



Newark & Sherwood Local Development Framework

**'Planning to meet the needs of Gypsy and Traveller
communities'**

Gypsy & Traveller Development Plan Document

Preferred Strategy

February 2015

Document Passport

Title: Newark & Sherwood Gypsy & Traveller Development Plan Document – Preferred Strategy

Status: Consultation Document

Summary: This Gypsy & Traveller Development Plan Document (DPD) Preferred Strategy sets out the District Council's proposals for assessing pitch and plot need in the short, medium and long term and a strategy for addressing it.

It sets out an assessment of current and projection of future need and explains the ways in which these have been calculated. The document then sets out strategies for the location of future pitch provision, pitch size and definition and future development on Tolney Lane. Consultation responses to this document will be used to develop a Preferred Approach DPD.

As a DPD the final document will form a continuation of the policies contained within the adopted Core Strategy. When adopted, it will become part of the Council's Local Development Framework and as such will be a material consideration in the determination of planning applications and appeals.

Consultation Summary: The consultation will seek views from the travelling community, site owners, residents of the district, Town and Parish Councils, and other interested stakeholders.

Date of Approval for Consultation: 21st January 2015

Route of Approval for Consultation: Economic Development Committee 21st January 2015

Proposed Consultation period: 23rd February 2015 to Friday 6th April 2015

Copies are to be deposited at Kelham Hall (open between 8.30 a.m. and 5.15 p.m. Monday to Thursday and 8.30 a.m. to 4.45 p.m. on Friday), the District's libraries and the Council's website: www.newark-sherwooddc.gov.uk/consultation/

After the consultation: The District Council will consider the responses made to this document and, taking these into account, prepare a Preferred Approach Newark & Sherwood Gypsy & Traveller Development Plan Document which will be reported to the Economic Development Committee to approve for public consultation in September/October 2015

Estimated Date of Final Adoption: October 2016

Planning Policy Business Unit
Newark & Sherwood District Council
Kelham Hall
Newark
Nottinghamshire NG23 5QX

