



Wyre Forest District

Site Allocations and Policies Plan

Examination

Matter 3: Gypsies and Travellers

WFDC Response

14th January 2013

Matter 3 - Gypsies and Travellers

1. Does the SAPDPD conform to the Planning Policy for traveller sites (PPTS)?

1.1 The District Council undertook an assessment of the Publication Site Allocations & Policies Plan against the Local Plans and the National Planning Policy Framework Compatibility Self Assessment Checklist (EB006). This included an assessment against the Government's Planning Policy for Traveller Sites. The assessment did not identify any significant differences between the emerging Plan and the advice contained within national policy and the District Council therefore considers that the Policies are consistent.

2. Is the current assessment of need robust? What is the justification for the pitch requirement figure of 35 pitches (to 2017) adopted by the Council for the purposes of the Plan?

2.1 The first phasing period, which relates to 30 pitches, has been taken from the Adopted Core Strategy (SD003). This figure was taken from the Gypsy and Traveller Accommodation Assessment (GTAA) (EB020) which was undertaken in 2008. This GTAA highlighted a need for 30 pitches to be provided in the period 2006 – 2013. The second phasing period 2013 – 2017, (5 pitches), has been taken from the Regional Spatial Strategy Interim Policy Statement on the Provision of New Accommodation for Gypsies, Traveller and Travelling Showpeople, March 2010 (EB021). This further developed the initial work undertaken on the GTAA and looked at an extended timeframe of estimated need for new pitches within the region running from 2006 - 2017. The options considered for Wyre Forest District were:

- Option 1: 44 pitches
- Option 2: 35 pitches
- Option 3: 41 pitches

2.2 Option 2 was adopted by the District Council in determining the need for new pitches. This more realistic figure took into account the existing significant planning constraints within the District, such as Green Belt and Flood Risk. The Council wrote to the West Midlands Regional Assembly to expressly support Option 2 and considers that the Option 2 figure is now even more appropriate following the publication of new National guidance on planning for Traveller Sites (SD002) which makes clear that:

“Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development”. (Paragraph 14, p5)

2.3 Therefore, the figure for need to 2017 is based on robust evidence, carried out at a Regional level. This is an appropriate and justified target to include within the plan.

2.4 An indicative need (as established through the Regional Interim Statement) was set at 15 pitches for the longer-term post 2017 period.

2.5 The table below provides a summary of the need for pitch provision within the District:

Time Frame	Number of Pitches	Source
2006 - 2013	30	Adopted Core Strategy
2013 - 2017	5	RSS Phase 3 Interim Policy Statement Options Generation
2017 – 2022	15	Indicative target included within the Phase 3 Policy Statement

2.6 An updated GTAA is to be undertaken on a Worcestershire wide basis. This will be commissioned in 2013 and will be published in 2014. It is recognised that this may alter the estimated figures for the post 2017 period. However, for the purposes of the SAPDPD, the figures of need included are based on the most up-to-date objective assessment of need. They balance the need to provide for sufficient pitches for Travellers whilst recognising significant planning constraints within the District, including Green Belt, which is identified in national guidance as being inappropriate for temporary or permanent pitches. The District Council considers the figures to be deliverable and consistent with the PPTS. There is an established history of delivering sites through the development control process and therefore the Council is confident that this will absorb the unallocated balance of need in the longer term.

3. **How has the SAPDPD evolved in terms of the alternatives considered? How were these evaluated and have all reasonable options been examined? Are the choices made properly justified and is it clear from the SA why the preferred options have been chosen? Have the choices had sufficient regard to flooding issues?**

- 3.1 Consultants Baker Associates were appointed to identify potential sites for Gypsies, Travellers and Travelling Showpeople. The Baker Report (EB022, paragraph 2.17-2.31) made recommendations on potential sites which were tested against the Sustainability Appraisal (SA) framework. The site testing tables are set out at p.241-252 of SD032. The results were summarised and each site was given a rank of between 1 and 4 to reflect its suitability for allocation based on the SA criteria. This information is set out at table 6.2.3 (p.52-54) of SD032 and table 7.2.5 (p.72) of SD032.
- 3.2 The Baker Report was reported to the District Council's Cabinet meeting in September 2011 at which 7 sites were approved for consultation:
- Stourport Road, Bewdley
 - Former Sion Hill School Site, Kidderminster
 - Lea Castle Hospital Site, Cookley, Nr Kidderminster
 - Land adjacent Nunn's Corner, Stourport-on-Severn
 - Saiwen, Stourport-on-Severn
 - The Gables Yard, Stourport-on-Severn
 - Farm, St John's road, Stourport-on-Severn
- 3.3 The remainder were ruled out of the consultation at Cabinet because of concerns regarding their sustainability and deliverability.
- 3.4 The six week consultation period included an opportunity for further sites to be suggested for consideration and a number of sites were put forward.
- ALT 1 - Land opposite the Gatehouse, Sandy Lane Industrial Estate
 - ALT 2 - 1A Broach Road, Sandy Lane, Stourport-on-Severn
 - ALT 3 - 28-29 Sandy Lane, Stourport-on-Severn
 - ALT 4 - Land off Wilden Lane, Stourport-on-Severn
 - ALT 5 - R/O Household Waste Site, Minster Road, Stourport*
 - ALT 6 - Land off Birmingham Road, off Hurcott Lane, Kidderminster
 - ALT 7 - Land off Sandy Lane opp Equimix Feeds, Stourport-on-Severn
 - ALT 8 - Romwire Site, Stourport Road, Kidderminster

