

AGENDA ITEM NO.

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY SUB COMMITTEE ON 22 SEPTEMBER 2020

PART A : REPORT

SUBJECT: Gypsy & Traveller & Travelling Showmen Site Allocations Development Plan Document – Preferred Options

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DATE:	1 September 2020
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PORTFOLIO AREA:	Planning

EXECUTIVE SUMMARY:

This report seeks approval to undertake a Regulation 18 Draft Gypsy & Traveller and Traveller Showmen (G&T) Site Allocations Development Plan Document (Draft DPD) 'Preferred Options' public consultation. This consultation follows an earlier Issues and Options consultations in 2019 and is necessary before the draft DPD is published and submitted for examination.

RECOMMENDATIONS:

That the Planning Policy Sub Committee:-

1. Agrees the consultation Draft Gypsy & Traveller and Traveller showmen Site Allocations Development Plan Document 'Preferred Options' for an eight-week public consultation in October 2020;
2. That the Group Head of Planning in conjunction with the Planning portfolio holder and the Chair of the Planning Policy Sub-Committee be granted delegated authority to finalise the draft Preferred Options DPD and accompanying consultation documentation.

1. BACKGROUND:

- 1.1 On 17 December 2019 Planning Policy Sub-Committee (PPSC) noted the outcome of the Issues and Options public consultation for preparing a Gypsy & Traveller and Traveller Showmen Site Allocations Development Plan Document (G&T DPD). It was agreed that following work to address representations and technical objections, a draft 'Preferred Options' G&T DPD be published for consultation in the 2020 (under Regulation 18 Town & Country Planning (Local Planning) (England) Regulations 2012).
- 1.2 The background evidence studies (also consulted on at Issues and Options stage) set out the need for 9 permanent Gypsy & Traveller (G&T) pitches and 14 permanent Traveller Showmen (TSM) plots to be accommodated within Arun over

the plan period (from 2018 to 2036).

- 1.3 National Policy (NPPF 2019) states that a G&TDPD needs to set out specific deliverable sites to meet identified needs within the first 5 years, developable sites 6-10 and or broad locations for years 11-15. Allowing for unimplemented consents or those being implemented, there is a need to allocate 1 deliverable permanent pitch and 3 deliverable permanent plots within the first 5 years.
- 1.4 The proposed approach set out in the draft 'Preferred Options' G&T DPD (Background paper 1) is consistent with the Issues and Options consultation and the evidence studies which identified that needs should be accommodated through intensification or expansion on 8 existing sites. An additional option is included for an area of search or broad location, for the only new potential site at Little Meadow, Yapton (ARU-HELAA-46b), towards the end of the plan period. The site was identified following the discounting process of potential sites based on a G&T Site Identifications Study and informed by Sustainability Appraisal. There is a potential unmet need of 1 traveller showmen plot towards the end of the plan period and this location may offer scope for accommodating a range of G&T pitches and plots providing a degree of contingency and flexibility should delivery not progress in accordance with the plan accommodation requirements.
- 1.5 The 8 sites that have the potential capacity to accommodate more intensive/expanded provision are as follows: -

Table 1 : G&T Pitches and Plots to meet residual need respectively

Pitches Site Ref	Site Name	Existing & unimplemented Pitches	Pitches 2018-23	Pitches 2023-36	Pitches 2018-36
ARU031	Fieldview, Junction	3	0	0	3
ARU049	Limmer Pond Stables	0	1	0	1
ARU051	Dragonfly	0	0	1	1
ARU_NS_1	The Caravan Site	1	0	1	2
ARU044	2 Wyndham Acres	0	2	0	2
Need			1	4	9
Total Capacity		4	3	2	9
Balance			+2	-2	0
Plots Site Ref	Site Name	Existing & unimplemented Plots	Plots 2018-23	Plots 2023-36	Plots 2018-36
AL4714	Aldingbourne Farm Shop	Site Ref	Site Name	0	8

ARU054	The Old Barns	1	0	1	2
ARU046	Nyton Stables	3	0	0	3
Need			3	3	14
Total Capacity		8	4	1	13
Balance			+1	-2	-1

1.6 The draft 'Preferred Options' G&T DPD sets out three separate policies with wording to; safeguard the existing sites and sites for intensification and show these on the Policies map (Background Paper 2) together with inset maps (Background paper 3) for each site; identify the accommodation requirements over the firsts five years and remaining plan period; specify site delivery criteria in order to mitigate impacts. The three proposed policies in the Draft G&T Preferred Options DPD are in summary: -