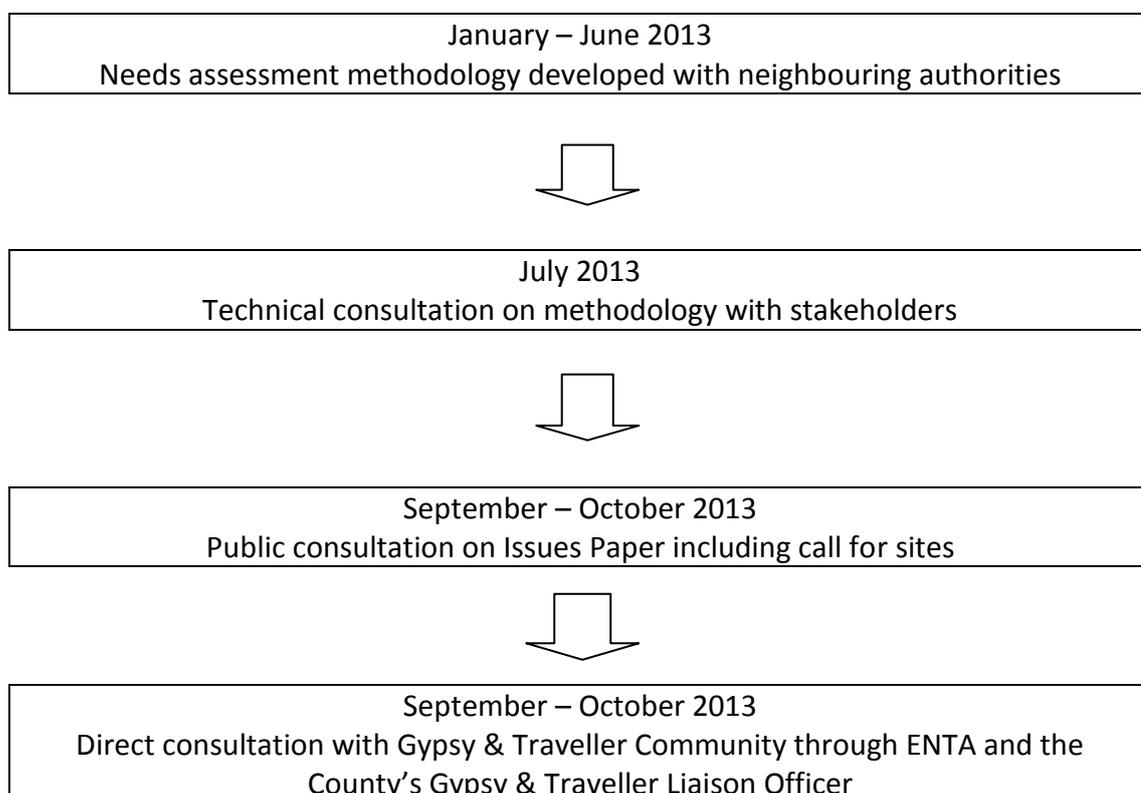
1.0 Introduction

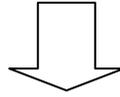
- 1.1 Newark & Sherwood has a long historical connection with the Travelling Community, in particular the many Gypsies and Travellers living throughout the district, mainly in Newark but also in the Ollerton & Boughton area. The last census showed Newark & Sherwood to contain the highest number of Gypsy and Traveller residents in Nottinghamshire. Whilst not as historically associated with this district, Travelling Showmen also form part of the Travelling Community. Previous consultation has not resulted in any responses from Showmen or their representatives that indicate a need for accommodation within the district and consequently a separate assessment of need has not been carried out. This will be reviewed in light of consultation responses to this document. In planning for the future needs of the district as a whole it is therefore necessary to consider the needs of the Travelling Community alongside those of the settled community.
- 1.2 The need to plan for the housing requirements of the whole district is in line with Government guidance contained in the National Planning Policy Framework (NPPF) and its companion document 'Planning Policy for Traveller Sites'. This states that the Government's overarching aim is to ensure fair and equal treatment for Travellers, which includes Gypsies, Travellers and Travelling Showpeople, in a way that facilitates their traditional and nomadic way of life whilst respecting the interests of the settled community. The Government carried out a consultation on a range of gypsy related planning issues towards the end of 2014. If this results in any changes to Government Policy they will be reflected in future stages of this documents preparation.

2.0 Background

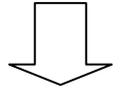
- 2.1 The District Council embarked on the production of a replacement for the Newark & Sherwood Local Plan in 2005. So far, this Local Development Framework (LDF) comprises a Core Strategy (Adopted in March 2011) and an Allocations and Development Management DPD (Adopted in July 2013) Collectively, these set out planning policy and allocations for the district up until 2026. However, for Gypsies and Travellers this only set the pitch requirements to the end of 2012.
- 2.2 The Core Strategy sets out the strategic approach to Traveller provision that has been taken so far. It took its lead from the East Midlands Regional Plan, which was informed by the 2007 Nottinghamshire Gypsy and Traveller Accommodation Needs Assessment carried out by Tribal Consultants to arrive at a requirement for the provision of 84 additional pitches in between 2007 and 2012.
- 2.2 Core Policy 4 of the Core Strategy committed to the provision of these pitches including where necessary, through the allocation of sites. It advocated a split of 78% of the pitches to the Newark Urban Area and 22% to Ollerton & Boughton based on the proportional population sizes of these settlements and the preferences of the Gypsy and Traveller community at that time.

- 2.3 The East Midlands Regional Plan did not identify any plot requirements for Travelling Showpeople and consequently no separate provision was made.
- 2.4 Core Policy 5 of the Core Strategy sets out the criteria for considering the allocation of individual sites and planning applications that are made on other sites for Gypsies, Travellers and Travelling Showpeople.
- 2.5 The identification and allocation of sites for all types of development took place through the Allocations and Development Management Development Plan Document that was produced during 2011/12. In establishing the need for allocations at that time it transpired that the pitch requirements of the Core Strategy had already been exceeded by the granting of planning permissions on non allocated sites. A total of 93 pitches had been provided against the Core Strategy requirement of 84 and there was therefore no need to allocate sites at that time.
- 2.6 In recognition that there was a need to plan ahead to 2026 in line with housing for the settled community, and maintain a 5 year supply of pitches, work began on the production of a separate Gypsy and Traveller DPD following the adoption of the Allocations and Development Management DPD in July 2013.
- 2.7 As the East Midlands Regional Plan that set the previous policy approach and pitch requirements had been cancelled it was necessary to prepare local policies according to Government Guidance. The Government require us to provide for Travellers in the same way as the settled community by maintaining a 5 year supply of specific deliverable sites, together with broad locations for growth within 6-10 years and, where possible 11-15 years as well. The process to date is set out in the illustration below.





