

# **Mansfield District Council**

Mansfield District Local Plan  
2013 - 2033

## **Gypsy and Traveller Technical Paper**

September 2018

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**Mansfield**  
District Council

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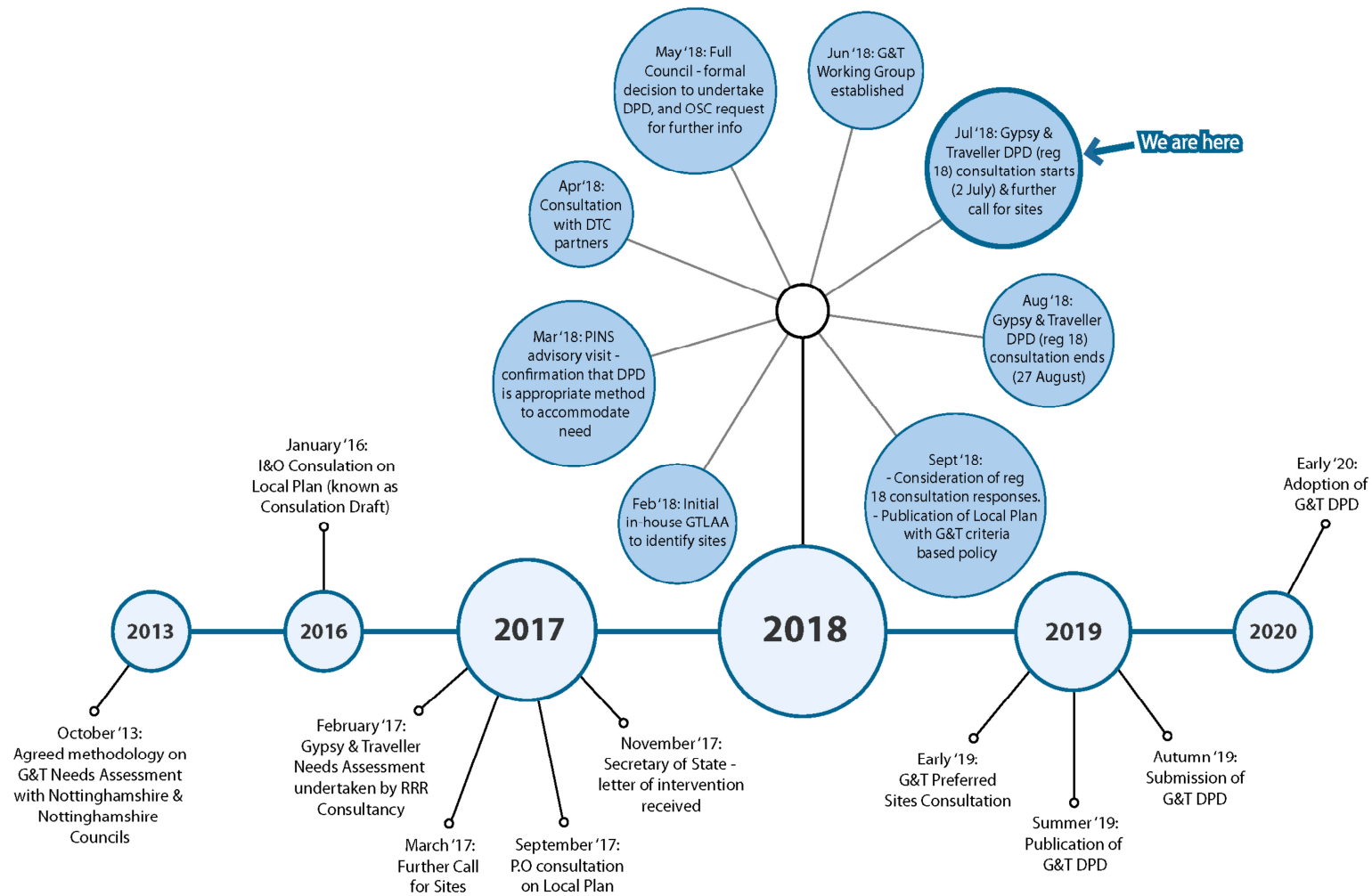
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## **1. Introduction**

- 1.1 There is a shortage of authorised sites for Gypsies and Travellers at a national, regional and local level and as a consequence many Gypsies and Travellers have no option but to live on unauthorised and/or unsuitable sites. If suitable sites can be identified through the planning process it will prevent the need for illegal encampments, which often cause conflict with the settled community.
- 1.2 Mansfield District Council has a duty to assess, identify and plan to meet the districts housing needs including those of Gypsies and Travellers and Travelling Showpeople. When plan making, local planning authorities are required to identify and update annually a five year supply of specific deliverable sites and to also identify a supply of specific, developable sites or broad locations for the following five to ten years.
- 1.3 The purpose of this technical paper is to provide an overview of the Gypsy and Traveller work undertaken to date, including our initial assessments, and our decision to undertake a Gypsy and Traveller Site Allocations Development Plan Document (DPD) to meet the need. It will also explain where we are in the DPD process, and how this relates to the overall Mansfield District Local Plan process. This technical paper will be submitted as evidence to support the Mansfield Local Plan (2013 – 2033).
- 1.4 Figure 1 overleaf sets out how the subject of Gypsies and Travellers have been considered since the start of the Mansfield District Local Plan period in 2013. It also shows the work undertaken, the local plan stages, and the key decision made to date. It also reflects the key stages of the DPD to come.

