

# 1. Introduction

## Background

- 1.1 The North West Leicestershire Local Plan was adopted by North West Leicestershire District Council on 21 November 2017. The Local Plan provides a planning policy framework for guiding development in the District up to 2031. It comprises a vision, strategic objectives, site allocations and development management policies. With regard to housing, the Local Plan aims to meet the housing needs of the community. The Local Plan states that the accommodation needs of Gypsies and Travellers and Travelling Showpeople are to be met through the production of a Gypsy and Traveller Site Allocations Development Plan Document (DPD).

## Why should we prepare a Gypsy and Traveller Site Allocations Development Plan Document?

- 1.2 The Government requires local planning authorities to assess the accommodation needs of Gypsies and Travellers and Travelling Showpeople and to meet those needs through the identification of land for suitable sites.
- 1.3 As in many other areas of the country, there has been a shortage of authorised Gypsy and Traveller sites in North West Leicestershire to meet identified need. This leads to unauthorised developments and encampments and results in uncertainty for both the settled population and the Gypsy and Traveller community. It is also recognised that Gypsies and Travellers are amongst the most socially excluded groups in society and research has consistently confirmed the link between the lack of good quality sites and poor health and education outcomes. The provision of sites can therefore be the key to tackling a host of issues.
- 1.4 The failure to allocate sufficient land to meet the need for new pitches has several impacts including:
- Continuing the current problem of unauthorised development and encampments, as well as tensions with the settled community;
  - Restricting the Council's ability to enforce against unauthorised development as our ability to enforce is related to how proactive we are in meeting the need for sites; and
  - Increasing the difficulty of ensuring that the Gypsy and Traveller community has access to all the support and services they need.
- 1.5 This Development Plan Document addresses these issues by identifying sites to meet the accommodation needs of Gypsies and Travellers and Travelling Showpeople in North West Leicestershire to 2031. This includes the needs of Gypsies (including English, Scottish, Welsh and Romany Gypsies), Irish Travellers, New (Age) Travellers, and Travelling Showpeople.

## What is the process for preparing a Development Plan Document?

- 1.6 A Consultation Draft document published in February 2016 under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 provided an opportunity for individuals, organisations and stakeholders who may have an interest in provision for Gypsies, Travellers and Travelling Showpeople to make initial comments and suggest sites that may be suitable for allocation. Responses received were used to inform the preparation of this publication DPD.
- 1.7 This publication Gypsy and Traveller Site Allocations Development Plan Document has been prepared under Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012. After this stage the plan (together with any comments received) will be submitted to the Secretary of State (Regulation 22) who will appoint a Planning Inspector to assess the plan through a Public Examination to establish whether it is 'sound' or not.
- 1.8 Only when the plan has been through these various stages and a Planning Inspector considers the plan to be 'sound' is the Council able to adopt the Development Plan Document.
- 1.9 Once adopted, this DPD together with the North West Leicestershire Local Plan and the Minerals and Waste Local Plan prepared by Leicestershire County Council will be the Development Plan for North West Leicestershire. The Development Plan provides the basis for determining planning applications.

## What other matters must we have regard to in preparing the DPD?

- 1.10 The Gypsy and Traveller Site Allocations Development Plan Document is not prepared in isolation. In particular, the DPD must be consistent with national planning requirements and the policies of the North West Leicestershire Local Plan. We also have to comply with various European regulations.

### National Policy

- 1.11 The Government's planning policy for Traveller sites was published in August 2015. The Government's overarching aim is to ensure fair and equal treatment for Travellers, in a way that facilitates the traditional and nomadic way of life of Travellers while respecting the interests of the settled community.
- 1.12 The Government's 'Planning Policy for Traveller Sites' includes the following definition of Gypsies and Travellers:

#### 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.

### Local Policy

- 1.13 The North West Leicestershire Local Plan and Policy H7 specifically, provide the context and local policy framework for this Gypsy and Traveller Site Allocations Development Plan Document.
- 1.14 Policy H7 of the Local Plan on Provision of Sites for Gypsies and Travellers states:
  - (1) Provision will be made to meet the accommodation needs of Gypsies and Travellers and Travelling Showpeople between 2012- 2031 for a minimum of:
    - 2012 - 2017: 27 pitches plus 20 transit pitches
    - 2017 - 2022: 11 pitches plus 3 plots for showpeople
    - 2022- 2027: 14 pitches plus 3 plots for showpeople
    - 2027- 2031: 16 pitches plus 3 plots for showpeople
  - (2) The required provision will be identified through the production of a Gypsy and Traveller Site Allocations Development Plan Document, taking into account the most-up-to-date Gypsy and Traveller Accommodations Needs Assessment.
  - (3) A five year supply of deliverable sites will be identified as well as a supply of developable sites or broad locations for the following years. The following criteria will be used to guide the site allocation process, and for the purposes of considering planning applications for such sites.
  - (4) Proposals for new sites or extensions to existing sites should meet the following requirements:
    - (a) Be located with reasonable access to a range of services, such as shops, schools, welfare facilities or public transport
    - (b) Be proportionate to the scale of the nearest settlement, its local services and infrastructure
    - (c) Have suitable highway access, and is not detrimental to public highway safety
    - (d) Provides for adequate on-site parking and turning of vehicles as well as appropriate facilities for servicing and storage
    - (e) Be capable of being provided with adequate services including water supply, power, drainage, sewage disposal, and waste disposal facilities
    - (f) Be compatible with landscape, environment, heritage and biodiversity as well as the physical and visual character of the area,
    - (g) Be compatible with the amenities of neighbouring properties and land uses.

- (5) Authorised, existing and new, sites will be safeguarded for Gypsy and Travellers and Travelling Showpeople groups unless they are no longer required to meet an identified need.
  - (6) Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.
- 1.15 A pitch/plot is an area of land on a site that is generally home to one household. A pitch/plot can vary in size and have varying caravan numbers. Pitches refer to Gypsy and Traveller sites and plots to Travelling Showpeople yards.
- 1.16 The policies and proposals of this DPD need to be read alongside the policies of the North West Leicestershire Local Plan. When considering development proposals, all the relevant policies of both plans will apply.

### European Regulations

- 1.17 A Strategic Environmental Assessment (SEA) of the plan is required to assess its environmental impacts. The requirement for a SEA has been taken further by the Government which requires that a Sustainability Appraisal (SA) be carried out to assess not only the environmental effect of the plan, but also the economic and social effects.
- 1.18 A Habitats Regulations Assessment (HRA) is also needed to consider the impact of the policies and proposals of the DPD on sites of European significance designated for species and habitats (Special Areas of Conservation (SAC)) or birds (Special Protected Areas (SPA)). That part of the river Mease and its tributaries which lie within North West Leicestershire is designated as a Special Area of Conservation.
- 1.19 This publication Gypsy and Traveller Site Allocations Development Plan Document is accompanied by a Sustainability Appraisal/ Strategic Environmental Assessment and a Habitats Regulations Assessment.

### Duty to Cooperate

- 1.20 The Localism Act 2011 introduced a requirement on local planning authorities to co-operate with neighbouring local authorities and other bodies with a regulatory or strategic interest in Local Plan issues. This is referred to as the “Duty to Cooperate” and includes the need to consider the impact of the plan as a whole and its proposals for major development on other places close to North West Leicestershire.
- 1.21 North West Leicestershire lies within the county of Leicestershire which, together with Leicester City, has been identified as a Housing Marker Area (HMA) and the Leicester and Leicestershire Enterprise Partnership area (LLEP). The District Council has a close working relationship with the authorities across the HMA/LLEP through a variety of different groups. In particular, and relevant to the preparation of this DPD, we have been working with the other local planning authorities (excluding Hinckley and Bosworth Borough Council) in the HMA, to prepare pitch targets for Gypsies and Travellers and the plot targets for Travelling Showpeople.