September 2013
Stakeholder consultation event at Kelham Hall



2014
Consideration of responses to Issues Paper and formulation of Preferred Strategy

PART A

3.0 Pitch Requirement and Provision

- 3.1 As the Tribal Nottinghamshire Gypsy and Traveller Accommodation Needs Assessment that informed the Core Strategy is now some seven years old, it has been necessary to carry out new research into need to provide the foundation for the next stage of assessment and provision. Some of the information within the Tribal assessment, such the formulas for converting population into households and numbers of caravans in households are however still considered relevant and consequently have been used. This consultation presents the opportunity for comment on these as well.
- 3.2 In the months leading up to consultation on the Issues Paper we worked with neighbouring Nottinghamshire Authorities to establish a methodology for assessing current and future need and in doing so contributed to the Duty to Cooperate. Whilst the introduction of the Government’s Planning Policy for Traveller Sites re-stated the need for Councils to assess the accommodation needs of members of the Gypsy and Traveller and Travelling Showpeople population, it did not include any requirement to follow specific national guidance on how to do this. Nonetheless, we have adopted an approach that took account of the previous guidance and present good practice.
- 3.3 This approach was tested through a technical consultation with key stakeholders, local community representatives, known interested parties and agents in July 2013. A summary of the response to this consultation is contained in Evidence Base Document 1. The resulting methodology has been, or will be adopted by all participating authorities at different points in time according to the timescales of their plan making processes. Within Newark & Sherwood, the methodology was subject to wider public consultation through the Issues Paper consultation described above. Amendments have been made both in response to comments received and as a result of applying the methodology in practice. The Consultation Report on the Issues Paper is contained in Evidence Base Document 2.
- 3.4 The methodologies take a supply versus demand approach to assess new pitch requirements. To arrive at figures for pitch requirements, both supply and need are

assessed by what information was known as of the 31st March 2013. The full Gypsy & Traveller Accommodation Assessment (GTAA) is contained within Evidence Base Documents 3a-3c. This includes a commentary which explains where data has been drawn from and how each stage has been calculated. If you have comments on the GTAA itself please include them in in your response to Question 1.

- 3.5 Information gathering to gain the data to calculate current and future need was carried out in accordance with the approach set out in the Issues Paper wherever possible. In the west of the district, the County’s Gypsy & Traveller Liaison Officer carried out one to one interviews with owners and occupiers of sites and achieved a high level of response. The East Nottinghamshire Travellers Association (ENTA) undertook the same exercise in the east of the district but reported that the community were not interested in engaging in consultation and consequently no data was returned. In light of this, and with ENTA’s agreement, data from the west of the district has been extrapolated and other sources used. Some responses to the Issues paper called for wider and more intensive research into need. Whilst the Council do not dispute this and wishes to engage as widely as possible it can only be achieved through willing participation and consequently in order to progress the DPD the Council considers it has to progress on the above basis. We recognise that due to the passage of time since consultation on the Issues Paper in October 2013 there may now be renewed interest or newly interested parties whose involvement we would now welcome.
- 3.6 Whilst the regional section of the Showmen’s Guild of Great Britain expressed an interest in being involved with the process at an early stage, there has been no further response and there have been no consultation responses from Showmen or their representatives to date. Consequently, we do not propose to carry out a separate assessment of need and if there are no responses to this consultation to the contrary, we do not propose to make any separate site provision.
- 3.7 In terms of need, the findings of the GTAA can be summarised as follows:

Time period	Pitch requirement	Method of delivery
2013-2018	25 pitches	Planning permission granted for 4 permanent and 25 temporary pitches. Allocations required to provide a minimum of 21 permanent pitches by 2018.
2018-2023	28 pitches	Provision of sites, including allocations where necessary, in and around settlements central to delivering the Spatial Strategy and in Other Villages in accordance with the relevant policies.
2023-2028	31 pitches	Provision of sites, including allocations where necessary, in and around settlements central to delivering the Spatial Strategy and in Other Villages in accordance with the relevant policies.

- 3.8 The pitch requirements for 2018 onwards are partly based on national population growth estimates and so may be subject to revision.

Preferred Strategy 1

The Council calculate there will be a need for 21 pitches by the end of September 2018 and propose to identify suitable sites to accommodate these.