**Figure 1: Gypsy and Traveller Timeline**



## **2. Policy Context**

### ***National***

- 2.1 Romany Gypsies and Irish Travellers are legally recognised as ethnic groups, and protected from discrimination by the Race Relations Act (1976, amended 2000) the Human Rights Act (1998), and the Equality Act 2010.
- 2.2 The Housing Act 2004 requires Local Authorities to include Gypsies and Travellers in their accommodation assessments and to take a strategic approach, including drawing up a strategy demonstrating how the accommodation needs of Gypsies and Travellers will be met, as part of their wider housing strategies.
- 2.3 In March 2012, the Government adopted the National Planning Policy Framework and a new planning policy for traveller sites, the planning policy for traveller sites replaced Circulars 01/2006 and 04/2007. This policy aims to ensure local authorities:
- Make their own assessment of need for the purposes of planning;
  - Develop fair and inclusive strategies to meet need through the identification of land for sites;
  - Plan for sites over a reasonable timescale;
  - Promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites;
  - Reduce the number of unauthorised developments and encampments and make enforcement more effective;
  - Ensure that their Local Plan includes fair, realistic and inclusive policies;
  - Increase the number of traveller sites in appropriate locations with planning permission, to address under-provision and maintain an appropriate level of supply;
  - Reduce tensions between settled and traveller communities;
  - Enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure; and
  - Have due regard to the protection of local amenity and local environment.
- 2.4 In August 2015 the Government published its amended Planning Policy for Traveller Sites, which replaced the previous guidance and circulars relating to Gypsy and Travellers and Travelling Showpeople. The guidance emphasises the need for local authorities to use evidence to plan positively and manage development.
- 2.5 Para 10 states that Local Planning Authorities (LPA's) should, in producing their Local Plan:
- a) Identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets

- b) Identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15 years
- c) Consider production of joint development plans that set targets on cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area
- d) Relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding populations size and density
- e) Protect local amenity and environment.

2.6 Para13 states that LPA's should ensure that traveller sites are sustainable, socially and environmentally. LPA'S should, therefore, ensure that their policies:

- a) promote peaceful and integrated co-existence between the site, and the local community
- b) promote, in collaboration with commissioners of health services, access to appropriate health services
- c) ensure that children can attend school on a regular basis
- d) provide a settled base that reduces both the need for long distance travelling and possible environmental damage caused by unauthorised encampment
- e) provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development
- f) avoid placing undue pressure on local infrastructure and services
- g) do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans
- h) reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability.

2.7 Para 14 states that when assessing the suitability of sites in rural or semi-rural settings LPA's should ensure that the scale of such sites does not dominate the nearest settled community.

2.8 Policy F: Para 18: LPA's should consider, wherever possible, including traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of the occupants and neighbouring residents. LPA's should consider the scope for identifying separate sites for residential and for business purposes in close proximity to one another if mixed sites are not practical.

#### *Local*

2.9 The Publication Draft of the Mansfield District Council Local Plan (September 2018) sets out the council's approach to 'Accommodation for Gypsies, Travellers and Travelling Showpeople'. The Policy stipulates:

## **Policy H8**

### ***Accommodation for Gypsies, Travellers and travelling show people***

1. Provision will be made to meet the accommodation needs of Gypsies and Travellers between 2013 and 2033 for a minimum of:
  - a. 2017-22: 2 pitches and 1 transit /stopping place;
  - b. 2022-33: 1 pitch and 0 transit /stopping place; and
  - c. any arising need for travelling show people plots.
2. The council will prepare a Gypsy and Travellers Site Allocation Development Plan Document (DPD) to allocate suitable site/s to meet the identified need set out in 1 a-c above.
3. Proposals for new sites, and extensions/improvements to existing permitted or lawful sites, will be supported where they meet the following criteria:
  - a. they are required to meet a shortfall in provision of identified need as set out in the Gypsy and Traveller Accommodation Needs Assessment 2017 pending the adoption of the Mansfield District Gypsy and Travellers Site Allocation DPD;
  - b. be located with reasonable access to a range of services, such as shops, schools, welfare facilities or public transport;
  - c. be proportionate to the scale of the nearest settlement; its local services and infrastructure;
  - d. have suitable highway access, and is not detrimental to public highway safety;
  - e. provides for adequate on-site parking and turning of vehicles as well as appropriate facilities for servicing and storage, and in the case of a show people site sufficient space for fairground equipment maintenance;
  - f. be capable of being provided with adequate services including water supply, power, drainage, sewage disposal and waste disposal facilities; and
  - g. be compatible with landscape, environment, heritage and biodiversity as well as the physical and visual character of the area;
  - h. be compatible with the amenities of neighbouring properties and land uses; and
  - i. be appropriately located in terms of flood risk.

