



Gypsy & Traveller Local Plan  
for Stratford-on-Avon District

# Consultation on Implementation Options

Stratford-on-Avon District Council  
September 2015

The period for responses to this consultation is from **18 September to 5.00 pm on 30 October 2015**.

This consultation includes 17 questions which you are invited to answer.

If you have any queries regarding this consultation, please contact the Planning Policy Team on 01789 260334 or email [planning.policy@stratford-dc.gov.uk](mailto:planning.policy@stratford-dc.gov.uk)

Copies of this consultation document are available on the Council's website at [www.stratford.gov.uk/gandtlp](http://www.stratford.gov.uk/gandtlp) or from the District Council offices:

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If you find the text difficult to read we can supply it in a format better suited to your needs, please contact Planning Policy on 01789 260334.

# Gypsy and Traveller Local Plan for Stratford-on-Avon District Implementation Options Consultation

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# 1. Introduction and Context

Stratford-on-Avon District Council's Core Strategy will shape future sustainable development in the District. The Core Strategy is a strategic document and will be supported by other plans, including a **Gypsy and Traveller Local Plan (G&TLP)**.

The Council is required, by national planning policy<sup>1</sup> and the Housing Act 2004, to objectively assess and meet the needs of the population within its area. This includes the needs of the Gypsy and Traveller communities, including Travelling Showpeople.

## 1.1 Why do we need a Gypsy and Traveller Local Plan?

In 2011, the Council examined the need for additional Gypsy and Traveller sites in Stratford-on-Avon district by producing a Gypsy and Traveller Accommodation Assessment.<sup>2</sup> An update to that work was undertaken in July 2014<sup>3</sup>. The work concluded that more permanent pitches are needed in the District (a pitch generally contains one household and can contain one or more caravans). We therefore need to identify locations that might be suitable for future Gypsy and Traveller sites and after assessing these and seeking your views; they will be allocated for development in the Gypsy and Traveller Local Plan.

Our evidence shows that there is an under-provision of authorised permanent pitches for Gypsies and Travellers in the District. The Government requires local authorities to meet the need for new pitches through the identification of land for sites, whilst ensuring that these are in appropriate locations. We will also need to ensure that we can identify:

- Five years' supply of 'deliverable' sites (e.g. available now, in a suitable location, achievable and viable), as measured against our locally set target.
- 'Developable' sites (e.g. in a suitable location and likely to be available and viable when needed) or broad locations for growth for years six to ten and where possible, for years 11 – 15.

It is important to be able to demonstrate a 5 year supply of sites and prepare and adopt a plan as this is the best way to evidence a suitable supply of sites and thus reduce the risk of less appropriate sites being approved, or granted temporary consent.

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<sup>1</sup> Planning Policy for Traveller Sites DCLG – August 2015

<sup>2</sup> Stratford on Avon Gypsy and Traveller Accommodation Assessment ORS - October 2011

<sup>3</sup> Stratford on Avon Gypsy and Traveller Accommodation Assessment ORS - July 2014

## 1.2 Who are Gypsies and Travellers?

The G&TLP has to be in conformity with national planning policy. At the end of August 2015 the Government issued revised guidance 'Planning Policy for Traveller Sites (PPTS).' Annex 1 of the revised PPTS indicates that for planning purposes

### **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 show people or circus people travelling together as such"<sup>4</sup>.*

The PPTS continues:

*"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 had 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."*

### **Travelling Showpeople means:**

*"Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling 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 defined above."<sup>5</sup>*

The previous planning definitions in the PPTS of both Gypsies and Travellers and Travelling Showpeople included those that had ceased to travel permanently on grounds of educational or health needs or old age.

The Government has changed the definition of Gypsies and Travellers and Travelling Showpeople for planning purposes from that in the previous version of the PPTS to make a distinction between those that live a nomadic way of life and those that have permanently ceased to travel.

DCLG's Equality Statement notes that local authorities would continue to assess and plan to meet the needs of those Gypsies and Travellers who no longer travel but this would be carried out as part of the wider responsibilities to plan to meet the accommodation (or housing) needs of their settled community. Changes to primary legislation will be considered as part of the review to ensure that needs are still assessed.

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<sup>4</sup> Planning Policy for Traveller Sites, DCLG, August 2015

<sup>5</sup> Planning Policy for Traveller Sites, DCLG, August 2015

DCLG's Equality Impact Assessment notes that<sup>6</sup>:

*'where cases involve families in which some members do not travel, it may continue to be appropriate to grant permission for traveller sites on the grounds that it is proportionate to do so, and would be an interference with the family's Human Rights to limit the permission to particular family members only.'*

The extent to which a person had had a nomadic habit of life in the past was relevant to them meeting the definition of a Gypsy or Traveller in the previous PPTS as it is in the revised definition. The importance of a nomadic habit of life is heightened in the revised guidance. DCLG is understood to have indicated that it will be for individual local authorities to determine what a nomadic habit of life means.<sup>7</sup> Case law suggests that it is possible to have a nomadic lifestyle from a permanent base, for example in *Maidstone BC v Secretary of State for the Environment and Dunn (2006)* it was held that a Romany Gypsy who bred horses and travelled to horse fairs and remained away from his permanent site for two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.