- ALT 9 - Habberley Road, Bewdley*
- ALT 10 - Land off the Kingsway, Stourport. To r/o Torridon Close*
- ALT 11 - Stone Depot*
- ALT 12 - Land opposite VOSA testing station, Worcester Road, Kidderminster*
- ALT 13 - Wolverley Camp, to r/o Brown Westhead Park*
- ALT 14 - Former British Sugar Site, Stourport Road, Kidderminster*
- ALT 15 - Land on Burlish Top, to r/o Gould Avenue, Kidderminster
- ALT 16 - Former Settling Ponds, Wilden Lane, Kidderminster
- ALT 17 - Duke House Clensmore Street, Kidderminster
- ALT 18 - Land at Finepoint adj Zortech Avenue, Kidderminster
- ALT 19 - Finepoint, Stourport Road, Kidderminster
- ALT 20 - Ex Yieldingtree Packing Site, Nr Churchill
- ALT 21 - Fenced land off Hillary Road, Wilden, Stourport-on-Severn
- ALT 22 - Site adjacent Fountain Court, Low Habberley, Kidderminster*
- ALT 23 - Land at Shatterford
- ALT 24 - Clows Top Garage Site*
- ALT 25 - Hoobrook Trading Estate, Kidderminster
- ALT 26 - Hoobrook Trading Estate, Kidderminster
- ALT 27 - Site to rear of Lisle Avenue, Kidderminster
- ALT 28 - Land to Rear of Civic Centre, Stourport-on-Severn
- ALT 29 - Potters Scrap Yard, Sandy Lane, Stourport-on-Severn

3.5 These were assessed against the methodology used in the Baker Report (with the exception of those marked * as they were assessed in the initial Baker Report). Sites which were considered suitable were subject to a further consultation period. SA was also undertaken on these sites. The results of this testing are set out at p.251-252 of SD032.

3.6 Feedback from both stages of consultation, together with the SA was used to inform the selection of the preferred options. Additionally, some of the sites were subject to planning approvals whilst the consultation and selection process was on-going. Where sites were granted planning permission they were allocated within the pre-submission Plan in order to safeguard them into the future.

3.7 The SA framework includes a criterion relating to flooding and all of the sites were tested against this criterion. Some of the allocated sites performed poorly against the flooding criterion in the SA framework. However, sites which had gained planning permission or had lawful use were allocated as they were considered to be deliverable because planning permission was in place or the sites were already operating. Mitigation measures are set out within planning approvals and the SA Report as follows:

Site	Mitigation Measures	Further Information
Site H – Saiwen, Stourport – on-Severn	The SA Report identified flood risk as an issue and the planning permission included conditions specifying the finished floor level of caravans and requiring details of the disposal of surface water and foul sewage be agreed by the LPA.	Application 10/0056/FULL
Site I – 28/29 Sandy Lane, Stourport – on-Severn	The SA Report identified flood risk as an issue and the planning permission included a condition requiring details of the disposal of surface water and foul sewage be agreed by the LPA.	Application 11/0711/FULL
Site J – Land adjacent Nunn’s Corner Stourport – on-Severn	The SA Report identified flood risk as a negative impact. Planning permission included a condition relating to flood evacuation plans.	Application 11/0195/FULL
Site K – The Gables Yard, Stourport – on-Severn	The SA Report identified flood risk as an issue however, a licence currently permits 5 caravans on-site and therefore, allocation only formalises an existing site in planning terms.	
Site L – Land opposite The Gatehouse, Sandy Lane, Stourport – on-Severn	The SA Report identified flood risk as an issue. The site has a temporary permission for two years from 23 rd November 2011. The planning permission included conditions requiring a flood evacuation plan to be submitted and details of the disposal of surface water and foul sewage	Application 11/0110/FULL

	be agreed by the LPA.	
Site E – 2 additional pitches at 1a Broach Road, Stourport – on-Severn	The site has an existing licence and a Certificate of Lawfulness for 3 caravans, therefore, allocation formalises the existing use. The site is within flood zone 2 but was not at the time the SA Report was undertaken.	WF0090/00

4. Does SAPDPD have due regard to the strategies of neighbouring authorities? In particular is there justification for encouragement in paragraph 4.67 to locate additional sites near Stourport-on-Severn?