4. Authorised, existing and new sites will be safeguarded for Gypsy and Travellers and travelling show people groups unless they are no longer required to meet identified need.

### **3. Making provision through the Local Plan**

- 3.1 In January 2016 the council consulted on a draft Local Plan, known as the 'Consultation Draft'. The document set out the draft vision, objectives and the planning policies up to 2033. A criteria-based policy was drafted subject to there being proven need.
- 3.2 In September 2017, the council consulted on a Preferred Options document which contained a revised vision, and revised objectives to guide the selection of the preferred residential and employment sites. The need identified in the Gypsy and Traveller Accommodation Needs Assessment undertaken in February 2017 (section 4 below for further information on this assessment), was expected at this point to be met through windfall given the modest need, rather than through formal site allocations.

### **4. Identifying Need**

- 4.1 In October 2013, the council agreed to a joint methodology which was to be used across Nottinghamshire when a Local Authority is undertaking a Gypsy and Traveller Accommodation Assessment (GTAA).
- 4.2 Using this agreed methodology, the Council undertook an initial 'Traveller Accommodation Need Assessment and Strategy' in-house in July 2014, however came under some criticism as part of the local plan consultation from the Gypsy and Traveller Liaison Group, as it was not thought to be robust enough and did not align to assessments undertaken by neighbouring authorities.
- 4.3 As such, the Mansfield Gypsy and Traveller Accommodation Needs Assessment (GTANA) 2017, was commissioned to establish the level of accommodation needs for the Gypsy, Traveller and Travelling Showpeople for Mansfield District. The assessment was undertaken by specialist consultants RRR Constancy Ltd.
- 4.4 The GTANA identified that there is an overall shortfall in the study area over the next twenty years of 3 residential pitches, no plots for Travelling Showpeople, and 1 transit pitch/emergency stopping place. It stated that the policy process that follows on from this research will also need to consider how Gypsies, Travellers and Travelling Showpeople can be helped through the planning process to find suitable sites. The GTANA also highlighted a number of issues relating to the management and condition of sites i.e. that smaller sites are easier to manage.



## **5. Initial Site Assessments**

- 5.1 In spring 2018, the council undertook an initial Gypsy and Traveller Land Availability Assessment (GTLAA) of potentially suitable sites. This assessment is not yet published as it is based on a draft methodology and site exclusion criteria, both of which were subject to public consultation until Monday 27<sup>th</sup> August. Further information about the initial GTLAA can be found in Appendix 1 of this paper. In addition to the public consultation, there was a further call for sites, thus making the assessment potentially incomplete. More information about the DPD consultation can be found in section 8 of this paper.
- 5.2 The purpose of the initial GTLAA was to ensure the Council has a robust understanding of the amount of land with potential for Gypsy and Travellers and Travelling Showpeople. The GTLAA once complete, will form a key component of the evidence base to inform the, including supporting the delivery of land to meet the identified need. From the assessment, the Council will be able to plan proactively by choosing sites to go forward into the DPD.
- 5.3 The initial spring 2018 assessment indicated that of the 63 sites assessed, 34 were assessed as being suitable, or potentially suitable. The council then wrote to all 34 landowners or their agents (see Appendix 2 of this paper for a copy of letter sent to landowners seeking clarification about availability of the land to be used for Gypsy and Traveller use). As a result of the letter, there were no responses received confirming any available sites for Gypsy and Traveller use.
- 5.4 In order to identify further potential sites, the council considered the proposed strategic housing allocations at Pleasley Hill farm and Land off Jubilee Way. Both site promoters advised that owing to severe viability issues, no land could be made available.
- 5.5 In addition, further detailed analysis of all council owned sites was undertaken. Some 37 potential sites were identified, none of which however were found to be suitable.
- 5.6 The outcome of the initial GTLAA undertaken in the spring 2018 was that there were no suitable sites which are currently available.

## **6. Duty to Co-operate**

- 6.1 After the initial GTLAA concluded that there were no sites currently available, in April 2018, the council consulted with its Neighbouring Authorities under the Duty to Co-operate (DtC), requesting assistance. This included Ashfield District Council, Bolsover District Council, Bassetlaw District Council, Newark and Sherwood District Council, and Nottinghamshire County Council.

- 6.2 All local authorities that were consulted advised that they were unable to meet Mansfield's Gypsy and Traveller accommodation need. Details of these discussions can be found in Appendix 3 of this paper.

## **7. Considering the use of a Compulsory Purchase Order (CPO).**

- 7.1 Having undertaken the initial GTLAA and the DtC consultation with the Housing Market Area authorities, and concluding that there are no available sites that are suitable, the Council considered whether a DPD was the most appropriate course of action to accommodate the required need.
- 7.3 Our view is that the chances of securing confirmation of a CPO are much improved if the site or sites are allocated within in a DPD, and planning permission has been granted. Planning permission does not have to be in place in order to secure a CPO, but it is highly desirable. Preparation of a (site allocations) DPD is appropriate before the planning application. For the purposes of the planning application, it should be demonstrated that the site is suitable for the proposed use, and there is no policy reason against the use. Satisfaction of these requirements will be greatly assisted with the DPD in place.

