



Traveller Site Allocations Development Plan Document (DPD)

Scoping Document

September 2016



If you have any queries or questions relating to this document please get in touch using the details shown below:

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1 Have Your Say

1.1 The Councils intend to prepare a Development Plan Document (DPD) identifying sites to meet the identified housing needs of Travellers in northern Devon. This DPD will be called the Traveller Site Allocations Development Plan Document; it will allocate sites for this purpose and will provide guidance on how the Councils deal with planning applications on the allocated sites.

1.2 At this stage we want to hear what you think about what is being proposed for inclusion in DPD. Questions you might wish to consider in a response include:

- Will the proposed scope and content of the DPD address the planning needs of the Traveller communities?
- Is there anything else that you think the DPD should cover?
- Is there anything proposed that you think should not be included?
- Are there any other specific areas of concern of which we should be aware?
- Are there any specific locations or areas of northern Devon that would be suitable for traveller site and pitch provision?

1.3 The scoping document is published for public consultation⁽¹⁾. The period for comment runs from **15th September to 27th October 2016**. Comments can be made on line via the Councils' consultation portal at <https://consult.torridge.gov.uk/kse/> by email to localplan@northdevon.gov.uk or localplan@torridge.gov.uk or by post to the addresses below:

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1.4 All representations must be received by **5pm on Thursday 27th October 2016**. Late representations will not be considered.

¹ In accordance with Regulation 18 of the Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended)

2 Summary

2.1 North Devon and Torridge Councils intend to prepare a DPD to identify sites that will meet the housing needs of the Traveller community arising in northern Devon. The DPD will form part of the Development Plan for northern Devon and the basis for related planning decisions.

2.2 This consultation seeks your views on the proposed content and purpose of the Traveller Site Allocations DPD. Following this consultation a draft DPD will be prepared which will include proposed allocations with any site-specific requirements. The draft DPD will be subject to formal public consultation before it is submitted to the Secretary of State for independent examination.

2.3 The DPD will cover the districts of North Devon and Torridge, but exclude that part of North Devon district within Exmoor National Park. It will identify suitable and available sites to provide permanent and transit accommodation or emergency stopping places. It is not intended to identify sites for Showpeople, as a need for such has not been identified.

2.4 Consultation on this 'Scoping document' marks the formal start of the process of preparing the Traveller Site Allocations DPD.

What do we mean by...?

We use several terms in this document with which you may not be familiar.

The following definitions are taken from Annex 1 of the Government's *Planning policy for traveller sites* (2015) ⁽²⁾

1. For the purposes of this planning policy “**gypsies and travellers**” means:

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.

2. In determining whether persons are “gypsies and travellers” for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) whether they previously led a nomadic habit of life
- b) the reasons for ceasing their nomadic habit of life
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

3. For the purposes of this planning policy, “**travelling showpeople**” means:

Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.

4. For the purposes of this planning policy, “**travellers**” means “gypsies and travellers” and “travelling showpeople” as defined above.

5. For the purposes of this planning policy, “**pitch**” means a pitch on a “gypsy and traveller” site and “**plot**” means a pitch on a “travelling showpeople site” (often called a “yard”). This terminology differentiates between residential pitches for “gypsies and travellers” and mixed-use plots for “travelling showpeople”, which may / will need to incorporate space or to be split to allow for the storage of equipment.

Other terms we use include:

Permanent: A site that is intended for long-stay use by residents and which provides them with a permanent home. Permanent sites are generally not subject to restrictions on the maximum length of stay.

Transit: A site that provides temporary accommodation for short-term stays, usually in the region of between 28 days and three months (although this can vary). Although transit sites may be in use all year round, they are not intended for use as a permanent base for individual households.

Temporary / emergency stopping place: a piece of land that is recognised as being acceptable for temporary use by travelling communities as a short-term stopping place, generally for a few days at a time (and usually for less than 28 days). They are intended to accommodate intermittent needs for accommodation, are generally not occupied all year around and may be made available at times of increased demand. Such sites may not require planning permission if the use is for fewer than 28 days in any one year.

