Traveller Site Assessments (ED44b).

- 12 Is the site selection process soundly based and has it been informed by the consideration of relevant factors including site location, access to services and facilities, site size and other relevant constraints? How were the assessment criteria modified compared with those used in the assessment of general housing sites and is the approach justified?
- 13 Has the site selection process been informed by Sustainability Appraisal and is it clear how this has informed the identification of the sites proposed for gypsy and traveller accommodation?

Site CAL/2301T – The Old Potato Store, Dark Lane, Calow (2 pitches)

- 14 Would the proposed allocation be justified and appropriate in terms of its location including access to services and facilities and the size of the site?
- 15 Can a satisfactory form of development be achieved having regard to:
  - The local environment;
  - Connections to utility services including water, electricity, gas and drainage;
  - Access onto the local highway network;
  - Adjoining uses; and
  - Air and water quality, noise pollution, land stability and flood risk.
- 16 Is the proposed allocation deliverable within the plan period and has it been confirmed by the landowner as being available for the use proposed?

- 17 Are any additional measures or safeguards necessary to achieve an acceptable form of development?
- 18 What would the 'spare capacity' of the site be in terms of pitch numbers and how would any future proposals be assessed?

Site NW/2301T – Dark Lane, North Wingfield

- 19 Is the proposed allocation justified and appropriate in terms of its location?
- 20 Can a satisfactory form of development be achieved having regard to:
  - The local environment;
  - Connections to utility services including water, electricity, gas and drainage;
  - Access onto the local highway network;
  - Adjoining uses; and
  - Air and water quality, noise pollution, land stability and flood risk.
- 21 Is the proposed allocation deliverable within the plan period and has it been confirmed by the landowner as being available for the use proposed?
- 22 Are any additional measures or safeguards necessary to achieve an acceptable form of development?
- 23 What would the 'spare capacity' of the site be in terms of pitch numbers and how would any future proposals be assessed?

Site GT/06 – Greenway, Wingerworth

- 24 Would the proposed allocation be justified and appropriate in terms of its location including access to services and facilities and the site size?
- 25 Can a satisfactory form of development be achieved having regard to:
  - The local environment;
  - Connections to utility services including water, electricity, gas and drainage;
  - Access - can a suitable and safe access onto the A61 be achieved and is this supported by relevant evidence?
  - Adjoining uses; and
  - Air and water quality, noise pollution, land stability and flood risk.
- 26 Is the proposed allocation deliverable within the plan period and has it been confirmed by the landowner as being available for the use proposed?
- 27 Are any additional measures or safeguards necessary to achieve an acceptable form of development?

Site GT/09 – Temperance Hill, Woolley Moor

Note: the Landscape Appraisal (ED44C) relates to this site

- 28 Would the proposed allocation be justified and appropriate in terms of its location including access to services and facilities and the site size?
- 29 Can a satisfactory form of development be achieved having regard to:
- The local environment including the impact on landscape quality;
  - Connections to utility services including water, electricity, gas and drainage;
  - Access onto the local highway network;
  - Adjoining uses; and
  - Air and water quality, noise pollution, land stability and flood risk.
- 30 Is the proposed allocation deliverable within the plan period and has it been confirmed by the landowner as being available for the use proposed?
- 31 Are any additional measures or safeguards necessary to achieve an acceptable form of development?

*Issue – Whether or not the approach to assessing other proposals for gypsy, traveller and travelling showpeople’s accommodation would be soundly based and five year supply*

- 32 Does Policy LC8 set out appropriate and clear criteria for the assessment of planning applications for other gypsy, traveller and travelling showpeople’s sites that may come forward during the plan period? In particular:
- How would proposals for gypsy, traveller and travelling showpeople’s sites within settlement development limits be assessed?
  - Criteria 3 of the policy states that *‘In the case that the provision of traveller sites has achieved the level recommended by the Gypsy and Traveller Accommodation Assessment, or the proposal is for a site of more than 5 pitches, then sufficient need will have to be demonstrated through an independent assessment’*. Is that approach justified and would it be consistent with national policy?
- 33 Will a five year supply of specific developable sites for gypsies and travellers be provided on adoption of the plan together with a supply of specific, developable<sup>2</sup> sites for years 6 to 10? How would any shortfall be addressed?

*Sarah Housden*

INSPECTOR

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<sup>2</sup> As defined in the PPTS – to be considered developable, sites should be in a suitable location for traveller site development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.