- Policy G&T SP1 Safeguarding Existing Gypsy Traveller and Traveller Showpeople sites'
- Policy G&T SP2 Provision for Pitches and Plots
- Policy G&T DM1 Site Delivery Criteria

1.7 The Policy wording in Policy G&T DM1 is constructed to address a limited number of comments and some technical objections that were received on specific matters with regard to the evidence base and sites at Issues and Options stage. None of the matters raised are considered to be fundamental barriers to progressing the proposed safeguarding and intensification on existing sites but will need ongoing engagement on the technical solutions and appropriate wording of development management policy.

1.8 Statements of Common Ground (SCG) are being worked up with the agencies and bodies and these will try to resolve any outstanding matters and identify any areas where there is disagreement or need for further resolution.

1.9 West Sussex County Council have raised updated and previously omitted technical questions (the latter in relation to highways and Little Meadow - ARU-HELAA-46b. this site was misinterpreted as not being proposed for consideration at Issues & Options stage) which relate to flooding and highway access. These are summarised below: -

ARU_NS_1 The Caravan Site, North site of New Road A259, Rustington:

- The need for the existing consent to demonstrate appropriate stopping up of highway land prior to allocation.
- Because of the risk posed by climate change, recommend the G&TSIS study assessment should state "avoidance of the use of this site on grounds of flood risk. If overruled on this mitigation is required for noise, residential amenity and highway constraints."

- The assessment should state that the site is within the minerals safeguarding zone.

1.10 The site has permission for a permanent pitch. The study concluded that this is suitable to accommodate a further pitch but not confirmed for immediate availability, it would fall into the period 6-10. This will allow time for achieving resolution of discharging conditions on outstanding matters.

1.11 Background paper 4 shows the proposed safeguarded sites in relation to the Environment Agency flood zones 1, 2, 3a and 3b. The detailed Flood Risk Assessment (FRA) accompanying the planning consent for the site demonstrated that it was actually in flood zone 1 and appropriate conditions were applied to ensure that any residential floorspace would be appropriately located within the site and at an acceptable threshold above Ordnance Datum. No minerals safeguarding zones affect the site.

ARU031 – Fieldview, Pagham Road, Pagham

- Access improvement and visibility splays of 102m may be required to meet the 60 mph posted speed limit and may necessitate that third party land be required and the stopping up of highway.
- Surface/groundwater flooding - "No absolute fundamental constraints".

1.12 The G&TSIS study states that the site is already licensed for four mobile homes being implemented since the JGTAA 2019 and this is merely being counted against the requirement. No additional pitches or caravans are being proposed for environmental health reasons (although the promote considers there is extra capacity).

ARU049 - Limmer Pond Stables, Church Road, Aldingbourne

- Concerns about visibility splays for posted 60 mph speed limit at the existing access points not meeting the required standard and whether third party land may be required.
- Seasonal, poor drainage related surface/groundwater flooding although restricted to Marsh Lane, within 300 m of EA flood warning area.

1.13 The G&TSIS study states that while the site is promoted for two additional pitches, the site is currently suitable for 1 additional pitch subject to highway visibility and landscape improvements. Flooding and drainage would also require standard conditions (Arun Drainage Engineer).

ARY_HELAA_046b - Land at Little Meadow, Yapton (Bilsham Corner)

- Concerns were made about visibility splays at the existing access points not meeting the required standard and whether third party land may be required.
- Proximity to surface/groundwater flooding and climate change risk

1.14 This is the only new site being promoted (16 pitches). The G&TSIS study concluded that this site is not suitable for G&T use at this time. But it was included in the Issues & Options consultation as the only reasonable alternative. It is proposed in the draft 'Preferred Options' G&TDPD therefore, as a broad

location for G&T use towards the end of the plan period. This is because there will be a shortfall of 1 plot for traveller showmen accommodation in the last 5 years and this location is the only promoted new site presenting an opportunity for contingency/flexibility beyond the existing sites for intensification.