Question 1

Do you agree with the Councils assessment of need and approach to providing for it?

4.0 Location of Future Pitch Provision

- 4.1 Core Policy 4 of the Core Strategy states that future pitch provision will be provided largely in and around Newark Urban area and Ollerton & Boughton areas on a scale proportionate to the population size of the settlements, 78% to the Newark Urban Area and 22% to Ollerton & Boughton. This approach has largely been reflected in pitch provision up to 2012 however the balance of pitch provision has been higher in percentage terms in Ollerton & Boughton than envisaged in the Core Strategy.
- 4.2 Calls for sites in the earlier stages of preparation of the DPD showed that there are unlikely to be sufficient sites in these two areas to cater for future need. Consultation responses from both the Gypsy and Traveller and settled community also showed that provision in other parts of the district may be appropriate. The Council recognise that as land ownership changes over time new sites may become available and it would welcome the submission of any new sites for consideration as part of this consultation exercise. Owners who have previously submitted their sites for consideration need not do so again unless there has been any change in site circumstances. Details of sites that have previously been submitted will be considered alongside any submitted as part of this process in deciding any future allocations.
- 4.3 In light of this it is proposed that future pitch provision will be delivered in line with the Council's Settlement Hierarchy and considered against the criteria of Core Policy 5. The locations identified within the Settlement Hierarchy are considered to satisfy the broad locations for pitch provision in the 5-10 and 10-15 year periods.
- 4.4 Since Core Policy 5 was adopted in 2011, the Government published 'Planning Policy for Traveller Sites' in 2012. It is proposed to use this process to update Core Policy 5 in line with the Governments policy.

Preferred Approach 2

Future pitch provision will be delivered in line with the Settlement Hierarchy set out in Spatial Policy 1 and the criteria of Core Policy 5 (as amended) set out below:

Spatial Policy 1

Settlement Hierarchy

The Settlement Hierarchy for Newark and Sherwood identifies which settlements are central to the delivery of Newark and Sherwood’s Spatial Strategy and identifies the role of these settlements in delivering that Strategy. The Hierarchy is defined below:

Settlements central to delivering the Spatial strategy

Sub-Regional Centre

Features – Major centre in the Sub-Region, containing services and facilities for the District.

Function – To be the focus for housing and employment growth in Newark and Sherwood and the main location for investment for new services and facilities within the district.

The Sub-Regional Centre is defined as Newark Urban Area which is made up of Newark, Balderton and Fernwood.

The extent of the main built up areas of the Sub-Regional Centre will be defined by an Urban Boundary.

Service Centres

Features – Service Centres have a range of local facilities, including a secondary school, good public transport and local employment.

Function – Act as a focus for service provision for a large local population and a rural hinterland.

The following communities have been designated as Service Centres within the various areas of the District:

Southwell Area	Southwell
Sherwood Area	Ollerton & Boughton
Mansfield Fringe Area	Clipstone, Rainworth

The extent of the main-built up areas of Service Centres will

	be defined by an Urban Boundary.										
Principal Villages	<p>Features – Principal Villages which have a good range of day to day facilities – primary school, food shop, health facilities, employment or access to nearby employment and complement the role of Service Centres.</p> <p>Function – Act as secondary focus for service provision in each area. Support for service provision in these locations to assist rural accessibility.</p> <p>The following communities have been designated as Principal Villages within the various Areas of the District:</p> <table border="1"> <tr> <td>Newark Area</td> <td>Collingham, Sutton-on-Trent</td> </tr> <tr> <td>Southwell Area</td> <td>Farnsfield</td> </tr> <tr> <td>Nottingham Fringe</td> <td>Lowdham</td> </tr> <tr> <td>Sherwood Area</td> <td>Bilsthorpe, Edwinstowe</td> </tr> <tr> <td>Mansfield Fringe</td> <td>Blidworth</td> </tr> </table> <p>The extent of the main built up areas of the Principal Villages will be defined by Village Envelopes.</p>	Newark Area	Collingham, Sutton-on-Trent	Southwell Area	Farnsfield	Nottingham Fringe	Lowdham	Sherwood Area	Bilsthorpe, Edwinstowe	Mansfield Fringe	Blidworth
Newark Area	Collingham, Sutton-on-Trent										
Southwell Area	Farnsfield										
Nottingham Fringe	Lowdham										
Sherwood Area	Bilsthorpe, Edwinstowe										
Mansfield Fringe	Blidworth										
Other Villages in Newark & Sherwood											
<p>Within the Green Belt development will be considered against Spatial Policy 4B Green Belt Development</p> <p>Within the rest of the District development will be considered against the sustainability criteria set out in Spatial Policy 3 Rural Areas.</p>											