1.22 The Leicester and Leicestershire Multi Agency Travellers Unit (MATU) has also been involved in the preparation of this Gypsy and Traveller Site Allocations Development Plan Document. MATU is a county-wide Gypsy and Traveller management and enforcement partnership which comprises all Leicester and Leicestershire Local Authorities, Leicestershire Police and the NHS Travelling Families Team. The unit is hosted by Leicestershire County Council and acts on behalf of (but in liaison with) these other bodies and organisations. MATU's work covers a range of functions including traveller welfare, reducing friction between travellers and the settled community, dealing with unauthorised encampments, and providing advice on the development and implementation of traveller related policies.

## 2. Leicester and Leicestershire Gypsy and Traveller's Accommodation Needs Assessment

### The Leicestershire and Leicester Gypsy and Traveller's Accommodation Needs Assessment 2017

- 2.1 Working with the other local planning authorities (excluding Hinckley and Bosworth Borough Council<sup>1</sup>) in the Leicester and Leicestershire Housing Market Area, North West Leicestershire District Council has updated the pitch targets for Gypsies and Travellers and the plot targets for Travelling Showpeople. The 2017 Gypsy and Traveller Accommodation Needs Assessment (GTAA) takes account of the latest definition of "traveller" (which now excludes those who have permanently ceased from travelling) set out in the Government's 2015 planning policy document for travellers and changes in the supply of pitches and plots since the previous 2013 Assessment.
- 2.2 The GTAA is based on a combination of desk-based research, stakeholder interviews and engagement with members of the travelling community living on all known sites. In North West Leicestershire, 16 interviews were completed with Gypsies and Travellers and 25 interviews were completed with Travelling Showpeople.
- 2.3 The GTAA provides a robust and up to date evidence of need that replaces the pitch and plot requirements set out in Local Plan Policy H7. The Assessment covers the period 2016 to 2036. However, this has been broken down by 5 year bands which enables us plan to 2031- the same period as the North West Leicestershire Local Plan.
- 2.4 The additional pitch needs for Gypsies and Travellers are set out in the following sections. Additional needs are set out for those households that meet the planning definition of a Gypsy or Traveller together with an allowance for those unknown households where an interview was not able to be completed who may meet the planning definition. These needs are to be addressed through the identification of sites.
- 2.5 There is no requirement for this DPD to meet the needs of those households that do not meet the planning definition of a Gypsy or Traveller.

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<sup>1</sup> Hinckley and Bosworth commissioned its own assessment using the same methodology.

### 3. Gypsies and Travellers and Travelling Showpeople site Allocations

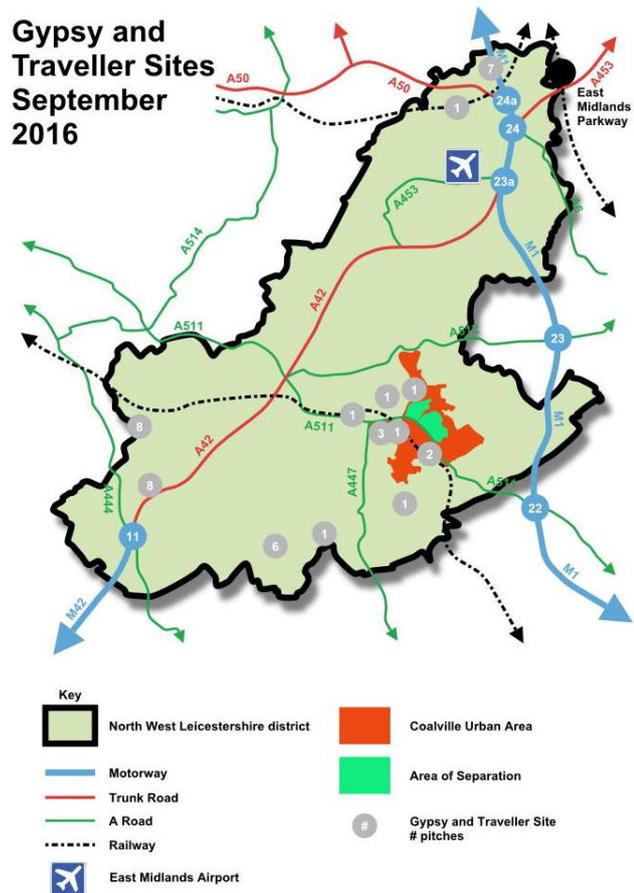
#### Gypsies and Travellers: Permanent Sites

3.1 At September 2016, there were 13 Gypsy and Traveller in North West Leicestershire providing 34 pitches. As part of the 2017 Leicestershire and Leicester Gypsy and Traveller’s Accommodation Needs Assessment, a total of 16 interviews were completed with Gypsies and Travellers living on these sites.

