

## York Travellers Trust Local Plan Examination

### Potential Modifications to Policies H5 and H6

These proposed potential modifications are based on the conclusions to York Travellers Trust's Hearing Statement for the Phase 2 Matters 4 and 7 hearings.

#### Policy H5: Gypsies and Travellers

##### Safeguarding Existing Supply

Proposals which fail to protect existing Gypsy and Traveller sites or involve a loss of pitches/plots will not be permitted unless it can be demonstrated that they are no longer required or equivalent alternative provision can be made. Existing Gypsy and Traveller sites are shown on the proposals map, and are listed below:

- James Street, Layerthorpe;
- Water Lane, Clifton; and
- Outgang Lane, Osbaldwick;

##### Assessment of Needs

As a matter of urgency, the Council will commission an updated assessment of needs to inform the early review of the Plan.

##### Meeting ~~Future~~ Needs

In order to meet the accommodation needs of Gypsies and Travellers, provision ~~will be made in the following ways:~~ is needed both for Gypsies and Travellers who come within and may not come within the terms of the definition in Annex 1 to Planning Policy for Traveller Sites (2015). Reflecting local circumstances and national policy provision is required both for additional social rented pitches, for pitches on privately owned sites and for a transit site or sites.

##### Allocations

a) Within Existing Local Authority Sites

In order to meet the need of Gypsies and Travellers that meet the planning definition, 3 additional pitches will be identified within the existing three Local Authority sites.

b) Sites to be identified through the early review of the Plan.

##### c) Through ~~Within~~ Strategic Allocations

In order to meet the need ~~of those 44 Gypsies and Traveller households that do not meet the planning definition:~~

Applications for larger development sites of 5 ha or more will be required to:

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- provide a number of pitches within the site; or
- provide alternative land that meets the criteria set out in part (c) of this policy to accommodate the required number of pitches or [which meets the criteria of Policy GB4; or](#)
- provide commuted sum payments to [enable the provision of pitches through the sites allocated or to be allocated at a\) and b\) above](#)

The calculations for this policy will be based on the hierarchy below:

- 100 - 499 dwellings - 2 pitches should be provided
- 500 - 999 dwellings - 3 pitches should be provided
- 1000 - 1499 dwellings - 4 pitches should be provided
- 1500 - 1999 dwellings - 5 pitches should be provided
- 2000 or more dwellings - 6 pitches should be provided

#### **d) Planning Applications**

In addition to the above allocated sites, development for Gypsy and Traveller sites will be permitted where proposals:

- do not conflict with the objective of conserving and enhance York's historic and natural environment. This includes the city's character and setting and internationally, nationally and locally significant nature conservation sites, green corridors and areas with an important recreation function;
- ensure accessibility to public transport and services;
- are suitable in terms of vehicular access and road safety including internal space for adequate parking and turning;
- ensure that development does not have an undue impact on the residential amenity of current residents and future occupiers, including leading to unacceptable levels of congestion, pollution and air quality; and
- appropriately manage flood risk.

In addition, proposals will be expected to:

- provide adequate provision for storage, recreation space, amenity provision and utility services;
- ensure that the size and density of pitches/plots are in accordance with best practice guidance;
- incorporate appropriate landscape proposals to have a positive influence on the quality and amenity of the development;
- ensure that residents living nearby are not unduly affected by noise, disturbance or overlooking; and
- ensure future occupiers would not be subject to significant adverse environmental impacts.

Any permission granted for a Gypsy and Traveller development will be subject to a condition limiting occupation to Gypsies and Travellers [who meet the Planning Policy for Traveller Site definition, or with a need for caravan accommodation.](#)

#### Explanation

5.36 Key evidence including the Equality and Human Rights Commission report

Inequalities Experienced by Gypsy and Traveller Communities (2009) suggests that today Gypsies and Travellers are the most marginalised and disadvantaged of all minority groups nationally, suffering the greatest inequalities across a range of indicators.

- 5.37 Planning Policy for Traveller Sites (2015) introduced a revised definition for Travellers, which means that households whose travelling is not at least in part for work purposes fall outside the definition. People can stop travelling on a temporary basis for reasons related to health, education and old age, but not stop travelling permanently.