Core Policy 5 (proposed amendments underlined in italics)

Criteria for Considering Sites for Gypsies & Travellers and Travelling Showpeople

The following criteria will be used to guide the process of allocation of individual sites and to help inform decisions on proposals reflecting unexpected demand. *In considering all sites the District Council will reflect the overall aims of reducing the need for long distance travelling and possible environmental damage caused by unauthorised encampments and the contribution that live/work mixed use sites make*

to achieving sustainable development.

1. The site would not lead to the loss, or adverse impact on, important heritage assets, nature conservation or biodiversity sites;
2. The site is reasonably situated with access to essential services of mains water, electricity supply, drainage and sanitation and to a range of basic and everyday community services and facilities – including education, health, shopping and transport facilities;
3. The site has safe and convenient access to the highway network
4. The site would offer a suitable level of residential amenity to any proposed occupiers and have no adverse impact on the amenity of nearby residents particularly in rural or semi-rural settings where development is limited overall.
5. The site is capable of being designed to ensure that appropriate landscaping and planting would provide and maintain visual amenity;
6. In the case of any development proposal which raises the issue of flood risk, regard will be had to advice contained in the Governments, 'Planning Policy for Traveller Sites, and the findings of the Newark & Sherwood Strategic Flood Risk Assessment. Where flooding is found to be an issue, the District Council will require the completion of a site specific Flood Risk Assessment.
7. Where a major development project requires the temporary or permanent relocation of a lawful traveller site the District Council will work with the applicant and the affected community to identify an alternative site using the Spatial Strategy and the above criteria.

Subject to the other provisions of this policy, the District Council will be prepared to consider proposals for additional pitch provision for Gypsies and Travellers on existing caravan sites (of all kinds) – including unused or under-used sites.

Question 2

Do you agree with the amended Core Policy 5 and the Council's strategy for future pitch provision? Do you or anyone you know have land that may be suitable to provide pitches?

5.0 Pitch Definition and Size

- 5.1 The Issues Paper used the pitch definition set out in the Governments Good Practice Guide as a basis for consultation. This defined a pitch as being enough space to accommodate a large trailer (which could be a static caravan), a touring caravan, an amenity building and, parking space for two vehicles and a small garden area equating to around 640 square metres. Whilst responses showed that this definition was generally supported as appropriate for the purposes of defining new pitches, the consultation exercise also showed that it does not necessarily reflect the existing situation throughout the district.
- 5.2 There is a broad range of pitch sizes throughout the district that appear to relate to their tenure. Sites of a more transitory nature with higher turnover tend to have smaller pitches. Owner occupied sites tend to be much larger.
- 5.3 In the west of the district, rented pitches within a larger site tend to occupy around 250 square metres. Individual pitches within such sizes do not tend to have their own amenity blocks or amenity areas. They are usually provided communally within the overall site. Owner occupied pitches tend to be much larger at around 400 square metres.
- 5.4 In the Tolney Lane area of Newark there is an even broader range of pitch sizes. The smallest are around 200 square metres and the largest over 2000 square metres, with different sizes in between. As with the west of the district pitch size appears to be linked to its tenure.
- 5.5 In light of this and in the interests of reflecting the differing needs of the community we propose to use a range of pitch sizes for the purposes of calculating site capacity as follows:

Preferred Strategy 3	
The following pitch sizes will be used for the purposes of calculating site capacities.	
Pitch size	Pitch type
250 square metres	Transit sites
350 square metres	Permanent sites where there are communal facilities within the overall site
640 square metres	Permanent sites where pitches are self-contained and there is an element of business use.

Question 3

Do you agree with the range of pitch sizes set out in the table?

6.0 Tolney Lane

- 6.1 Historically, Tolney Lane has been the main location for Gypsies and Travellers in Newark but due to continuing development and the constraints posed by flood risk

and access limitations it is considered that the production of the DPD is an appropriate opportunity to assess its future suitability for pitch provision.