There is an added complication in that, for the purposes of assessing need, housing legislation adopts a different definition of Gypsies and Travellers.

Section 8 of the Housing Act 1985 requires every local housing authority to consider housing conditions in their district and the needs of the district with respect to the provision of further housing accommodation. Section 225 of the Housing Act 2004 requires that when such an assessment is undertaken an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to their district should be carried out.

For the purposes of undertaking such assessments the Housing (Assessment of Accommodation Needs) (Meaning of Gypsies and Travellers) (England) Regulations 2006 defines Gypsies and Travellers as:

- a) *"Persons with a cultural tradition of nomadism or of living in a caravan; and*
- b) *All other persons of a nomadic habit of life, whatever their race or origin, including –*
  - i. *Such persons who, on grounds only of their own or their family's or dependent's educational or health needs or old age, have ceased to travel temporarily or permanently; and*
  - ii. *Members of an organised group of travelling showpeople or circus people (whether or not travelling together as such)"*

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<sup>6</sup> Consultation: Planning and travellers, Equalities Statement, DCLG, September 2014

<sup>7</sup> <http://www.insidehousing.co.uk/policy/government-leaves-it-to-councils-to-define-traveller/7011609.article>

### 1.3 What will the local plan include?

The final version of the Local Plan will need to set out how future accommodation needs for Gypsies, Travellers and Travelling Showpeople will be met to 2031. It is also proposed to identify sites and to include more detailed planning policy and guidance to inform and manage future gypsy and traveller development.

The Gypsy and Traveller Local Plan, once finalised, will include the following:

- Background information including the identified local need for additional Gypsy and Traveller pitches and need associated with Travelling Showpeople;
- Enough sites to meet the full identified need to 2031, taking account of pitches permitted since 2014. If this is not possible, then sufficient 'deliverable' sites should be allocated to provide five years' worth of sites with broad areas of search for the rest of the plan period;
- Guidance on site design and other detailed development management considerations; and
- Guidance on how we will implement and fund the plan and monitor its effectiveness.

This document sets out work on the above so that we can consult on it before finalising the Gypsy and Traveller Local Plan.

### 1.4 What are we consulting on now?

This document provides some contextual information that can be updated and incorporated in the final version of the G&TLP. It also discusses the sites identified to date that could contribute to future needs, as well as some existing sites that are not considered reasonable alternatives and the reasons for that. It then sets out proposed policies, including the intention to safeguard sites that have permanent planning permission with no occupancy restriction. It also presents refined areas of search for new sites and identifies the basis for consulting on those.

### 1.5 What is the process?

Before the Gypsy and Traveller Local Plan can be adopted for planning purposes, there are a number of stages that we have to go through. This will include carefully considering all potential sites that are identified and consulting local residents, Gypsy and Traveller communities and other stakeholders at every stage.

The first step was to let everyone know of our intention to produce this plan and ask for views on what it should contain. That consultation took place between 14 February and 28 March 2014. We also invited suggestions for locations that might be suitable for Gypsy and Traveller sites through a 'call for sites.'

Following this consultation, the next stage will be to prepare and consult on the Submission Draft Plan. This will include consultation on sites that provide sufficient pitches to meet the five year land supply requirement at the time the plan is adopted.

After the Test of Soundness representation period the Plan will be submitted to the Secretary of State. An Examination in Public will follow and the Inspector will then publish his/her report. Subject to the Plan being found sound it will then be adopted.

The Plan will also be subjected to Sustainability Appraisal (SA) incorporating the requirement for Strategic Environmental Assessment (SEA). The need for Habitats Regulations Assessment (HRA) will also be considered as part of the SA process. The Equalities Act 2010 requires public bodies to take a proactive approach to equality and diversity. An Equality Impact Assessment (EqIA) of the emerging Plan has been undertaken to ensure that the Council's duties under the 2010 Act are met.

Preliminary work on the SA/SEA and EqIA has been undertaken and accompany this document.

## 2. Gypsy and Traveller and Travelling Showpeople Accommodation Need in the District

### 2.1 Existing Provision for Gypsies and Travellers

Existing Gypsy and Traveller sites in the district are summarised in **Table One**. This information supersedes that shown in the Gypsy and Traveller Accommodation Assessment dated 2014 which is discussed later in this document.

With the exception of Wychavon District, the existing Gypsy and Traveller population within the district is comparatively higher than most adjoining local authorities and lower than others. **Table Two** uses information from the 2011 Census and recent Caravan Counts to illustrate how the Gypsy and Traveller population varies across neighbouring local authorities.

It is apparent from **Table Two** that Wychavon has a relatively larger Gypsy and Traveller population (0.4% of the total population). The population in Birmingham is relatively high in numerical terms but as a percentage of the overall population is well below the national and regional average of around 0.1%.