## **8. Deciding to do a DPD**

- 8.1 In March 2018, the Council met with the Planning Inspectorate as part of the Local Plan advisory visit who highlighted that by not identifying suitable, available, achievable and deliverable site(s), the Local Plan may be found unsound.
- 8.2 In May 2018 Full Council formally resolved the following recommendations:
- i. Authority to commence preparation of a Gypsy and Travellers Site Allocations Development Plan Document; and
  - ii. Authority to undertake an initial consultation on the Gypsy and Traveller Site Allocations DPD and issue a call for sites.
  - iii. Authority to use the Council's powers to purchase any relevant sites where appropriate.
- 8.3 The first stage of the DPD (under regulation 18<sup>1</sup>) was drafted, and a working group was set up. The working group consisted of officers from the council's planning policy team, planning enforcement team, Development Management team, and the communities' team, and also the County Council and the police. The draft DPD was amended as a result of the comments made at the working group. A note of the meeting can be found in Appendix 4 of this paper.
- 8.4 The intention of the consultation DPD was to inform statutory consultees, the public and relevant organisations of the council's intention to produce a DPD; the progress made so far and to consider what the DPD ought to contain. This

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<sup>1</sup> [of the Town and Country Planning Act 1990](#)

is the first formal stage in the planning process and will help to inform the draft DPD which the council hope to publish early in 2019 (see section 9 for details on the timetable and next steps). The DPD contained a series of questions around the scope, methodology, assessment criteria and management of the site(s), which consultees were invited to answer. In addition, the council formally invited the submission of potential sites and supporting information as part of a 'call for sites' to meet the needs of the Gypsy and Traveller community. A Sustainability Scoping Report was commissioned as the first stage of the Sustainability Appraisal process, and was consulted upon alongside the DPD.

- 8.5 The consultation of the DPD ran for a period of 8 weeks from Monday 2 July 2018 until 5pm on Monday 27 August 2018. Consultees were contacted and materials were distributed in line with the adopted [Statement of Community Involvement \(July 2017\)](#).

## 9. **Next Steps**

- 9.1 We are now collating and reviewing all of the comments received as part of the 8 week DPD consultation. These comments will then inform the next stage of the DPD which is likely to be a further regulation 18 consultation forming the Preferred Options which we expect to consult on in early 2019. During this period we will be agreeing the site selection methodology, preparing the SA, site selections, draft viability appraisal and discussing the purchasing of sites with landowners. Any sites put forward as part of the 'call for sites' will be considered if they are suitable and available against the agreed criteria.
- 9.2 The full Gypsy and Traveller DPD timetable can be found in Appendix 5 of this paper.

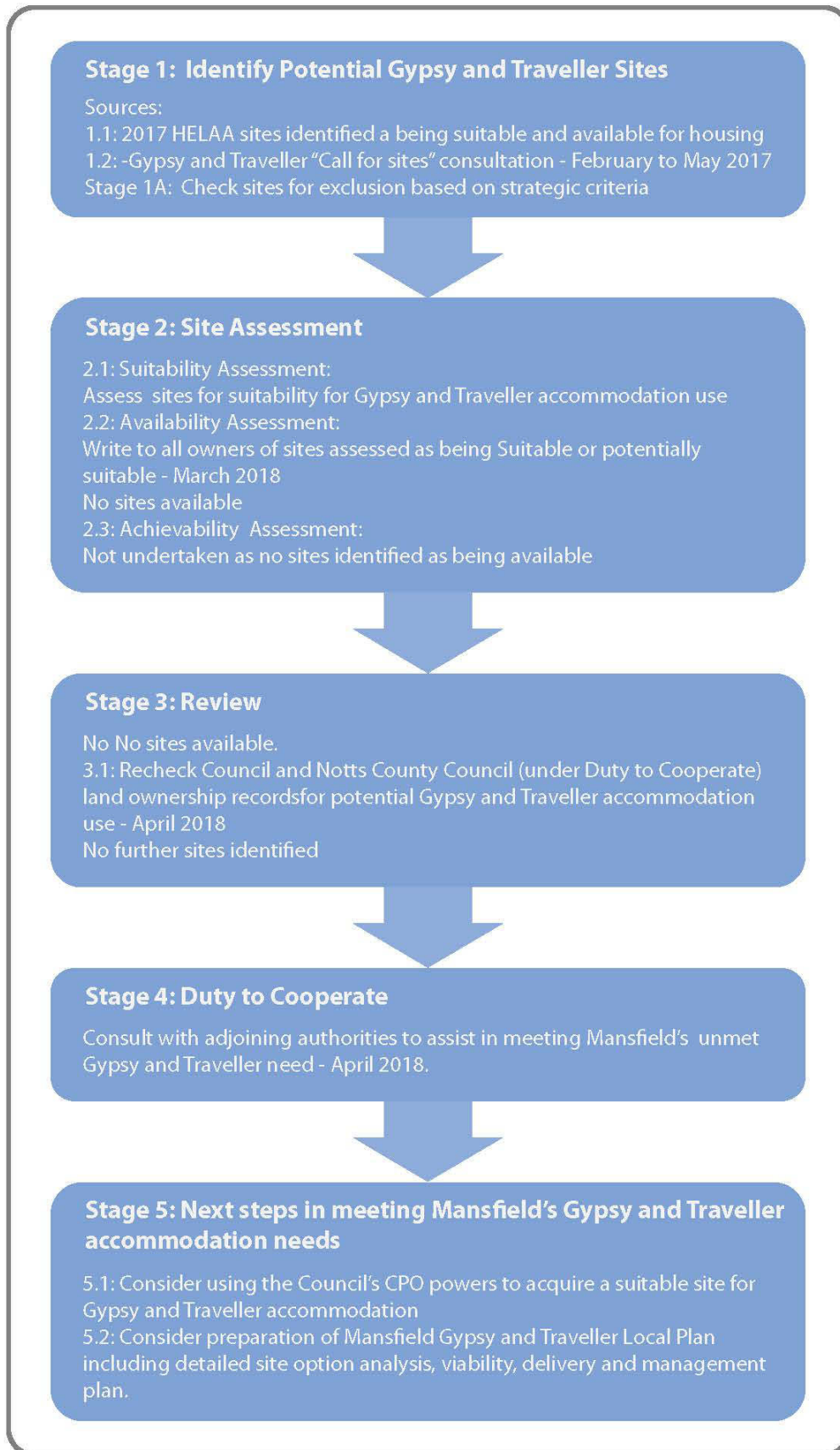
## **Appendix 1: Further information relating to the initial Site Assessments**