- 6.2 Many parts of Tolney Lane, including its access, are at risk of flooding to varying degrees. Pitches that are at lower risk of flooding may not have dry access in the event of a flood and vice versa.
- 6.3 As part of the Issues Paper consultation the Council proposed that Tolney Lane was unsuitable for new pitch provision due to flood risk and potential access issues. Since that time a traffic study has been carried out and there has been an appeal decision and a planning permission resulting in further pitch provision. These factors have resulted in an interim position that requires addressing through the DPD.
- 6.4 At a 2014 public enquiry to determine a planning appeal for new pitches on Tolney Lane, the Planning Inspector recognised the high level of flood risk but considered that in the absence of other available sites it was appropriate to grant a temporary permission. In determining a planning application after this appeal decision, the Council took the same view and granted a temporary permission for the same period as the appeal decision.
- 6.5 The Council commissioned a traffic survey to assess the junction capacity at Tolney Lane/Beast Market Hill in late 2013. (Evidence base document 4) This showed that there were no significant problems with queues or delays however Nottinghamshire County as Highway Authority have stated that they would object to further new pitch provision on grounds of the amount of development served off a single access point.
- 6.6 Some respondents to the Issues Paper thought that the Council should direct resources to addressing flooding and access issues instead of allocating sites elsewhere. Regardless of the resource implications, the Council would not be able to achieve this because all of the sites and some of the access roads are in private ownership.
- 6.7 It is recognised that many residents of Tolney Lane understand and accept the risks of flooding, the limitations of the access arrangements and are content to live within these. Many residents subscribe to the Environment Agency's Flood Warning Service as a means of preparing for flood events. These residents may wish to alter or extend the accommodation within their pitches over time.
- 6.8 In light of the above, the Council proposes to adopt an approach to new development on Tolney Lane that allows for the provision of temporary new pitches only where there are no other sites available at lesser risk of flooding and considers limited development within existing lawful pitches on its merits against other relevant development plan policies.

Preferred Approach 4

New development on Tolney Lane will be limited to temporary pitch provision where there are no other sites available elsewhere in the district at a lesser risk of flooding, assessed by reference to the Sequential Test as defined in the Technical

Guidance to the National Planning Policy Framework. Development within existing lawful pitches to improve the standard of amenity will be supported where it complies with the relevant development plan policies.

Question 4

Do you agree with the Councils approach to new development on Tolney Lane?

SECTION B

7.0 Cooperation

7.1 A document that effectively balances the needs of the Gypsy and Traveller and settled communities needs to be based on cooperation with all those who have an interest. There is also a legal requirement as part of the plan making process to commit to community involvement and cooperation with stakeholders. The work that has been carried out to date on the production of this DPD has already contributed to this process.

7.2 Neighbouring Nottinghamshire authorities and were involved in developing the methodology for assessment of need. Cooperative working has continued with Bassetlaw, Ashfield and Mansfield District Councils and the County's Gypsy and Traveller Liaison Officer. In addition to the paper and web based consultation on the Issues Paper, events were held at libraries within the district during consultation period. A stakeholder event was held at Newark & Sherwood District Council in September 2013, a summary of which is contained in Evidence Base Document 5, and the document was presented to the Parish Councils Conference in October 2013.

7.4 The Issues Paper also invited anyone with an interest in the ongoing process to respond and this yielded some new consultees.

8.0 Next Steps

8.1 Consultation on this document runs until 6rd April 2015 during which time it will be available on the Councils website and in paper form at Council Offices, Parish Councils and libraries throughout the District. If you have trouble viewing a copy or need help with understanding it, please get in touch.

8.2 Consultation forms are available in the same way or alternatively you can write, e-mail or telephone us via the details set out at the bottom of this page.

8.3 The consultation responses to this document will be used to inform a Preferred Approach Development Plan Document which will be subject to a period of representation. Following consideration of representations a finalised DPD will be submitted to the Secretary of State for examination by an independent Inspector.

8.4 This, and future stages of the document will be supported by a Sustainability Appraisal to ensure that it is compatible with the Sustainability Aims of the Core

Strategy and an Equalities Impact Assessment. At the point of considering specific sites for allocation a Habitats Regulations Assessment will be carried out to ensure that there is no conflict with sites of ecological importance.

Planning Policy Business Unit
Newark & Sherwood District Council
Kelham Hall
Newark
Nottinghamshire
NG23 5QX

e-mail: planningpolicy@nsdc.info

tel: 01636 655859 or 655852