3 Background and Context

Purpose of this ‘Scoping’ document

3.1 Consultation on this Scoping document is the first formal stage in the preparation of the Traveller Site Allocations DPD. Its main purpose is to seek views on what the DPD should contain and it explains the role of the DPD, the Councils’ initial thoughts on their overall approach to meeting the different identified needs and how the DPD relates to the North Devon and Torridge Local Plan (2011 – 2031).

Status of the Development Plan Document (DPD)

3.2 DPD are statutory planning documents that form part of a local planning authority’s development plan. They are used as the basis to determine planning applications. All DPDs are examined by an independent Planning Inspector at an Examination in Public before they can be adopted by the Council(s).

3.3 North Devon and Torridge local planning authorities will have two complementary DPDs covering northern Devon:

- North Devon and Torridge Local Plan (2011 – 2031); and
- Travellers Site Allocations DPD (2014 – 2031).

3.4 The development plan for the area also includes the Devon Waste Plan (2011 – 2031) adopted December 2014 and will include the Devon Minerals Plan (2011 – 2031); both are prepared by Devon County Council and covering the whole of the county.

3.5 Additionally, several Parish and Town Councils in North Devon and Torridge are in the process of preparing Neighbourhood Plans. When adopted, they will have equal status with the DPDs the Councils are preparing and form part of the development plan for the area. Neighbourhood Plans, could include policies relating to Travellers and any such policy, of a non-strategic nature, would supersede policies contained in the DPDs (for example the siting of a Travellers site allocation).

What is the Local Plan and why do we need a separate Development Plan Document for Travellers?

- North Devon and Torridge Local Plan 2011 - 2031

3.6 The North Devon and Torridge Local Plan is being prepared jointly by North Devon and Torridge District Councils. The Local Plan is currently at the examination, with adoption scheduled for summer 2017. The examination by a Government appointed planning inspector will determine if the Local Plan is ‘sound’. Further details of the Local Plan are available on the Councils’ website:

<http://consult.torridge.gov.uk/portal/planning/localplan/submission/> and in respect of the examination, through the website at:

<http://consult.torridge.gov.uk/portal/planning/localplan/examination/>.

3.7 The Local Plan sets out the main strategy for northern Devon (outside of Exmoor National Park) for the period up until 2031. It includes policies, proposals and specific site allocations to guide how the area will develop and it is the main reference document used locally for determining planning applications.

3.8 The Government requires the Councils to include policies in the Local Plan relating to the provision and location of new traveller sites to meet identified needs. To establish the needs of the Traveller community in northern Devon, the Councils undertook a study along with several other local planning authorities in Devon called a ‘Gypsy and Traveller Accommodation Assessment’ (GTAA)⁽³⁾.

3.9 The Devon Partnership GTAA identifies a need for an additional 15 permanent pitches of accommodation for Travellers across northern Devon for the period 2014 – 2034; with the need for 9 pitches arising in Torridge and 6 in North Devon.

3.10 Additionally, there is a need for one or potentially two transit sites or emergency stopping places of four to five pitches each in northern Devon over the period 2014 – 2019.

3.11 The Devon Partnership GTAA considered that there is no identified need for additional plots for travelling showperson accommodation in northern Devon over the period 2014 – 2034.

3.12 The Devon Partnership GTAA was published in April 2015 and the Councils were able to incorporate the evidenced number of pitches required in both districts in a revised version of policy ST20 “Providing Homes for Traveller Communities” in the Main Changes consultation document (March 2015)⁽⁴⁾. This policy is being assessed as part of the current Local Plan examination.

3.13 The Local Plan, including Policy ST20, has been submitted to the government and is now being examined by a planning inspector. The Councils have asked the planning inspector to consider a further main modification (PMM/11) to criterion (2) of Policy ST20 (the change arising due to the need to clarify the number of transit sites required). Policy ST20 is set out below, with the proposed modification shown in red text – underlined to show proposed additions and ~~struck through~~ to show proposed deletions.