1. The initial site assessments were undertaken through a Gypsy and Traveller Land Availability Assessment (GTLAA) that broadly followed the National Planning Practice Guidance methodology and the Mansfield District Council methodology for the preparation of Housing and Economic Land Availability Assessments in that the GTLAA should:
  - identify sites and broad locations with potential for development;
  - assess their suitability for development and the likelihood of development coming forward (the availability and achievability); and
  - assess their development potential.
2. This approach will ensure that all land is assessed together as part of plan preparation to identify which sites or broad locations are the most suitable and deliverable. The assessment will identify all sites and broad locations regardless of the pitch targets for Gypsies and Travellers. The process of the assessment will provide the information to enable an identification of sites and locations suitable for the required development in the DPD.

### ***Methodology***

3. The methodology followed is set out in Figure 1. It should be noted that this methodology was subject to public consultation as set out in Section 8 of this paper.

**Figure 1: Methodology**



### **Stage 1 – Identification of sites or broad locations**

4. The focus for stage 1 was to set out the GTLAA area and to identify as many sites as possible to inform the overall land supply for Gypsies and Travellers. The GTLAA covered the whole geographical area of the Mansfield district. This was the main source of sites for this assessment were all sites identified as being suitable for housing in the Mansfield Housing and Employment Land Availability Assessment 2017 (HELAA) as at 2017. Table 1 sets out the potential sources of sites considered in the 2017 HELAA.

**Table 1: Sources informing HELAA 2017 sites identification**

<b>Sources:</b>	
1	Pre-application inquiries
2	Undetermined planning applications, including those subject to S106
3	Planning application refusals or withdrawn
4	Unimplemented / outstanding planning permissions for housing and employment buildings
5	Expired planning permissions
6	Housing and Economic Development sites under construction
7	Prior Approval Certificate including Office to Residential, Retail to Residential and any other updates to permitted development rights
8	Existing or emerging Local Plans/Development Plan Documents or Neighbourhood Plan allocations that have not received planning permission
9	Housing and economic development sites put forward during a “Call for Sites” consultation and throughout the Local Plan production
10	Vacant and derelict land/buildings
11	Land owned by the various Councils (MDC and NCC)
12	Surplus and likely to become surplus public sector land
13	Sites already within the SHLAA (HELAA) process and those identified in the call for sites
14	Sites identified in a recent Employment Land Review 2017
15	Internal site suggestions from Planning Officers and other Officers e.g. Housing Officers, Asset, Leisure Officers etc.
16	Sites put forward by Registered Social Landlords
17	Additional opportunities for established uses (e.g. making productive use of under utilised facilities such as garage blocks)
18	Business requirements and aspirations
19	Sites in rural locations
20	Large scale redevelopment and redesign of existing residential or economic areas
21	Sites in and adjoining villages or rural settlements and rural exception sites
22	Potential urban extensions and new free standing settlements
23	Call for sites including G&T sites’ in which took place between 20 July 2016 and 17 August 2016.