Various local authorities have identified the A5 as a key corridor for movement by Gypsies and Travellers in the wider area. For example in the Birmingham study, Lichfield, North Warwickshire, Walsall and South Staffordshire cite the A5 as an important corridor for movement.<sup>8</sup>

In Stratford-on-Avon District, most Gypsies and Travellers do not travel extensively but occupy permanent (rather than transit) sites. This is partly due to a reduction in the reliance on seasonal work and reflects a trend that was identified in 2008 in earlier work on the assessment of need in the District, which noted (paragraph 1.2.5):

*"There has been a substantial reduction in the proportion of the Gypsy and Traveller population that is engaged in seasonal work that requires them to move to different areas at different times of the year.*

*"This reduction has been to some extent accommodated by the development of the large number of both local authority and private residential sites, and the loss of many of the traditional stopping places. This has in turn led to a predominantly settled Gypsy population, leaving the small number of Irish Travellers as well as those Gypsy families unable to secure a permanent pitch, with no alternative to Unauthorised Encampments."<sup>9</sup>*

There is no apparent need for transit sites in the District. There are several existing sites with permanent and temporary permission in the District, including the Council owned site at Pathlow. These are summarised in **Table One**.

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<sup>8</sup> Birmingham Gypsy, Traveller and Travelling Showpeople Accommodation Assessment, ORS, May 2014

<sup>9</sup> GTAA for South Housing Market Area of the West Midlands Region 2008

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<b>Table One: Gypsy and Traveller Sites in Stratford-on-Avon District</b>		
<b>Site type, reference and name</b>	<b>Comments</b>	<b>Number of Pitches</b>
<b>Local authority sites</b>		
PATH 0004 Birmingham Rd, Pathlow	Site is owned and managed by the District Council and this is a public site with rented pitches.	30
<b>Total Pitches on local authority sites</b>		<b>30</b>
<b>Private Sites with Permanent Permission</b>		
SNIT 0005 Land adjacent Warwick Road, Black Hill, Stratford-upon-Avon	This is a private site with four pitches and no occupancy restriction, although the site has not been occupied, sufficient work has been undertaken to make a material start.	4
BID 0001 Old Railway Yard, Waterloo Road, Bidford-on-Avon (Greenacres)	This is an existing private site which is occupied.	8
WELF 0001 Rainbow Nurseries, Welford-on-Avon (Part A)	This is a private site with three pitches (of which one pitch has an occupancy restriction).	3
BID 0002 Land between Harvest Camp and Vine Cottage, Mill Lane, Broom	Private site, no occupancy restriction.	1
WARM0002 Mollington Lane, Warmington	Private site, permanent consent with personal occupancy restriction.	1
TRED 0001 The Crossroads, Darlingscote, Shipston-on-Stour	Private site, no occupancy restriction.	16
<b>Total Pitches on Private Sites with Permanent Permission</b>		<b>33</b>
<b>Private sites with temporary permission</b>		
EARL 0001 Poolhead Lane, Tanworth-in-Arden	Private site with temporary consent and personal occupancy restriction.	3
TEMP 0001 Croft Lane, Temple Grafton	Private site, with temporary consent and personal occupancy restriction.	5
PATH 0003 Gospel Oak Lane, Pathlow	Private site, with temporary consent and personal occupancy restriction.	1
<b>Total pitches on private sites with temporary planning permission</b>		<b>9</b>
<b>Tolerated sites</b>		
MAPP 0003 Ardendane Manor Farm, Studley	Private site, tolerated.	1
BIDF 0006 Ooseland Barn, Bidford-on-Avon	Private site, tolerated.	1
<b>Total pitches on Tolerated Sites</b>		<b>2</b>
<b>Total Pitches</b>		<b>74</b>

**Table Two: Gypsy and Traveller Population in Stratford-on-Avon and Neighbouring Areas**

Local Authority	No. of people describing themselves as White: Gypsy or Irish Traveller 2011 Census (1)	Total Resident Population (2011 Census)	White: Gypsy or Irish Traveller as a % of the total population	Caravan Count (total caravans) (2)				
				Jan 2012	July 2012	Jan 2013	July 2013	Jan 2014
Birmingham	408	1,073,045	0.04%	14	14	14	56	14
Bromsgrove	75	93,637	0.08%	29	27	32	49	28
Cherwell	105	141,868	0.07%	109	104	126	123	122
Cotswold	87	82,881	0.10%	62	52	64	71	57
Coventry	151	316,960	0.05%	9	6	9	18	15
Daventry	54	77,843	0.07%	35	24	27	40	60
Redditch	9	84,214	0.01%	3	0	3	0	3
Rugby	160	100,075	0.16%	152	162	152	158	168
Solihull	70	206,674	0.03%	76	80	84	59	65
S. Northants	11	85,189	0.01%	5	11	8	9	10
<b>Stratford-on-Avon</b>	<b>173</b>	<b>120,485</b>	<b>0.14%</b>	<b>103</b>	<b>104</b>	<b>104</b>	<b>110</b>	<b>90</b>
Warwick	41	137,648	0.03%	16	19	15	16	0
West Oxfordshire	182	104,779	0.17%	203	190	226	217	210
Wychavon	462	116,944	0.40%	303	295	302	305	335

Sources:

(1) neighbourhood statistics.gov.uk

(2) <https://www.gov.uk/government/publications/traveller-caravan-count>

The results of the caravan count for Stratford-on-Avon District are summarised by site in **Table Three**. This shows that the number of tolerated and not tolerated sites has fallen in recent years, with the vast majority of sites now having the benefit of planning permission (temporary or permanent). There are two sites with one pitch each that have become lawful over time.