3 [Devon Partnership Gypsy and Traveller Accommodation Assessment 2015](#)

4 [North Devon and Torridge Local Plan 2011 -2031 Publication Draft – Schedule of Proposed Main Changes](#)

Policy ST20: Providing Homes for Traveller Communities

(1) Delivery will be pro-actively pursued to provide adequate and appropriate accommodation to meet the identified needs and demands of traveller communities in northern Devon whilst recognising their traditional and nomadic way of life and respecting the interests of the settled community.

(2) During the period 2011-2031, provision to meet identified needs in northern Devon will be made to deliver:

(a) at least 15 pitches for permanent ~~gypsy—and~~ traveller accommodation; ~~within northern Devon to meet identified needs—and~~

(b) at least 2 transit sites or emergency stopping places each providing for the accommodation of 4 or 5 pitches.

(3) Where allocation offers the most appropriate mechanism for delivery, sites will be allocated through the Local Plan to provide an appropriate range of accommodation to meet the identified accommodation needs and demands of travellers across northern Devon.

(4) Proposals for traveller accommodation will be supported where they will meet an identified need whilst respecting the principles of sustainable development and having regard to the interests of the settled community.

(5) Existing authorised sites providing traveller accommodation will be safeguarded unless it is demonstrated that they are no longer required to meet identified need.

3.14 This proposed change will also be subject to further consultation during the period 15 September to 27 October 2016. Further details of this consultation and how you may make representations can be found at: <https://consult.torridge.gov.uk/kse/>

3.15 In addition to the Local Plan Policy ST20, which sets out site and pitch requirements, Policy DM30: 'Sites for Traveller Accommodation' provides the detailed basis for assessing individual development proposals and allocations for traveller accommodation.

3.16 As with Policy ST20, Policy DM30 is currently subject to further consultation (<https://consult.torridge.gov.uk/kse/>). The policy, incorporating the proposed main modification (PMM/36) states:

Policy DM30: Sites for Traveller Accommodation

~~(1) The acceptability of proposals for the provision of traveller accommodation will be considered on the following sequential basis, subject to an assessment of site availability:~~

~~(a) appropriately scaled extensions to an existing site offering traveller accommodation;~~

~~(b) within the boundary of a defined settlement;~~

~~(c) adjoining or well-related to a defined settlement;~~

~~(d) redevelopment of suitable brownfield land in the open countryside; and~~

~~(e) on greenfield sites in the open countryside.~~

(1) Sites for traveller accommodation will be allocated within a separate North Devon and Torridge Traveller Site Allocations Development Plan Document.

(2) Sites for traveller accommodation will be identified and planning permission will be granted for sites to meet the full objectively assessed need, providing the sites meet all of the following criteria: Proposals to deliver accommodation for travellers will be considered appropriate where they meet the following criteria:

~~(a) there is a proven and identified need for traveller accommodation of the scale and mix that the proposal seeks to deliver that cannot be met by existing or planned provision;~~

(a b) the development is commensurate and proportionate to the scale and nature of the nearest settled community;

(b e) it does not have an unacceptable landscape, visual or environmental impact;

(c d) it offers an acceptable level of amenity to prospective occupants whilst not unacceptably harming and will have no significant detrimental impact to the amenities of neighbouring occupiers;

(d e) the site is located where occupants can gain reasonable access to local services and facilities including health and school provision;

(e) it does not place undue pressure on local infrastructure and services;

~~(f) the health and safety of occupants and visitors will not be at risk through unsafe access to the site, noise pollution or unacceptable flood risk; safe and convenient vehicular access can be provided to the site and the surrounding highway network can support the generated traffic;~~

(g) adequate on-site provision is afforded for vehicle parking and manoeuvring along with appropriate storage space, ancillary facilities and residential amenity space;

(h) the site is capable of being provided with essential services; and

(i) the scale of employment activity is balanced to the residential component of the proposal.

(3) Proposals seeking to deliver transit accommodation will be required to demonstrate that they offer adequate, safe and convenient access to the strategic highway network.

(4) Proposals seeking to deliver accommodation for travelling show people will be required to offer adequate provision

Why do we need a separate Traveller Site Allocations DPD?