### **Site Size**

5. The DCLG 2008 guidance states that there is no one size fits all measurement of a G&T pitch as, in the case of the settled community, this depends on the size of individual families and their particular needs. However, they do suggest that as a general guide, it is possible to specify that an average pitch must be capable of accommodating an amenity building, a large trailer and touring caravan, (or two trailers, drying space for clothes a lockable shed for bicycles, wheelchair storage etc.), parking space for two vehicles and a small garden.
6. Based on previous and current DCLG guidance, a pitch of approximately 325 square metres would take into account all minimum separation distance guidance between caravan and pitch boundaries as stipulated in guidance and safety regulations for caravan development. A pitch size of at least 500 square metres would comfortably accommodate the following on-pitch facilities:
  - Hard standing for 1 touring/mobile caravan and 1 static caravan
  - 2 car parking spaces
  - 1 amenity block
  - Hard standing for storage shed and drying
  - Garden/ amenity area
7. Based on the findings of the GTANA 2017, and on the above guidance a minimum site area of approximately 1,500 sq m (excluding access and landscape buffer (if required) would be required to accommodate the 3 permanent pitches required to meet identified need with additional land requirement for 1 transit pitch.
8. However, for the purposes of this assessment no maximum site size has been applied to allow for the partial allocation of sites and/or the identification of broad locations. To allow for the possible identification of very small sites, the minimum site threshold would not apply to permanent traveller sites that are promoted by travellers themselves or their representative bodies through a 'Call for Sites' exercise. Therefore, the minimum requirements are as follows:
  - Permanent Gypsy sites minimum requirement = 0.05ha
  - Transit sites minimum requirement = 0.28ha

The Gypsy and Traveller Site Allocations DPD considers a site of 0.5 ha to be a reasonable size to allow the district to meet its longer term Gypsy and Traveller accommodation needs.

***‘Call for Sites’***

9. An initial ‘call for sites’ was undertaken in February 2016 as part of wider HELAA search for sites. A further call for sites specifically to inform this GTLAA was carried out in March 2017 which provided an opportunity for individuals, organisation and stakeholders who may have an interest in provision for Gypsies, Travellers and Travelling Showpeople to suggest sites that may be suitable for allocation. Only 1 potential site was submitted however this site was discounted as it was protected by a Woodland TPO and separate TPOs.

***Site Exclusion Criteria***

10. The GTLAA is based on the Planning Practice Guidance for Housing and Economic Land Availability Assessments and the council’s HELAA methodology. Through the GTLAA, the identification of as many sites as possible should be made, and sites should not be excluded from the assessment based on current policy designations. However, important national and local designations and other locational factors should inform the identification of sites early on in the process. These are known as ‘absolute constraints’ and include criteria such as flood plain, SSSI and a minimum site threshold as discussed above. The site exclusion criteria is set out in Table 2. It should be noted that the criteria was subject to public consultation as set out in Section 8 of this paper (main report). Any site that is wholly or mostly affected by any of the criteria set out in Table 2 were excluded from the original HELAA Stage 1 assessment sites and were not carried through be assessed in this GTLAA.



**Table 2: Site exclusion criteria**

<b>Stage 1 Exclusion Criteria</b>	<b>Reason</b>
Sites less than 0.05 Ha	Threshold is based on minimum pitch size for Gypsy and Travellers for a permanent pitch.
Sites within functional flood plains (Flood Zone 3A and 3B) will not be considered for Gypsy and Traveller Purposes development purposes	Land that is in flood zone 3A and 3B proposed for residential and zone 3B for economic development will not be included in the HELAA. Any sites adjacent to flood zones will be carefully considered at Stage 2 Identified based on technical flood assessment evidence studies and EA flood mapping.
Nationally significant designated sites – Sites of Special Scientific Interest (SSSI)	Development within SSSI will be excluded from the HELAA. SSSI are protected by law to conserve their wildlife or geology. Any sites adjacent to SSSI will be carefully considered at Stage 2. Identified based on GIS mapping data.
Local Nature Reserves (LNR)	These carry a high level of protection and are designated by MDC under the National Parks and Access to Countryside Act 1949. Sites within proposed LNR will be excluded. Any sites adjacent to a proposed LNR will be carefully considered at Stage 2. Identified based on GIS mapping data.
European Designated Sites - Special Area of Conservation (SAC), Special Protection Area (SPA)	These are strictly protected sites designated under the EC Habitats Directive. Development within these sites will be excluded from the HELAA. Any sites adjacent to these European designations will be carefully considered at Stage 2. Identified based on GIS mapping data.
Scheduled Monuments and Ancient Woodlands, Sites protected by woodland TPOs or significant numbers of group TPOs.	These are irreplaceable historical / ecological assets. Proposed sites for development will be excluded where they fall within ancient woodland. Any sites adjacent to Scheduled Monuments or Ancient Woodlands will be carefully considered at Stage 2. Identified based on GIS mapping data.
Designated Local Green Spaces (LGS)	LGS considered as locally important designations to be safeguarded and once adopted these LGS should have the same protection as Green Belt. Identified based on GIS mapping data.
Garden land	Any land identified as Garden Land will be excluded in line with para 53 of the NPPF. Identified based on GIS mapping data.

## **Stage 2 – Site Assessment**

11. As part of the initial GTLAA, 63 sites were identified for detailed assessment in to determine whether they were 'suitable, available and achievable'. Details of these 63 sites will be made public as part of the next stage of the DPD.