3.2 The Accommodation Needs Assessment identified four Gypsy or Traveller households in North West Leicestershire District that meet the planning definition, and 12 households that did not meet the planning definition. There were 13 households where an interview was unable to be completed.

3.3 For North West Leicestershire, the Accommodation Needs Assessment identifies a need for five additional pitches for households that meet the planning definition for the period to 2031. We have also allowed for one additional pitch to provide for the need that may arise from households where an interview was unable to be completed. The Gypsies and Travellers provision on permanent sites is therefore six pitches.

3.4 In 2011, planning permission was granted on appeal for a six-pitch residential Gypsy caravan site at Old Ashby Road, Sinope. The owner commenced development to implement the planning permission within the specified time period but has not been in a position to complete the development. Discussions with the owner have confirmed that the site is available for a Permanent Gypsy and Traveller Site.



### **Policy GT1: Permanent Gypsy and Traveller Site Allocation at Old Ashby Road, Sinope**

Land to the north of Old Ashby Road, Sinope will be protected for the development at least six permanent Gypsy and Traveller pitches.

#### **Gypsies and Travellers: Transit Sites**

- 3.5 While the majority of Gypsies and Travellers have permanent bases either on Gypsy and Traveller sites or in bricks and mortar, other members of the community either travel all year round or for large parts of the year. Their needs can be met by transit sites which can operate all year round but only provide temporary accommodation. Transit sites are not intended for use as a permanent base and have more basic facilities (e.g. communal washing/utility facilities).
- 3.6 Between 1997 and 2016 a total of 1,711 unauthorised encampments were recorded across Leicester and Leicestershire, with a general trend showing an increase from 2008 onwards. The highest number of unauthorised encampments was recorded in North West Leicestershire (453).
- 3.7 Based on a combination of a review of the outcomes of the previous 2013 GTAA, Traveller Caravan Count Data and intelligence from MATU and other stakeholders, there is a current need for a minimum of 12 caravan spaces (or managed equivalent) in Leicester City, and a minimum of 36 caravan spaces (or managed equivalent) spread over 2-3 sites elsewhere in Leicestershire. The need is greatest in the North West of the county.
- 3.8 It has been suggested that there will be a need to increase transit provision across the country as a result of the revised definition of Gypsies and Travellers introduced by the Government's 2015 'Planning Policy for Traveller Sites'. This may be the case, but it will take some time for any robust evidence to be available to substantiate these claims. Therefore, we will need to consider a review of the evidence base relating to unauthorised encampments once the impact of the revised definition of Gypsies and Travellers becomes clear.
- 3.9 Our preferred approach is, in conjunction with MATU, to use managed approaches to dealing with unauthorised encampments ahead of the provision of a public transit site in North West Leicestershire. These approaches could include the continued use of tolerated stopping or the introduction of Negotiated Stopping Agreements for short-term encampments.
- 3.10 If this managed approach does not properly address needs, a transit site has been identified on Nottingham Road, Ashby de la Zouch which has good access to the wider road network and is suitable, available and achievable.

### **Policy GT2: Gypsy and Traveller Transit Site**

The need for Gypsies and Travellers transit accommodation in North West Leicestershire will be reviewed by 31 December 2020.

In the interim, in meeting the need for transit accommodation for Travellers, priority will be given to managed approaches.