1.15 Grant funding would also be one option to help tackle the highway engineering and third-party land implications and potential financial/viability barriers to site deliverability. The grant funding regime has evolved over time and recent programmes such as Traveller Pitch funding ceased in 2015 but is replaced by the 'Shared Ownership and Affordable Homes Programme' 2016-2021 administered by 'Homes England'. In addition, such small-scale allocations outside of the strategic allocations will need any off-site delivery or mitigation funding to be provided via Community Infrastructure Levy.

1.16 With the above in mind, the policy approach therefore, sets criteria and requirements for applicants to consult and engage with the statutory bodies and agencies and provide necessary assessments to ensure:-

- Minerals safeguarding where applicable;
- Highways safety and access;
- Flood avoidance and mitigation;
- Protection and enhancement of natural features and net biodiversity gains;
- Protecting the setting and character of historic assets;
- Minimising the impact within the wider landscape and lighting compliance with Dark Sky's policy;
- Appropriate landscaping mitigation and safeguarding of the sensitive setting of the nationally designated South Down National Park;
- Adequate treatment and disposal of waste and foul water whether on site or connection to main.

1.17 A number of checks were made on legal/planning status of sites to address queries raised at Issues and Options in particular:-

- ARU040 'Land West of Brook Lane, south of A259 Angmering' – this site was abandoned and is no longer a G&T site and is subject to a permitted development for mixed use – however, this has already been discounted in the supply evidence – no action needed.
- AL4714 Land at Aldingbourne Farm Shop – this site has been lawfully implemented – no action needed.

1.18 The Sustainability Appraisal was published for consultation at Issues and Options stage. The proposed approach in the draft Preferred Options G&TDPD is in accordance with the sites appraised in the Issues and Options document. The commissioned consultants confirm that there are no significant implications from this approach being based on the same evidence and selection of sites (see Background paper 5 SA Technical Note). An updated Sustainability Appraisal will nevertheless be included with the consultation proposed for October to update the detail from the draft Preferred Options G&TDPD.

Conclusion

1.19 The draft Preferred Options G&TDPD is the next stage of public consultation. Broadly, it is considered that the proposed policy approach accords with the baseline evidence studies and sufficiently addresses representations and should now be published for public consultation in achieve timely and effective plan making as required by national policy. The consultation will help to identify further mitigation, funding and delivery matters and may also elicit further potential sites that can be evaluated prior to publishing a Publication Regulation 19 G&T DPD.

1.20 Next Steps

1.21 That the Regulation 18 Draft Preferred Options G&TDPD progress to public consultation in October 2020.

2. PROPOSAL(S):

That the Regulation 18 Draft 'Preferred Options' G&T DPD is published for an eight week for public consultation in the October 2020.

3. OPTIONS:

Not to progress the Draft G&T DPD would be contrary to national policy and policy commitment within the Adopted Arun Local Plan 2018 including the updated Local Development Scheme May 2020 and therefore, risk planning by appeal and unplanned development.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	x	
Relevant District Ward Councillors	x	
Other groups/persons (please specify) Traveller community representatives and households, the settled community Parish and Town councils and 'duty to cooperate' bodies and authorities.	x	

5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		x
Legal		x
Human Rights/Equality Impact Assessment	x	
Community Safety including Section 17 of Crime & Disorder Act		x
Sustainability		x
Asset Management/Property/Land		x
Technology		x

Other (please explain)		x
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6. IMPLICATIONS:

There are legal duties under the Equalities Act 2010 and in national planning policies and guidance to ensure that adequate deliverable and developable sites are provided to accommodate the needs of Gypsy and Traveller and Traveller Showmen over the plan period that meet the needs of sustainable development and ensuring that the amenity of the settled community are also accommodated.

7. REASON FOR THE DECISION:

There is a policy requirement to progress a Gypsy and Traveller and Traveller showmen Development Site Allocations Development Plan Document within the adopted Arun Local Plan 2018 and within the Council's Local Development Scheme, in order to meet the objectively assessed needs for Gypsy and Traveller accommodation and therefore, provide a sound development plan for Arun District.

8. BACKGROUND PAPERS:

The Background papers 1-5 below may be accessed on the following 'Development Plan (incl Local Plan)' web page by navigating to the 'Gypsy & Traveller and Traveller Showpeople web tab:- <https://www.arun.gov.uk/gypsies-and-travellers/>

1. Draft G&T Preferred Options DPD
3. Draft G&T Policies Map (with Insets)
4. Draft G&T Inset Maps
4. Draft G&T Flood Zone Map
5. SA Technical Note G&TDPD