5.37a York is exceptional in that nearly all of the existing provision is on social rented sites. Much of the local need is for social rented pitches, but reflecting both Government policy and the ambitions of many Traveller families, much of the provision should be on small private sites.

- 5.39 In accordance with Government guidance set out in the NPPF (2012) and Planning Policy for Traveller Sites (2015), the Council is required to identify a supply of specific, deliverable Gypsy, Traveller and Travelling Showpeople sites sufficient to provide five years' worth of sites against their locally set targets to meet accommodation needs of these groups who meet the revised definition in York. It is also required to identify a supply of sites for Gypsies and Travellers who do not come within the 2015 definition, but who require appropriate accommodation, that is pitches for caravans and separate washroom facilities, or similar.

5.39a It is not possible to define the inner Green Belt boundary within York until the supply of sites is defined.

5.39b To comply with these requirements the Council will as a matter of urgency commission an updated assessment of Gypsy and Traveller accommodation needs and will identify a supply of sites where the required provision can be developed.

- 5.42 The suitability of the location of any further sites for Gypsies, Travellers or Travelling Showpeople which come forward during the plan period will be determined in accordance with criteria i - v of Policies H5 and H6. These consider the natural and historic environment, access to public transport and services, road access and congestion, flood risk and amenity. The development of the allocated sites and any further sites that come forward during the plan period will be determined in accordance with Policies H5 and H6 criteria vi – ix. These

consider the provision of storage and recreation space, amenity provision, size and density of pitches/plots, landscaping of the site, amenity of nearby residents and future occupiers of the site.

- 5.43 A condition will be attached to any permission to ensure that the sites remain in use by Gypsies and Travellers or Travelling Showpeople, as appropriate and the number of pitches and plots are retained to ensure a supply to need demand.

#### **Policy GB4: Exception sites for affordable housing [and affordable Gypsy and Traveller sites](#) in the Green Belt**

The development of affordable housing [or affordable Gypsy and Traveller pitches](#) on exception sites in the Green Belt is not inappropriate development and will be considered where:

- i. the development contributes to meeting identified need as illustrated by an up to date housing needs assessment;
- ii. the affordable housing [or affordable Gypsy and Traveller pitches](#) is retained at an affordable price for future eligible households in perpetuity;
- iii. the development is within 800m of an existing defined settlement limit or is well related to the existing residential development and amenities located in or adjacent to a clearly identified village or settlement; and
- iv. the development reflects the size of the settlement in terms of scale, form and character.

A proportion of market housing [or Gypsy and Traveller pitches](#) may be acceptable if it can be demonstrated that the site would be unviable as an exception site, without cross subsidy. However:

- the majority of development must be for affordable housing [or pitches](#) with the minimum number of market homes required to make the scheme viable;
- it must be demonstrated that there is insufficient public subsidy available; and
- it must be demonstrated through a financial appraisal that the scale of market component is essential for the delivery of the scheme and is based on reasonable land values.'

#### **Explanation**

10.22 Exception sites are used to enable communities to deliver affordable housing, in perpetuity, on sites which would not normally be permitted for housing. The National Planning Policy Framework (2012) (NPPF) makes clear that 'limited affordable housing for local community needs under policies in a local plan' is not inappropriate development.

[10.22a In the particular circumstances of York with a substantial and long established Gypsy community, and significant difficulties in allocating appropriate sites exception sites to meet Gypsy and Traveller needs will be acceptable in the Green Belt.](#)

10.23 [Need](#) will have to be demonstrated and an up-to-date needs survey should be carried out.

10.24 The policy allows a number of market homes to cross subsidise affordable provision where it can be justified as necessary to make an exception scheme viable, and if it can be demonstrated there is insufficient public subsidy available. This is in line with the NPPF. On sites where a proportion of the site is to be developed for market housing [or pitches](#) to provide cross subsidy, a detailed financial appraisal is required to demonstrate that the proportion of market housing proposed is the minimum required to ensure the viability of the scheme and that the value of the land is based on a realistic land value.