**Table Four** shows the number of residents in households who described themselves as White: Gypsy or Irish Traveller by accommodation type. This does not make a distinction between flats, maisonettes and caravans but suggests that just over 50% of the Gypsy and Traveller population in the District live in a house or bungalow. The proportion in Warwick District is higher at 64% and Table Four shows that there is variation across the County. Across England and Wales whole house or bungalow was the most common type of accommodation for respondents who identified as Gypsy or Irish Traveller, at 61 per cent, followed by caravan or other mobile or temporary structure at 24 per cent. An important caveat to this information is that the footnotes to the Census table state that in order to protect against disclosure of personal information, records have been swapped between different geographic areas. Some counts will be affected, particularly small counts at the lowest geographies.

**Table Three: Caravan Count results for Stratford-on-Avon District Council**

	Feb-05	Aug-05	Feb-06	Aug-06	Feb-07	Aug-07	Feb-08	Aug-08	Feb-09	Aug-09	Feb-10	Aug-10	Feb-11	Aug-11	Feb-12	Aug-12	Feb-13	Aug-13	Feb-14	Aug-14	Feb-15	
<b>Site Reference and Name</b>																						
PATH 0004 Birmingham Road Pathlow		31	40	41	32	36	38	35	32		39		44	42	37	42	44	43	39		44	
EARL 0001 Poolhead Lane, Tanworth in Arden		0	0	0	0	0	0	4	4		4		4	4	3	4	3	5	4		4	
PATH 0003 Gospel Oak Lane Pathlow:		0	0	0	0	0	0	0	0		0		2	2	2	2	2	1	2		2	
BID 0001 Greenacres Bidford		0	0	0	0	0	0	0	0		0		0	0	0	0	7	26	20		12	
WARM 0002 Mollington Lane, Warmington		0	0	0	0	0	0	0	0		0		0	0	0	0	3	2	2		3	
WELF 0001 Rainbow Nurseries, Welford on Avon		0	0	0	0	0	0	0	0		0		0	0	3	2	1	1	0		0	
TEMP 0001 Croft Lane, Temple Grafton		0	0	0	0	0	0	0	0		0		0	0	0	0	7	8	6		8	
TRED 0001 Darlingscott, Shipston-on-Stour		0	0	0	0	0	0	0	0		21		18	24	25	17	22	20	14		12	
MAPP 0003 Ardentane Manor Farm		0	0	0	0	0	0	0	0		1		1	2	2	2	2	1	1		4	
Friday Furlong, Bidford-on-Avon		20	25	27	27	29	29	21	31		32		32	20	9	11	11	0	0		0	
BIDF 0006 Ooseland Barn		0	0	0	0	0	0	0	0		3		4	2	2	2	2	3	2		2	
<b>Totals</b>		51	65	68	59	65	67	60	67		100		105	96	83	82	104	110	90		91	

 Indicates no return

**Note to Table 3:**

Source: DCLG

Warwick Road Blackhill has permission for four pitches but has not been occupied and does not therefore appear in the caravan count.

Land at Mill Lane, Broom was given planning permission in 2014 but was not occupied prior to that and does not therefore appear in the caravan count.

Friday Furlong was a mix of not tolerated and tolerated sites – subsequently vacated to enable development of the site

**Table Four: Accommodation Type**

<b>Number of Residents by Accommodation Type</b>	<b>Warwickshire</b>	<b>North Warwickshire</b>	<b>Nuneaton and Bedworth</b>	<b>Rugby</b>	<b>Stratford-on-Avon</b>	<b>Warwick</b>
All categories: Accommodation type	485	45	75	154	172	39
Whole house or bungalow: Total	211	13	31	53	89	25
<b>Whole house or bungalow: % Total</b>	43.5	28.9	41.3	34.4	51.7	64.1
Flat, maisonette or apartment, or mobile/temporary accommodation	274	32	44	101	83	14
<b>Flat, maisonette or apartment, or mobile/temporary accommodation % total</b>	56.5	71.1	58.7	65.6	48.3	35.9

Source: 2011 Census

## 2.2 Travelling Showpeople

A site used by Travelling Showpeople has been identified in the district. The Core Strategy included Proposal SUA.3 'Land East of Birmingham Road' and allocated this for employment. Land at Lower Langley Farm, within the proposed allocation, is known to be used for parking and maintaining vehicles and equipment by a circus (currently the Moscow State Circus and affiliated shows). The Inspector undertaking the examination of the Core Strategy has indicated in his interim report that he does not consider that the release of SUA.3 from the Green Belt is justified<sup>10</sup>. Previously consideration was being given to the need to relocate the Travelling Showpeople site to enable employment development. The need for the site to be relocated does not exist if development does not take place. Indeed there is now an opportunity to safeguard the existing site if appropriate.

## 2.3 Future requirements

A Gypsy and Traveller Accommodation Assessment (GTAA) was undertaken in 2011 as part of the evidence base for the Core Strategy and Gypsy and Traveller Local Plan. An update of the study was commissioned in June 2014 to ensure that the work reflected revised planning policy at the national level and developments in the modelling of Gypsy and Traveller accommodation needs since the original work was undertaken.

The 2014 update is not intended to completely replace the work that was done in 2011 as the latter includes evidence of engagement with the Gypsy and Traveller communities and useful information on topics like demographics, employment and health.

