

# Gloucester City Council

<b>Meeting:</b>	<b>Cabinet</b>	<b>Date:</b>	<b>11 September 2019</b>
<b>Subject:</b>	<b>Gypsies, Travellers and Travelling Showpeople – Accommodation Need Update</b>		
<b>Report Of:</b>	<b>Cabinet Member for Planning and Housing Strategy</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Adam Gooch – Planning Policy Team Leader</b> <a href="mailto:Adam.Gooch@gloucester.gov.uk">Adam.Gooch@gloucester.gov.uk</a> / 01452 39-6836 <b>David Durden – Strategic Housing Officer</b> <a href="mailto:David.Durden@gloucester.gov.uk">David.Durden@gloucester.gov.uk</a> / 01452 39-6558		
<b>Appendices:</b>	<b>1. Site Assessment Summary</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To update Cabinet on the current position in identifying permanent residential sites for Gloucester's Gypsy, Traveller and Travelling Showpeople communities and transit sites for those travelling through the county.
- 1.2 To seek endorsement from Cabinet with regard to the Council's current position with regard to permanent Gypsy, Traveller and Travelling Showpeople sites.

### 2.0 Recommendations

- 2.1 Cabinet is asked to **RESOLVE** that:
  - (1) the City Council's position with regard to permanent site opportunities for the Gypsy, Traveller and Travelling Showpeople community be endorsed; and
  - (2) it be noted that officers have made a formal request under the 'Duty to Cooperate' to Gloucestershire district planning authorities seeking assistance in identifying a deliverable site to provide for the needs of Gloucester's Gypsy, Traveller and Travelling Showpeople community.
  - (3) the ongoing work within the County to review the need for transit sites and temporary tolerated stopping places be noted.

### 3.0 Background and Key Issues

#### ***Need for permanent Gypsy/Traveller pitches and Travelling Showpeople plots***

- 3.1 Local planning authorities are required to assess and plan for the housing needs of all communities residing in their area, including Gypsy, Traveller and Travelling Showpeople communities. National planning policy places a duty upon authorities to have in place a five-year supply of specific ‘deliverable’ sites to provide for identified needs, and specific ‘developable’ sites for years 6 to 10 and 11 to 15, in the same way as is required for ‘bricks and mortar’ housing. This requirement applies to those who meet the Government’s planning definition as set out in ‘Planning Policy for Traveller Sites’ (March 2015).
- 3.2 The Gloucestershire Gypsy and Traveller Accommodation Assessment (GTAA) (March 2016) sets out the accommodation needs between 2016 and 2031 for each of the six local authorities in the county. For Gloucester City, it identifies a need for two Gypsy / Traveller pitches and 16 Travelling Showpeople plots, including some need in the next five years. In response to the Government’s revised planning definition of Gypsies, Travellers and Travelling Showpeople (Planning Policy for Traveller Sites 2015), Table 1 below presents the figures by those that meet the definition (travelling households), those that do not (non-travelling households) and those where status is not known.

	<b>Pitches</b>			
<b>Gypsies / Travellers</b>	<b>2016 - 2021</b>	<b>2021 - 2026</b>	<b>2026 - 2031</b>	<b>Total</b>
Travelling households	0	0	0	0
Non-travelling households	1	0	1	2
Not known	0	0	0	0
<b>Total</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>2</b>
	<b>Plots</b>			
<b>Travelling Showpeople</b>	<b>2016 - 2021</b>	<b>2021 - 2026</b>	<b>2026 - 2031</b>	<b>Total</b>
Travelling households	6	1	1	8
Non-travelling households	0	0	0	0
Not known	2	3	3	8
<b>Total</b>	<b>8</b>	<b>4</b>	<b>4</b>	<b>16</b>

**Table 1: Gypsy, Traveller and Travelling Showpeople needs in Gloucester**

#### ***Site opportunities***

- 3.3 Gloucester City has a limited land supply for all forms of development within its administrative area. Over the past few years officers have undertaken several targeted ‘call for sites’, seeking to identify sites to provide for the needs of Gypsy, Traveller and Travelling Showpeople communities.
- 3.4 Through this process, several sites were put forward by the community, that are located within the administrative area of the city. However, the majority had to be ruled out because of the existence of ‘absolute’ constraints that make them unsuitable for residential development, such as location within an area of high flood risk, or within the ‘cordon sanitaire’ (an area around the Netheridge Sewage Treatment Works where development is not appropriate because of odour nuisance). Some were also in third party ownership and not being promoted by the landowner and therefore not available for development; limited land supply within the city means that sites suitable for development will always be able to achieve a higher value for alternative uses for

which there is also a demand in the city, such as bricks and mortar housing, employment or retail.