### ***Suitability***

12. All potential sites identified in stage 1 were considered for their suitability for Gypsy and Traveller permanent pitches and were assessed as being suitable, potentially suitable or unsuitable using the criteria set out in Table 3:

**Table 3: Suitability criteria for Gypsy and Traveller sites**

<b>Suitability Criteria</b>	<b>Comments</b>
Highway Access and is not detrimental to highway safety	Site will need to be capable of achieving appropriate access that meets Local Highway Authority standards. Ensuring the sites have safe pedestrian and cycle access will be important on safety grounds and in encouraging residents to adopt more sustainable modes of transport to meet their day to day needs.
Impact on amenity	Consideration must be given to the relationship of sites to the surrounding community/ uses. It will be important to ensure that proposals to develop a site link in with other broader strategies in place for improving community cohesion. Sites must be sustainable, offering scope to manage an integrated coexistence with the local and settled community. Assessment of the criterion will need to consider the impacts of possible noise and disturbance to the wider community, in particular from the movement of Gypsy and Traveller vehicles, particularly where sites are provided within existing residential areas.
Impact on the amenity of the site from surrounding land uses	Assessment of this criterion will need to consider the impacts of possible noise and disturbance to Gypsies and Travellers living on site, particularly where sites are located in close proximity to land uses that generate significant disturbance (for example some employment uses).
Accessibility to local services and public transport	A key element of sustainable development is ensuring that people are able to meet their daily needs locally as such the distance of a site to local services and

	<p>public transport will be checked to provide an indication of the sustainability of the site.</p> <p>Local services are essential to the quality of life of residents, employees and visitors, and as such they must be conveniently located in relation to new and existing development. Gypsies and Travellers are recognised as having lower life expectancy, poorer health outcomes than the settled community. As such, the distance of a site from health services will be checked in order to provide an indication of the sustainability of the site.</p>
Critical utilities infrastructure	As for any other kind of accommodation, consideration must be given to the infrastructure needed to support Gypsy and Traveller Sites; such as mains water electricity, gas, drainage and sewerage. Consideration will be given as to whether all necessary utilities are available on site or can easily be connected to the site.
Loss of an existing use not proven to be surplus	Sites should be assessed in terms of their existing uses and whether that use can be lost without any adverse effects. I.e. loss of an employment site, loss of open space, loss of agricultural land etc.
Are there potential noise problems associated with the site?	When assessing a sites potential, consideration will need to be given to whether there are any existing noise sources that could impact on the suitability of a site for development. Consideration must be given to the greater noise transference through the walls of trailers and caravans than through walls of conventional housing, and the need for design measures to abate the impact on quality of life and health. The presence of noise sources will not necessarily render a site undevelopable as appropriate mitigation measures may be available. Further investigation will be required to establish the nature and level of noise impacts and the implications this will have for development.

13. Each of the 63 sites were assessed against a range of questions which addressed the above criteria and a concluding assessment as to its overall suitability was made based on whether sites were considered to be suitable, potentially suitable or unsuitable. From the 63 sites, 34 were assessed as being suitable or potentially suitable.

### ***Availability***

14. A site is normally considered available for development for Gypsies and Travellers pitches or Travelling Showpeople plots, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership problems, such as unresolved multiple ownerships, ransom strips tenancies or operational requirements of landowners, and the land owner has clearly expressed an intention or willingness to develop or to sell the site for Gypsies and Travellers pitches or Travelling Showpeople plots.
15. In order to obtain the most up to date information on the availability the Council wrote to all 34 land owners or their agents. The text of the email is set out in Appendix 2 of this paper. No positive responses were received and it was therefore assumed that none of the sites were available for Gypsy and Traveller use.

### ***Achievability***

16. A site is considered achievable for Gypsies and Travellers or Travelling Showpeople where there is a reasonable prospect that it will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period. Given the outcome of the Availability assessment in March 2018 the assessing achievability stage was not undertaken.

## **Appendix 2: Letter to Landowners re: Availability**

The following text was sent via email to each of the landowners on 19 February 2018.

*Dear Sir or Madam,*

*You will be aware that the preparation of the new Mansfield Local plan is at an advanced stage. A key task of the Local Plan will be to allocate sufficient housing land to meet the district's objectively assessed housing needs, including the specific requirements of the Gypsy and Travelling community.*

*In this context, the Mansfield District Council Gypsy and Traveller Accommodation Needs Assessment Study- January 2017 concluded that there is a need to identify a site for three residential pitches and one transit/ emergency stopping place to meet specific accommodation requirement over the plan period. This equates to a site requirement of approximately 2,000 sq m or 0.2ha.*

*The Council is undertaking a site assessment study to determine whether there are any suitable, achievable and deliverable sites of this size within the district for development for permanent Gypsy and Traveller Accommodation. The initial high-level assessment has identified a number of sites across the District, including the attached site in your ownership or control, as being potentially suitable for development for Gypsy and Traveller accommodation.*

*In order to assist the Council in the next stage of the G&T site assessment study I would be grateful if you could confirm whether or not you would be willing in principle to make available a site (minimum of 0.2ha) for these purposes within the site identified on the attached plan.*

*It must be stressed that any sites identified through the final G&T site assessment study will not necessarily be allocated in the Local Plan or granted planning permission for this purpose.*