The 2011 study identified a need for 52 pitches to meet immediate needs and two pitches per annum thereafter. This equated to 82 pitches in total over the period 2011 to 2031.

The 2014 Update identified a need for 41 pitches to meet immediate needs (including any need which has developed since 2011) and a total of 71 pitches to 2031.

The 2014 Update considers the following:

- Current supply (vacant pitches or pitches with planning permission);
- Current need (any households on unauthorised sites for which planning permission is not expected, concealed or doubled up households and households in bricks and mortar wishing to move to sites); and
- Future need (households living on site with temporary planning permission, new household formation and migration).

Since the 2014 Update was undertaken 16 pitches that had temporary consent have been granted permanent consent with no occupancy restriction at The Crossroads Caravan Park, Darlingscote Road, Shipston-on-Stour (12/01925/FUL). One new pitch has been granted permanent consent with no occupancy restriction at Land North of Mill Lane Broom (13/01229/FUL). These 17 pitches can be counted towards meeting future need.

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<sup>10</sup> Examination of the Stratford on Avon Core Strategy, Inspector's Interim Conclusions, paragraphs 164 to 183, 18<sup>th</sup> March 2015

The study included an allowance for one unauthorised pitch at the Briars, London Road, Long Compton. An appeal against refusal of planning permission for 1 pitch at this location was on-going at the time the study was undertaken (13/00423/FUL) and the site was included in the study on a precautionary basis. The appeal was dismissed. The Inspector concluded that the appellant did not meet the planning definition of a Gypsy set out in the PPTS. There is no change to the overall pitch numbers because the recent approval of one pitch at Broom added an additional pitch that was not taken into account in the GTAA Update because the applicant lived outside the district at the time of the application and the site was not occupied.

A permanent personal consent has also been granted at Mollington Lane, Warmington (14/03293/VARY). This is for 1 extended pitch with 3 caravans. The site had temporary consent at the time the 2014 Update was undertaken. The site does not contribute to supply because of the personal occupancy restriction. As the site now has permanent consent **this reduces need in the district by 1 pitch.**

The breakdown of need and how it manifests over the plan period is shown in **Table Five** below, which is reproduced from the 2014 Update with revised figures provided in square brackets:

**Table Five: Extra Pitch Provision in the District 2014-2031**

2014-2019	2019-2024	2024-2029	2029-2031	Total
41 [now 40]	11	12	7	71 [now 70]

The study assumed that all sites with temporary planning permission and concealed households have their needs addressed in the first 5 years. Household formation is apportioned over time.

As noted above the PPTS requires the G&TLP to be able to demonstrate a 5 year supply of sites when the plan is adopted. Assuming the G&TLP is adopted in 2017 this equates to **46 pitches. Allowing for the 17 pitches granted permanent consent with no occupancy restriction since 2014 this leaves a residual need for 29 pitches.**

As has been the case in recent years it will be for individual applicants to demonstrate that they meet the planning definition of Gypsies and Travellers at the time that individual planning applications are made but case law demonstrates that having a permanent pitch and travelling away from it at certain times of the year is consistent with a nomadic habit of life for planning purposes; as is ceasing to travel for a temporary period for reasons associated with education, health or old age. It is therefore considered appropriate for the G&TLP to identify permanent pitches.

Warwickshire County Council has identified the need for Emergency Stopping Places in the County and temporary planning permission has been granted for a facility in Stratford-on-Avon District.

Emergency Stopping Places are areas where Gypsies and Travellers are permitted to stay temporarily if the local authority deems it appropriate, removing the need for them to occupy less suitable unauthorised sites. Stays would not be expected to exceed 28 days at a time unless there were exceptional welfare needs justifying a longer stay. The temporary consent runs to mid-November 2016, enabling the effects of the facility to be evaluated.

Neighbouring local authorities are working on the basis of meeting their own objectively assessed need for Gypsy and Traveller and Travelling Showpeople sites, rather than pursuing a redistributive policy.

**Consultation Question 1:**

**Do you have any comments on the 2014 Update to the Gypsy & Traveller Accommodation Assessment and the need identified in the District?**

## 3. The Policy Context

### 3.1 National Policy

In March 2012, the Government published a new Planning Policy for Traveller Sites (PPTS), alongside the National Planning Policy Framework (NPPF). As noted earlier the PPTS was revised at the end of 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 (paragraph 3 of PPTS).

To help achieve this, the Government's aims in respect of traveller sites are (paragraph 4 of PPTS):

- that local planning authorities should make their own assessment of need for the purposes of planning;
- to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites;
- to encourage local planning authorities to plan for sites over a reasonable timescale;
- that plan-making and decision-taking should protect Green Belt from inappropriate development;
- to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites;
- that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective;
- for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies;
- to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply;
- to reduce tensions between settled and traveller communities in plan-making and planning decisions;
- to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure; and
- for local planning authorities to have due regard to the protection of local amenity and local environment.

Policy E of the PPTS is clear that if a local planning authority wishes to make an exceptional limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and not in response to a planning application. If land is removed from the Green Belt in this way it should be specifically allocated in the development plan as a traveller site only.