Thereafter, if there is a persistent unmet need for transit accommodation in North West Leicestershire, land to east of Nottingham Road, Ashby de la Zouch is allocated as a Gypsy and Traveller transit site for around 12 pitches subject to the following provisions:

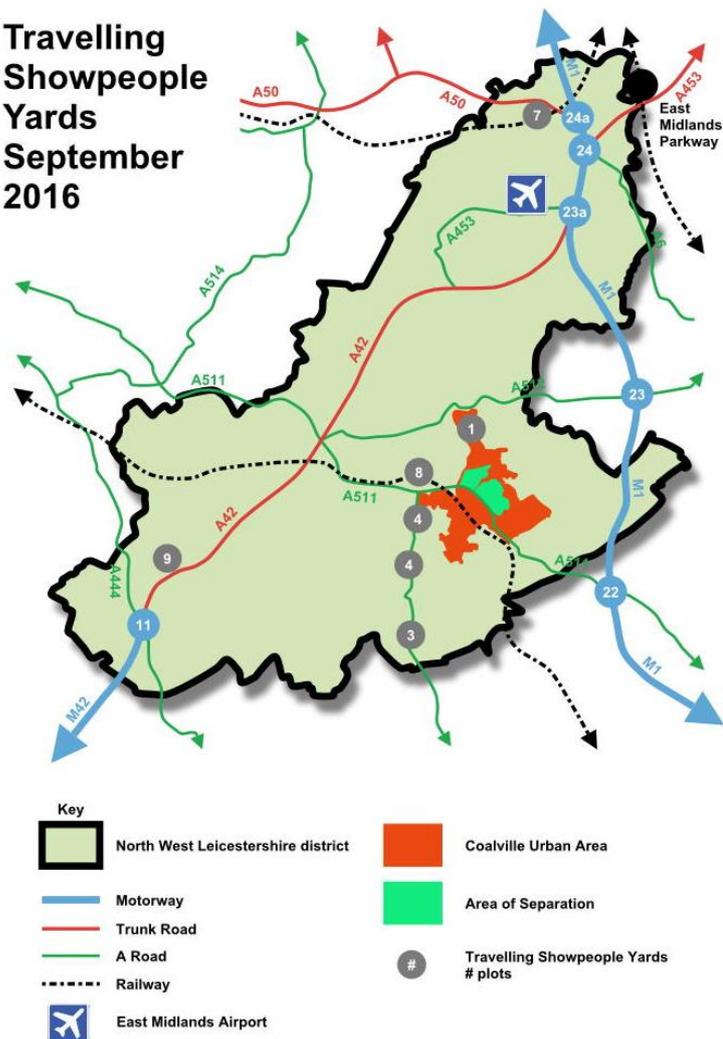
- A. Access to the site shall be off Nottingham Road;
- B. The incorporation of noise mitigation measures to shield site from A42 noise;
- C. That the placement of any pitches would not create a new Air Quality Management Area;
- D. That the risks associated with made ground are assessed and mitigated;
- E. A landscaping scheme should be implemented to provide for an improvement in biodiversity and include the retention of trees and the enhancement of boundary planting; and
- F. The maximum permitted length of stay on the site is 28days.

For there to be a persistent unmet need, the number of unauthorised sites in North West Leicestershire recorded by the twice-yearly count of Traveller caravans should, when compared with the 2016 survey, show no signs of decline.

## Travelling Showpeople Sites

3.11 Showpeople travel the country, often with their families, holding fairs. Many of these families have been taking part in this lifestyle for generations. Although their work is of a mobile nature, showpeople nevertheless require secure, permanent bases for the storage of their equipment and more particularly for residential purposes. These bases are mainly occupied during the winter, when many showpeople will return there with their caravans, vehicles and fairground equipment. For this reason, these sites traditionally have been referred to as “winter quarters”, with individual pitches generally referred to by showpeople as plots.

### Travelling Showpeople Yards September 2016



3.12 At September 2016, there were seven Travelling Showpeople’s Yards in North West Leicestershire providing 36 plots. As part of the 2017 Leicestershire and Leicester Gypsy and Traveller’s Accommodation Needs Assessment, 25 interviews were completed with Travelling Showpeople living on these sites.