4.1 Discussions have taken place with Officers representing the South Worcestershire Authorities (principally Malvern Hills and Wychavon District Councils) under the Duty to Co-operate requirements with regard to the potential cross boundary implications arising from the identification of Gypsy, Traveller and Travelling Showpeople sites. The South Worcestershire Authorities are progressing a joint development plan and Malvern Hills District Council intends to bring forward an individual Gypsy & Traveller Site DPD to meet its own need. It is understood that there is currently no timescale for the production of this document or indeed for an initial consultation stage. Wychavon District Council has taken the approach that it has met all of its identified need for pitch provision through the Development Control process and will not therefore be making site specific allocations. The Worcestershire District Authorities have agreed to work collaboratively on a Worcestershire wide assessment of pitch needs through a GTAA which will commence during 2013.

4.2 Paragraph 4.67 of the SAPDPD states that generally the larger settlements of Kidderminster and Stourport-on-Severn would be considered the most appropriate locations for larger sites. Consideration will need to be given to the capacity of local services and whether the scale of development can be accommodated by the local services and facilities. The Council considers that the emphasis on allocating gypsy and traveller sites with good access to local services and the comprehensive site assessment and consultation process undertaken through the Baker Report (EB022) provides justification to locate the additional sites at Stourport-on-Severn. In addition, Policy H.14 of the District Adopted Local Plan (SD005) safeguarded 7 sites within the

Sandy Lane area for continued use by Gypsies and Travellers. These included Local Authority, private and tolerated sites. There is an established history of provision in the area which gypsy and travellers themselves have held in preference, as it has helped to keep their families closer together.

- 4.3 It is not considered that these allocations would have any significant adverse impact on the neighbouring local authority areas of Wychavon and Malvern Hills District Council since Stourport on Severn is the nearest town and would meet all service requirements and neighbouring residential units within the adjacent Districts are not in close proximity to the area. In the longer term, concerns are addressed through Policy SAL.DPL10 which seeks to prevent further sites from coming forward in the Sandy Lane area beyond those allocated within the plan.

5. Insufficient sites are allocated to meet the currently identified need for additional pitches over the Plan period. How is the shortfall of pitches to be addressed?

- 5.1 The need for new gypsy and traveller pitches is set out above under Q2 (Paragraph 2.5). The tables included at page 29 of the SAPDPD identify the sites that have received planning permission since 2006, and so can be taken off the identified need:

Site	Pitch Provision	Comments
Meadow Park	7	Planning permission granted 2008.
Nunn's Corner	2	Planning permission granted November 2011
Saiwen	5	Planning permission granted December 2011
28/29 Sandy Lane	6	Planning permission granted February 2012
Total	20 Pitches	

- 5.2 Policy SAL.DPL8 also proposes further allocations to increase pitch provision, as follows:

Site	Pitch Provision
Land adjacent to Nunn's Corner	4
The Gables Yard	3
Land opposite The Gatehouse	8
1a Broach Road	2
Total	17 pitches

5.3 This gives a total of 37 pitches which have either received planning permission or are allocated for provision within the plan. This approach means that the need has been catered for until post 2017 and also that some provision is made for the indicative total within the 2017 – 2022 period.

5.4 There is currently an indicative shortfall of approximately 13 pitches post 2017. A review of the GTAA is to be undertaken in 2013-14. This will give a clearer indication on the requirements for the District in the later post 2017 plan period. Policy SAL.DPL8 clearly states that sites for this identified future need will be required to come through the Development Control process, and will be assessed against the criteria set out in policy SAL.DPL10. Given the track record of planning permission and delivery of sites through this process (as evidenced in the table above), the Council is confident that sufficient unallocated sites will come forward through this route to help address the longer term outstanding needs for the 2017-22 period.

6. What assessment has the Council made of the deliverability of sites to meet the identified need within the constraints of the selected criteria contained in Policy SAL.DPL9 & 10?

6.1 The sites identified to meet the need within the plan are all considered to be deliverable. A number of sites have already received planning permission and the four sites proposed for allocation in Policy SAL.DPL8 are either existing temporary gypsy sites or are proposed extensions to existing sites. These sites were considered comprehensively during the consultation on proposed new sites and the Council is confident that they are deliverable.