## 3.2 Local Policy

### **Warwickshire Sustainable Community Strategy**

'People, Places and Prosperity' the Sustainable Community Strategy for Warwickshire 2009-2026' details the long term vision for the County. The Strategy has three themes of People, Places and Prosperity and nine outcomes, one of which is "Our housing is appropriate and affordable."

Other relevant outcomes include: "We belong to safe and strong communities where people get on together" and "We all live healthy, active and independent lives."

### **Stratford-on-Avon District Council's Community Strategy**

'Improving the Quality of Life for Everyone – a 2026 Vision for Stratford District is the Sustainable Community Strategy for the District. It sets out a long term vision for the area and focusses on six key areas:

- children and young people
- stronger communities
- safer communities
- healthier communities and older people
- economy and employment
- climate change and environment

Regard has been had to the contents of both Community Strategies in preparing the G&T LP. Synergies between the three documents include the contribution that provision of additional sites will make to meeting future accommodation needs. Providing a settled base will also help ensure that education and health facilities can be accessed. Ensuring that sites are in appropriate locations will help contribute to objectives around protection of the environment and objectives around the economy and employment.

The Stratford-on-Avon Core Strategy and Policy CS.20 in particular provides the context and policy framework for the G&TLP.

**Policy CS.20 Gypsies and Travellers and Travelling Showpeople**

in the Core Strategy – June 2015 (as proposed to be modified) states:

Proposals for the provision of permanent, temporary and transit Gypsy and Traveller pitches and Travelling Showpeople plots will be considered against the following criteria:

- a) the site is not located within the Green Belt, unless there are very special circumstances, or the Cotswolds Area of Outstanding Natural Beauty (AONB), unless it complies with Policy CS.11;
- b) the site is not located within an area of designated historic or environmental importance and will not compromise the objectives of any national or local designation, including Special Landscape Areas;
- c) if located in proximity to the Cotswolds AONB, the site will have a buffer of appropriate scale and landscaping to minimise any adverse visual impact upon the AONB;
- d) the site should avoid areas prone to fluvial, pluvial or surface water flooding and exclude areas with a 1 in 100 or greater annual probability of flooding;
- e) the site will not be located on unstable or contaminated land that cannot be mitigated;
- f) the site will have safe access to the highway and avoid significant impact on minor rural roads;
- g) the site will be in a sustainable location in reasonable proximity to local services and facilities, including health and emergency services, making them accessible by modes of transport more sustainable than the private car;
- h) the location of the site will not result in unacceptable environmental impacts on the amenity of future occupiers of the site;
- i) the development and use of the site makes best use of previously developed, untidy or derelict land where available and suitable and will not have unacceptable adverse impacts on the landscape, biodiversity or the built environment;
- j) the site will have a good residential environment and be of good quality layout and design incorporating appropriate landscaping, security, utilities and facilities, and be acceptable in terms of foul and surface water drainage and waste storage and disposal;
- k) the site will not have an unacceptable adverse impact on neighbouring residential amenity, including noise from any commercial activities; and
- l) arrangements are put in place to ensure the proper management of the site to seek to ensure community cohesion between the settled and traveller communities.

The Gypsy and Traveller Local Plan will identify sites but consideration will also be given to the provision of pitches as a component of sites allocated for development in the Core Strategy, where this is considered appropriate.

## 4. Vision and Objectives

### 4.1 Vision

The proposed vision of this G&TLP is:

*“By 2031 70 new pitches to meet the needs of Gypsies and Travellers have been provided in Stratford-on-Avon District. These have been provided on a range of sites, in terms of location, size and tenure. Existing sites with permanent planning permission and no personal occupancy restriction have been safeguarded. Sites are in locations where the Gypsy and Traveller Community can access services and facilities. The outstanding built and natural character and heritage of Stratford-on-Avon District, its settlements and landscape have been maintained and, where possible enhanced.*

*The needs of Travelling Showpeople within the District will continue to be met.”*

#### Consultation Question 2:

**Do you have any comments on the Vision for the Gypsy and Traveller Local Plan?**

### 4.2 Objectives

The G&TLP sits alongside the Core Strategy. The Core Strategy contains a suite of objectives that have already been consulted on and discussed at Examination. The G&TLP should work towards relevant objectives of the Core Strategy and these are incorporated in the objectives below. The objectives of this G&TLP are that by 2031:

- (1) The rural character of the District will have been maintained and enhanced. The Green Belt and countryside of the District will have been protected from harmful development.*
- (2) The historic character of the District will have been maintained and enhanced. Sites of historic importance will have been protected from harmful development.*
- (3) The character and local distinctiveness of the District will have been reinforced by ensuring new development is of high quality design, taking into account the intrinsic and special value of its landscapes and townscapes.*
- (4) To help mitigate climate change and reduce costs sites will incorporate renewable energy features, where feasible to do so. Sites will also incorporate water and energy efficiency measures, where feasible to do so.*
- (5) The District will have reduced its greenhouse gas emissions, so as to contribute to the national target for reduction, through a range of measures such as the location and design of development, provision of renewable and low carbon energy schemes, and promoting opportunities for low carbon travel.*
- (6) The flood plain will have been maintained and, where opportunities arise, restored. The risk of flooding will be managed effectively by taking a whole catchment approach to implement sustainable flood management schemes. Water bodies will have reached a good status or potential in accordance with the Water Framework Directive.*

(7) Working with Natural England and Warwickshire County Council, biodiversity will have increased across the District. Sites of environmental, nature conservation and geological importance will have been protected from harmful development.