3.13 A total of 14 Travelling Showpeople households based in North West Leicestershire that were interviewed as part of the 2017 GTAA met the planning definition of travelling. The overall level of need for those households who meet the planning definition of a Travelling Showperson is for 18 additional plots over the period to 2031.

3.14 It was not possible to determine the travelling status of 11 households as they either refused to be interviewed, or were not on site at the time of the fieldwork. However, some of these households may be Travelling Showpeople that meet the planning definition. We have allowed for an additional two plots to provide for this potential need to 2031. The overall Travelling Showpeople provision to 2031 is therefore 20 plots.

- 3.15 Some of this need could be met through the extension of existing Travelling Showpeople sites in the district. The remaining need will be met by the allocation of the former Measham Mine at Swebstone Road, south-east of Measham.

### **Policy GT3: Travelling Showpeople Site Allocations**

The need for twenty Travelling Showpeople plots will be met by:

1. The intensification of existing, suitable Travelling Showpeople sites or the extension of such sites onto adjoining, suitable, available land; and
2. 3.73 Hectares of land at the former Measham Mine, Swebstone Road, near Measham to provide up to 20 plots, subject to the following provisions:
  - A. Access to the site shall be off Swebstone Road;
  - B. That the risks associated with the former use of the site as a mine are assessed and mitigated; and
  - C. A landscaping scheme should be implemented to provide for an improvement in biodiversity and include the enhancement of boundary planting.

## 4. Detailed Planning Considerations

- 4.1 The Government's 2008 Good Practice guide on Designing Gypsy and Traveller Sites was cancelled in August 2015. Nonetheless, it is important that there is certainty and clarity for applicants, the Gypsy, Traveller and Travelling Showpeople communities and the settled community about what is expected from development and the future use of land. The inclusion of a detailed planning considerations policy seeks to provide this assurance to all concerned.

### Policy GT4: Detailed Planning Considerations

Proposals for Gypsy, Traveller and Travelling Showpeople development will be expected to:

- A. Incorporate appropriate vehicular access and turning space;
- B. Minimise conflict between pedestrians / cyclists and vehicles on site;
- C. Include appropriate landscaping proposals and demonstrate that key elements of landscape character have been identified, retained and incorporated into the design. The presence of high close-board fencing will generally be considered inappropriate as a means of screening the site or pitch separation;
- D. Be well designed and laid out, ensuring that proposed amenity buildings or day rooms are sensitively sited and use sympathetic materials;
- E. Promote community safety and social cohesion through measures such as natural surveillance on site;
- F. Ensure that children are able to play safely on site;
- G. Include details of foul sewerage disposal and surface water drainage, and where appropriate, look for opportunities to implement Sustainable Drainage Systems; and
- H. Where feasible, reduce exposure to severe weather and climatic risks, utilising for example, natural shade and shelter. To reduce fuel poverty, consideration should also be given to the use of renewable energy systems such as wind or solar energy together with more energy-efficient buildings, especially amenity blocks;
- I. Schemes should make clear what commercial activity, if any, would be carried out on site and where;
- J. Ensure that the site is occupied only by Gypsies, Travellers and Travelling Showpeople as defined by the Government's Planning Policy for Traveller Sites; and
- K. Any discharge of wastewater into the river Mease catchment shall be in accordance with the provisions of Local Plan Policy En2. Development which does not meet these provisions will not be permitted.

## Safeguarding

- 4.2 To ensure that the levels of Gypsy, Traveller and Travelling Showpeople accommodation are maintained, all current authorised sites and future sites allocated through the Plan or via the successful outcome of a planning application will be safeguarded for Traveller use in accordance with Local Plan Policy H7.

## Appendix 1: Policies Map

The Policies Map shows all the areas in North West Leicestershire where different policies of the North West Leicestershire Local Plan apply. The Policies Map will be revised and updated as each Development Plan Document is adopted. In the case of the Gypsy and Traveller Site Allocations Development Plan Document, the Policies Map will be updated to show the following allocated sites.

**Permanent Gypsy and Traveller Site Allocation at Old Ashby Road, Sinope**



**Gypsy and Traveller Transit  
Site Allocation at Nottingham  
Road, Ashby de la Zouch**