6.2 In terms of assessing their deliverability against the criteria contained in SAL.DPL10, it is considered that:

- The District Council is satisfied that there is an established need for the sites allocated through Policy SAL.DPL8;
- None of the allocated sites are located within the Green Belt;
- The sites are considered to be in close proximity to local facilities;
- There have been no concerns raised from infrastructure providers in relation to development within these locations;

- The sites have all been identified as being suitable for the Gypsy community, and many are currently being occupied;
- The sites are not considered to harm the visual appearance or landscape of the area due to the urbanised setting; and
- The sites do not affect existing public rights of way.

6.3 The specific design criteria will be a more detailed issue for consideration at the planning application stage. Notwithstanding this it is considered that the identified sites would be acceptable when considered against criteria i. to iv in SAL.DPL10. The sites proposed for allocation are also sequentially preferable as they are previously developed sites within Stourport. In terms of the impact on Sandy Lane Industrial Estate, that is considered further under Question 8.

6.4 Policy SAL.DPL9, relates specifically to Travelling Showpeople. The sites allocated under Policy SAL.DPL8 have not been identified as suitable to meet the specific needs of Travelling Showpeople. Any forthcoming planning applications for sites for Travelling Showpeople will be assessed against Policy SAL.DPL9.

7. Should provision be made for windfall sites where there is no identified need (please refer to paragraph 10 of the PPTS)?

7.1 Para 10 of the PPTS (SD002) states:

“Where there is no identified need, criteria based policies should be included to provide a basis for decisions in case applications nevertheless come forward.”

Policy SAL.DPL10 is relevant to such windfall sites. It should be noted that Paragraph 4.62 of the Reasoned Justification to the policy specifically refers to this.

7.2 The District Council is confident that the SAPDPD recognises that such windfall sites are likely to come forward in the future and contains the policy framework against which to assess them.

8. Is Policy SAL.DPL10 (Part 4) justified and sufficiently precise to maintain a balance between employment and residential uses and to ensure that the cumulative impact of gypsy sites within the Sandy Lane area of Stourport-on-Severn does not dominate the area?

8.1 The District Council recognises the implications arising from the juxtaposition of employment and residential uses. However, as evidenced through the Adopted Local Plan (SD005) this juxtaposition is historic and gypsy and traveller sites within the area have long been tolerated within Local Plans. There is recent evidence of continuing business interest and applications within the Sandy Lane area. The Council considers that this demonstrates that a level of co-existence continues between the two uses.

8.2 During the consultation on the potential sites for Gypsy and Traveller site provision a number of the consultation responses highlighted the need for safeguards to be incorporated into policy wording to address potential future cumulative impacts on the Sandy Lane area. These responses were discussed in some detail with District Council Members through the Local Development Framework Review Panel and Overview and Scrutiny Committee, where the proposed policy wording was agreed.

8.3 The Council considers that Part 4 of Policy SAL.DPL10 clearly states that following the implementation of the sites identified under SAL.DPL8 (as listed below), further planning applications for gypsy and traveller sites within the Sandy Lane area will be resisted.

- Site J – Land adjacent Nunn’s Corner, Stourport on Severn (4 pitches);
- Site K – The Gables Yard, Stourport on Severn (3 pitches);
- Site L – Land Opposite the Gatehouse, Stourport on Severn (8 pitches); and
- Site E – 1a Broach Road, Stourport on Severn (2 pitches).

8.4 These proposed allocations are already in occupation on a temporary basis or are proposed extensions to existing sites. Therefore, it is considered that the approach to allocation would not result in the uses dominating the area but would provide certainty to the existing communities within this location.

8.5 This policy wording is justified based on the advice set out in the PPTS (SD002), particularly Policy A: Using Evidence to Plan Positively and Manage Development. Furthermore, it is based on robust local evidence collated from the consultation as referenced and will help to ensure a balanced approach to future development within this area is maintained.

9. Are the design criteria set out in Part 2 of Policy SAL.DPL10 justified? Part 2 (iv) requires communal recreation areas to be provided. It appears to assume that all sites will be for more than one pitch and will have a site manager. Is Policy SAL.DL10 intended to exclude private family run pitches?

9.1 The District Council considers that the Design Criteria are fully justified and are consistent with Paragraph 24 of the PPTS which places weight on sites being well designed to positively enhance the environment and promote opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children. Furthermore, the criteria have also been developed taking into account extensive consultation responses from key stakeholders such as Natural England, the Highway Authority and Environment Agency. These were received during the consultation on Identification of Potential Sites for Gypsies, Travellers and Travelling Showpeople pitch provision.

9.2 For clarification purposes, it is not the intention of Policy SAL.DPL10 to exclude smaller privately run pitches. Recreational areas should be provided on larger sites to be consistent with National Guidance. It is considered that this matter could be addressed through an amendment (SALMOD10), to the Policy wording as follows:

“Sites of 5 or more pitches should include a communal recreation area for children where suitable provision is not available within walking distance.”