(8) Community facilities and open space will have been improved across the District. Through collaborative working between District, Town and Parish Councils and key partners in education, public safety, health and other services, opportunities to improve the health and wellbeing of the District's communities will have been realised as a result of the development process. Gypsy and Traveller sites will have been provided in locations that enable access to facilities and services, particularly in relation to health and education.

(9) All eligible development will make contributions to infrastructure and community facilities through CIL, planning obligations or a combination of the two. All critical projects listed in the Infrastructure Delivery Plan will be delivered in order to ensure that new development is supported and accompanied by the necessary infrastructure.

(10) The value of tourism to the District will have increased substantially, initially by 25% during the period 2011-2015, through the District Council working with its private sector partners, including Shakespeare's England. Stratford-upon-Avon will have re-established its position in the top 20 UK towns and cities for international visitors.

(11) Transport services will have been improved and congestion reduced across the District. Working with Warwickshire County Council, the District Council will seek to ensure that new development contributes towards achieving the aims and goals set out in the Local Transport Plan for an inclusive and accessible transport system.

(14) A total of 70 additional pitches have been provided by 2031 to meet the needs of Gypsies and Travellers. The needs of Travelling Showpeople within the District will continue to be met.

(15) A mix of sites, in terms of tenure, size and location has been provided in suitable locations that facilitate access to services and economic opportunities for the Gypsy and Traveller Community.

### **Consultation Question 3:**

**Do you have any comments on the Objectives for the Gypsy and Traveller Local Plan?**

## 5. Strategy

### 5.1 Safeguarding existing Gypsy and Traveller sites and allocating new sites

It is proposed that the G&TLP will include a policy safeguarding existing sites with permanent planning permission (where there is no personal occupancy restriction) and sites allocated in the G&TLP. The suggested wording and format along with the justification for the policy is provided below.

The situation in the District suggests scope for policies about:

- Safeguarding existing sites (with permanent planning consent and no occupancy restriction) where there is no anticipated increase in the number of pitches;
- Safeguarding existing sites (with permanent planning consent and no occupancy restriction) where there is also some scope for increasing the number of pitches, by removing any occupancy restrictions and/or introducing new pitches within the existing curtilage;
- Identifying and safeguarding new sites that are considered to be suitable for permanent consent with no occupancy restriction.

#### **POLICY GT1 - Safeguarding existing sites**

The following existing authorised sites, as shown on the Proposals Map and in Appendix 1 will be safeguarded for Gypsy and Traveller use for the number of pitches shown.

<b>Existing sites, with no anticipated increase in the number of pitches</b>		
<b>Site reference and name</b>	<b>Number of Pitches permitted</b>	
PATH 0004 Birmingham Rd, Pathlow	30	
BID 0001 Old Railway Yard, Waterloo Road, Bidford-on-Avon (Greenacres)	8	
BID 0002 Land between Harvest Camp and Vine Cottage, Mill Lane, Broom	1	
TRED 0001 The Crossroads, Darlingscote, Shipston-on-Stour	16	
SNIT 0005 Land adjacent Warwick Road, Black Hill, Stratford-upon-Avon	4	
<b>Existing sites with potential for an increase in the number of pitches</b>	<b>Existing pitches with no occupancy restriction</b>	<b>Proposed new pitches</b>
WELF 0001 Rainbow Nurseries, Welford-on-Avon (Part A)	2	3

Any Gypsy and Traveller Sites granted permanent planning permission in the future with no personal occupancy restrictions will also be safeguarded for the number of pitches permitted.

Where sites are granted temporary permission or permanent permission with a personal occupancy restriction and the site ceases to be occupied the site should be restored in accordance with the relevant condition(s) attached to the planning permission.

### **Justification**

In terms of safeguarding, Policy GT1 will be applied to Gypsy and Traveller and Travelling Showpeople sites that:

- Already have planning permission for permanent use as a Gypsy and Traveller site with no occupancy restriction, irrespective of whether or not the site is occupied;
- Sites allocated through the G&TLP;
- Other sites coming forward via planning permission (permanent consents with no personal occupancy restrictions).

Safeguarding such sites will ensure that they are not lost to alternative uses, which often achieve higher land values. This will be particularly important in those instances where sites are in private ownership.

Safeguarding sites with permanent permission but a condition limiting the occupation of the site to named individuals is not considered appropriate. The expectation with such sites is that if the named occupants no longer live there the use of the site would cease and the site would be restored in accordance with the relevant condition(s) attached to the planning permission.

### **Consultation Question 4:**

**Do you have any comments on POLICY GT1?**

## **5.2 Identifying potential sites**

Paragraph 4.7 of national guidance suggests that a maximum of 15 pitches is conducive to providing a comfortable environment which is easy to manage but that smaller sites of 3-4 pitches can also be successful.<sup>11</sup>

A call for sites was made by the District Council February/March 2014 at the same time as the Regulation 18 consultation. This did not result in any new sites coming forward. Two sites with one pitch each that have temporary consent were put forward (one of these has since been granted permanent planning permission with an occupancy restriction) and a site adjacent to the existing site at Pathlow, which has previously been considered, was also put forward. The sites are discussed in Appendix 3 of this document. A low level of response to the call for sites was anticipated as this has been the experience of other local authorities in the area.