- 3.5 In terms of land owned by the City Council, the majority are designated for community uses such as public open space, allotments and playing fields. They are not therefore suitable or available for redevelopment.
- 3.6 However a site known as the 'former Town Ham Allotments' has been subject to substantial consideration. It is located adjacent to existing Travelling Showpeople sites off Westend Parade in the north of the City and could provide for an extension. However, it is subject to contamination and unstable land in relation to its previous use as a landfill. There is also a high pressure gas pipe running underground through the site.
- 3.7 With this in mind, officers appointed a consultancy called Hydrock to provide additional expertise to establish whether the site could be developed. This work has been completed and it shows that the extent of the constraints would require substantial engineering work and funding to address them. In addition, the presence of the gas pipe would require the creation of a 'buffer zone' where it would not be possible to develop and would restrict the number of plots that could be accommodated, as well as the layout of the site. It has therefore been concluded that the site is not viable and cannot be taken further.
- 3.8 In relation to Gypsy/Traveller need, a site at Sims Lane in Quedgeley currently has temporary planning consent. An application was submitted for the permanent residential Gypsy site, but this wasn't considered acceptable given its location within the cordon sanitaire. For this reason, planning consent was granted for a limited period of time. This was appealed by the applicant but upheld by the Planning Inspector.
- 3.9 It is worth noting that speculative planning applications would count towards supply and would be deducted from the pitch/plot requirement. However, with the exception of the site at Sims Lane, no planning applications have been received for permanent Gypsy, Traveller or Travelling Showpeople sites.
- 3.10 Having regard to the above, the current position is that despite best efforts, there are currently no deliverable / developable sites to provide for needs within the administrative area of Gloucester City. Officers have investigated all possible site options in the city, undertaken several 'call for sites' and investigated the Council's own land assets. It is necessary therefore to seek support from neighbouring authorities to address these needs under the 'duty to cooperate' and a letter has now been sent to all Gloucestershire district planning authorities, seeking support in identifying sites to provide for need.
- 3.11 A summary of site assessments in relation to those submitted under the 'call for sites' and those in City Council ownership is provided at Appendix 1.

### ***Transit sites***

- 3.12 Transit sites are for members of the community who are travelling through the area as opposed to those who have a need for a permanent residential pitch. The 2016 GTAA recommended that, except for a specific community needs in the Forest of

Dean, there wasn't a need for formal transit sites within the County. Instead, the authorities should consider 'temporary tolerated stopping places', whereby an area or areas of land are identified for members of the community to reside for a short period of time before moving on. In some cases, the local authority will provide basic services such as bins or toilets. This is a more positive approach and helps to create better relationships between the settled and traveller communities.

- 3.13 To date, 15 transit pitches have been granted planning consent in the Forest of Dean as recommendation in the GTAA recommendation. In addition, eight pitches have been granted consent in Tewkesbury Borough. Both sites are in private ownership and anyone wishing to reside on them would need permission of the landowner. The City Council is also currently assessing a planning application for four transit pitches and one permanent pitch (for an on-site caretaker) at Severnside Farm in the north of the City.
- 3.14 The GTAA noted that the Government's change the planning definition of Gypsies, Travellers and Travelling Showpeople (based on propensity to travel) could encourage more travel within the community in order to maintain that status. With this in mind, it recommends that the Gloucestershire districts should review whether there is an increased need for formal transit pitches as a result.
- 3.15 Work to take this forward the consideration of temporary tolerated stopping places and a review of transit site needs is currently being taken forward through a county-wide group.

#### **4.0 Asset Based Community Development (ABCD) Considerations**

- 4.1 Not applicable. This report considers the City Council's statutory duty with regard to land-use planning.

#### **5.0 Alternative Options Considered**

- 5.1 Officers have considered all site options to provide for the accommodation needs of its Gypsy, Traveller and Travelling Showpeople communities. None can be found at this time.

#### **6.0 Reasons for Recommendations**

- 6.1 The City Council has a duty to assess and plan for the housing needs of all of the communities residing in their area, including Gypsy, Traveller and Travelling Showpeople communities. It is not possible for the Council to identify sites within its own administrative area and it will therefore be necessary to seek support from neighbouring authorities, under the 'duty-to-cooperate'.