3.17 The detail of traveller site and pitch requirements, on a quantitative and locational basis, was evidenced with the finalisation of the Devon Partnership GTAA in April 2015. The extent and form of traveller and travelling showpersons' housing needs within northern Devon was not known before this date. Consequently, the task of identifying and assessing potentially suitable sites was set aside, until the level and locational requirements had been established. It was not possible to include site allocations in the Local Plan without delaying the progression of the Local Plan unacceptably. A DPD "Traveller Site Allocations" is therefore required to enable the Councils to plan for the appropriate delivery of traveller accommodation and demonstrate that the housing needs of the traveller community can be met.

National Planning Context

3.18 National planning policy relating to accommodation for travellers is principally set out in *Planning policy for traveller sites* (August 2015)⁽⁵⁾ which should be read in conjunction with the *National Planning Policy Framework* (March 2012)⁽⁶⁾.

3.19 It sets out that local planning authorities should make their own assessment of need for traveller accommodation and then, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites. It states that criteria should be set to guide land supply allocations where there is identified need and that where there is no identified need, criteria-based policies

⁵ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf
⁶ <https://www.gov.uk/guidance/national-planning-policy-framework>

should be included within local plans to provide a basis for decisions in case applications nevertheless come forward. The policy goes on to state that, in producing local plans, local planning authorities should identify and update annually, a supply of specific deliverable sites for traveller accommodation sufficient to provide five years' worth of sites against their locally set targets.

4 Scope of the Traveller Site Allocations DPD

Geographic coverage and content of the Traveller Site Allocations DPD

4.1 The Traveller Site Allocations DPD will cover the whole of the local planning authority areas for North Devon and Torridge with the exception of the part of North Devon district within the Exmoor National Park.

4.2 It is proposed that the DPD will identify suitable and available sites for the delivery of permanent accommodation and transit accommodation /or emergency stopping sites that meet the requirements of northern Devon over the plan period.

4.3 Given the level of need identified in Policy ST20 of the Local Plan (15 pitches for traveller accommodation over the period 2014/15 – 2034/35: six pitches in North Devon and nine in Torridge District), the focus of this document will be on additional permanent sites, transit sites and emergency stopping places.

4.4 The DPD will therefore aim to identify specific sites for development for Traveller accommodation, including any relevant guidance on site facilities and design for individual sites.

What the Traveller Site Allocations DPD will not cover

4.5 The Traveller site allocations document will not cover the area of North Devon Council's administration boundary which is within Exmoor National Park. The DPD will cover only the accommodation needs of Travellers; it will not include wider aspects of welfare.

DPD Preparation and Timescale

4.6 The anticipated timetable for the production of the Traveller Site Allocations DPD, as set out in the North Devon and Torridge Local Development Scheme (LDS)⁽⁷⁾ is set out below.

Table 4.1 Key Milestones and Expected Dates

Stage	Dates
Public Participation in the Preparation of the Plan	July - August 2016
Public Participation on Publication Document	May 2017
Submission to Secretary of State	October - November 2017
Examination in Public (Hearing Sessions)	April 2018
Receipt of Inspector's Report	June 2018

7 North Devon and Torridge Local Development Scheme (LDS); May 2016; available at: <http://consult.torridge.gov.uk/file/3977727>

Stage	Dates
Adoption of Development Plan Document	July 2018

4.7 To prepare the DPD, the Councils will need to undertake a range of exercises and engage with a wide range of organisations and individuals. This will include liaising with Devon County Council's Gypsy/Traveller Liaison Officer, the Plymouth and Devon Racial Equality Council, and most significantly the travelling community.

4.8 As part of the evidence gathering for the DPD the Councils are commissioning consultants to undertake an exercise to identify and appraise sites that might have the potential to meet the current and future accommodation needs of travellers within the area. This work will feed into the 'Publication Draft' version of the DPD which is scheduled to be published for public consultation in May 2017.

Corporate Policies relating to Travellers

4.9 Planning policies are one element of the Councils' corporate policies relating to Travellers. Both Councils are committed to meeting their statutory requirements for Travellers and are, where appropriate, working jointly to do so. A key element to ensure this takes place is to re-convene the Gypsy and Traveller Working Group to be attended by Councillors from both authorities as well as representatives of the Traveller community.

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