*I would appreciate your reply by 5 March 2018. If I do not receive a reply by this date I will assume that you are not willing to release land for this purpose in this location.*

*Yours Faithfully*

### **Appendix 3: DtC Discussion Details**

The DtC discussions with partners regarding Gypsy and Traveller accommodation need were held on the following dates:

- Bassetlaw District Council – 16 May 2018. Summary of discussions - BaDC currently have an identified requirement for 8 pitches up to 2029. However, BaDC indicated that they will be updating the Gypsy & Traveller Accommodation Assessment and anticipate that the pitch requirements will be increased. In addition, there is potential for a large site to be lost from the available supply. This has resulted in BaDC being unable to meet their own need. BaDC indicated there was no potential to accommodate any unmet need from MDC.
- Bolsover District Council – 16 May 2018. Summary of discussion - BDC indicated that there was no potential to accommodate any unmet need from MDC within their administrative area and that they had a requirement for 17 pitches that they could not satisfy.
- Ashfield / Newark & Sherwood DC (HMA partners) – 3 May 2018. Summary of discussion - NSDC and ADC indicated that there was no potential to accommodate any unmet need within their administrative area and that they were experiencing problems identifying sites. ADC did not allocate land to meet their requirement in the ADC Local Plan. A criteria based policy was used instead. ADC anticipated that the need would be reduced as a result of the new definition in the G&T guidance and would be conducting a review before 2020.
- Nottinghamshire County Council - 13 May 2018. Summary of discussion - NCC indicated that they had liaised with colleagues in the Estates department and that no suitable sites had been identified.

## **Appendix 4: Working Group Meeting Note**

Date: Thursday 14 June 2018

Location: Priory Room, Civic Centre, Mansfield District Council (MDC)

Attendees:

- Rebecca Raine (RR) – Planning Policy – MDC
- Keith Keeley (KK) – Planning Policy – MDC
- Adrian Adams (AA) – Enforcement and Development Management - MDC
- Gary Noble (GN) – Community Safety – MDC
- Mark Seston (MS) – Community Safety - MDC
- Andrew Doran (AD) – Nottinghamshire Police

Apologies:

- Paul Roberts – Communities - Nottinghamshire County Council

Notes:

- RR provided an overview and background of the DPD process.
- RR explained that a GTANA was undertaken in 2017, it identified a need for 3 pitches and 1 transit site. The group discussed how the data was obtained and whether the families were known to the Community Safety team. MS confirmed that they were.
- RR confirmed that there was an MHCLG meeting at the end of April – reviewed Mansfield Housing Need. Even though, the need is small, we still need to find a site (as opposed to just setting a criteria based policy). So as not to delay Local Plan process, agreed a separate DPD is best way forward. Intention to produce DPD was agreed at Full Council on 14<sup>th</sup> May.
- KK advised that an initial GTLAA was undertaken and has produced no sites which are BOTH suitable / available. As such, we know that it is likely that the Council may have to use their CPO powers.
- AA suggested having a question in the DPD re: splitting the permeant pitches and the transit site, due to potential cultural differences amongst the G&T community.
- The methodology was considered appropriate, but the group agreed that it should form part of the consultation.
- RR shared the timetable with the group.
- RR confirmed likely start date of the consultation.
- RR confirmed next steps, and how it is important for the group to get involved at the site selection process.
- AN / MS / GN suggested MDC look at potential site just over the border in Bolsover (known as Blackbridge Caravan Site). This is an existing / former

G&T site that is not currently being used. Further investigation with Bolsover District Council confirmed that the site is under refurbishment, and is needed to accommodate the Bolsover Gypsy and Traveller need.

- Date of Next Meeting TBC. Likely to be towards the end of 2018 / beginning of 2019 to discuss site assessment and site selection.



## Appendix 5: Gypsy and Traveller DPD Timetable

	Stage	Period	Progress/ Status
1	Consultation on Local Plan Scoping Report	Summer 2018	We will carry out a call for Gypsy and Traveller sites and carry out the initial Regulation 18 consultation on what the Gypsy and Traveller DPD ought to contain.  The Sustainability Appraisal (SA) Scoping Report will also be prepared.
2	Prepare Site Options	Ongoing from Summer 2018 to Early 2019	During this period we will be agreeing the site selection methodology, preparing the SA draft site selections, draft viability appraisal and discussing the purchasing of sites with landowners.
3	Gypsy and Traveller Preferred Site Consultation	Early 2019	We will consult on the Preferred Gypsy and Traveller Sites
4	Prepare Submission draft of the Gypsy and Traveller DPD.	Spring 2019	We will be drafting the final document having taken account of the representations received to the Regulation 18 consultation.
5	Consultation on the draft Gypsy and Traveller DPD- Regulation 19	Summer 2019	We will ask for your views on whether the Local Plan meets the government's tests of soundness, over a 6 week period. Comments received will be provided to the Inspector when the Local Plan is submitted for examination.
6	Submission Local Plan	Autumn 2019	We will be submitting the Local Plan to the Secretary of State to be examined by an Independent Inspector