#### **7.0 Future Work and Conclusions**

- 7.1 Requests have been made under the 'duty to cooperate' for support from neighbouring authorities in identifying sites to provide for Gloucester's needs.

## **8.0 Financial Implications**

- 8.0 None at this stage. However, if sites opportunities can be identified in other local authority areas, the City Council would need to financially support the required evidence to underpin the allocation.

(Financial Services have been consulted in the preparation of this report.)

## **9.0 Legal Implications**

- 9.1 Legislation requires local authorities to assess the need for different communities residing in their area and to place in place a strategy to address them. Where there are strategic cross-boundary planning issues whereby a local authority can demonstrate development needs cannot be accommodated within its area, the duty to cooperate requires authorities to work positively in order to try and address these.

(One Legal have been consulted in the preparation of this report.)

## **10.0 Risk & Opportunity Management Implications**

- 10.1 Not having a five year housing supply for Gypsy, Traveller and Travelling Showpeople needs means there is a risk that speculative applications may come forward in locations the authority finds undesirable. The lack of a five year supply would be a material consideration in the determination of the application. That said, the limited land supply in the city means this risk is low.
- 10.2 There is also the risk that a lack of sites to provide for needs limits housing options for the community, which could lead to overcrowding on existing sites or members of the community moving elsewhere.
- 10.3 If future need should be identified, a lack of transit sites and/or temporary tolerated stopping places could increase the number of unauthorised encampments in the city/county, resulting in additional costs through enforcement.
- 10.4 However, the authority is taking positive action under the duty to cooperate and by working in partnership with neighbouring authorities to address these issues.

## **11.0 People Impact Assessment (PIA):**

- 11.1 A PIA screening has been undertaken and is concludes that overall the content of the report will likely have a positive impact for the Gypsy, Traveller and Travelling Showpeople in that positive steps are being taken to address the need for permanent and transit sites through the duty to cooperate.

## **12.0 Other Corporate Implications**

### Community Safety

- 12.1 None

Sustainability

12.2 None

Staffing & Trade Union

12.3 None

**Background Documents:** None

## Appendix 1

### Planning definition of 'deliverable' and 'developable'

The planning definitions, set out in 'Planning Policy for Traveller Sites' (August 2015), footnote 4 and 5, are:

4. To be considered deliverable, sites should be available now, offer a suitable location for development, and be achievable with a realistic prospect that development will be delivered on the site within five years. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within 5 years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.

5. 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

### Site Assessment Summary

	<b>Suitable</b>	<b>Available</b>	<b>Viable</b>
Former Town Ham Allotments	No – investigatory work undertaken by the City Council confirms significant constraints that affect the suitability of the site. The most significant of these is the presence of a high-pressure oil pipe, which introduces a development exclusion area. The site is also subject to significant contamination as a former landfill.	Whilst the City Council as landowner would make the site available if it was suitable, it cannot be accessed by large vehicles via the existing track. Other forms of access are ransomed via third party ownerships.	No – the extent of constraints and limited developable area mean redevelopment of the site is not viable.
40 Sims Lane	No – site located within the 'cordon sanitaire' around Netheridge Sewage Treatment Works.	Yes	Yes
Port Ham Sidings	No – site located within floodzone 3.	No	N/A
Land at Hempsted Meadows	No – site located within the 'cordon sanitaire' around Netheridge Sewage Treatment Works.	No	N/A
Land off Naas Lane	N/A – the site is operating as a car storage facility.	No	N/A
Land rear of St Oswalds Retail Park	Yes – the site provides a suitable location for residential development.	No. Whilst the City Council owns the freehold, a significant proportion of the site is subject to	No. The land is subject to significant constraints in the form of contamination and a leachate

		a third-party leasehold, and other an option for alternative forms of development.	drain. The redevelopment of the site requires higher value uses in order to be viable. In addition, land assembly costs are substantial.
Land adjacent to Hempsted Recycling Centre	No – located directly adjacent to the landfill.	No	N/A
Land adjacent to Netheridge Sewage Treatment Works	No – site located within the 'cordon sanitaire' around Netheridge Sewage Treatment Works.	No	N/A
Land adjacent to Riverside Health and Fitness Club	No – the site is designated public open space and located in floodzone 3.	No	N/A
Land South of A417 (Over Causeway)	No – the site is located in floodzone 3.	No	N/A