<sup>11</sup> Designing Gypsy and Traveller Sites DCLG - May 2008 (note this guidance was withdrawn by DCLG on 1 September 2015)

The following exercises were also undertaken to identify potential sites that could be discussed with the Gypsy and Traveller and settled communities:

- Liaison with members of the Gypsy and Traveller communities;
- Discussions with other Council services and Warwickshire County Council;
- Liaison with landowners and agents;
- A review of sites with temporary planning consent; and
- A desk-top study and site visits to identify potential sites. This included consideration of sites that were previously included on the National Land Use Database (NLUD) and land on the market.

### **POLICY GT2 – New Gypsy and Traveller Sites**

The following allocated sites, as shown on the Proposals Map and in Appendix 2, will be safeguarded for Gypsy and Traveller use for the number of pitches shown:

<b>Proposal reference and name</b>	<b>Number of Pitches</b>
SNIT 0011 Old Dairy Depot, Warwick Road, Snitterfield	2
PATH 0003 Gospel Oak Lane, Pathlow	1

Note that 3 additional pitches are also proposed through intensification of the Rainbow Nurseries site (WELF 0001) under Policy GT1 above.

#### **Justification**

Policy GT2 will be added to in later versions of the G&TLP as additional allocations required to meet the five year supply of pitches at the time of adoption are identified. Additions to the policy will be consulted on in later stages of the plan making process.

In terms of phasing, it is anticipated that sites that contribute to a five year supply will come forward by 2019/20 (Phase 1) because of the need to meet the historic shortfall early in the plan period. Phase 2 covers the period 2020/1 to 2030/1.

For new sites that are considered to form part of Phase 1 and that will contribute to the 5 year land supply we will need to be able to demonstrate that they are deliverable (that is available now, suitable and achievable)<sup>12</sup>.

For any longer term allocations we will need to demonstrate that they are developable (that is in a suitable location for a traveller site development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged)<sup>13</sup>.

Policy GT8 recognises the need to review the plan in the event that the anticipated number of pitches is not delivered.

#### **Consultation Question: 5**

**Do you have any comments on POLICY GT2**

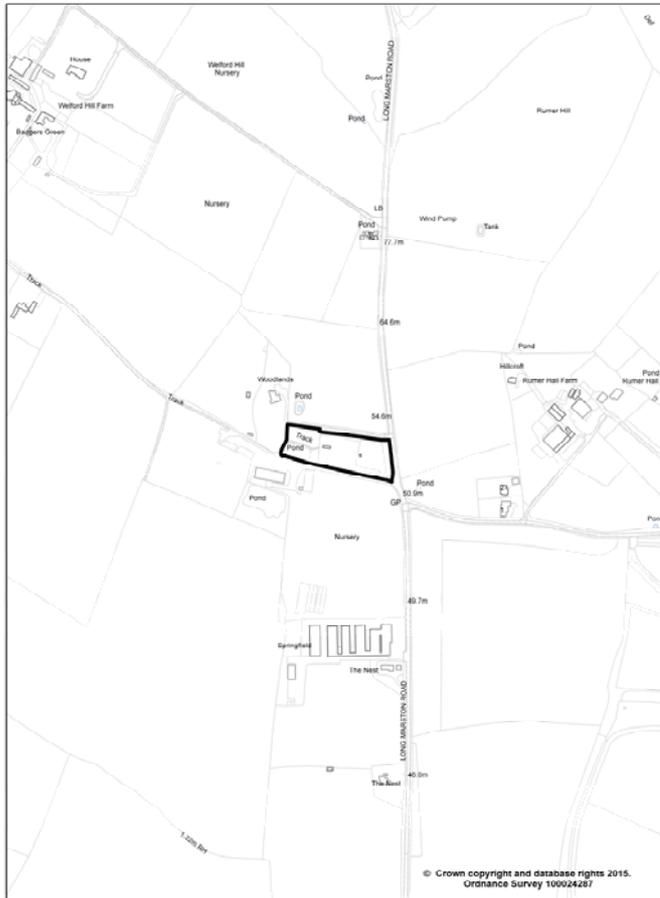
<sup>12</sup> Planning Policy for Traveller Sites DCLG – August 2015

<sup>13</sup> Planning Policy for Traveller Sites DCLG – August 2015

## 5.3 Proposed Allocations

Policy GT2 summarises the sites that are proposed to be allocated. This section provides more details on the sites. The Planning Inspectorate has produced a model set of conditions relating to Gypsy and Traveller Sites and the policies reflect these.

### Proposal WELF 0001 Rainbow Nurseries, Welford-on-Avon (Part A)



Land at Rainbow Nurseries, Long Marston Road, Welford-on-Avon (Part A)

**Site type** – private

**Number of pitches proposed** – 5 (net gain of 3)

**Development phase** – Phase 1 (up to 2019/20)

**Specific requirements:**

- The site shall not be occupied by any person other than Gypsies and Travellers as defined in Annex 1 of 'Planning Policy for Traveller Sites'
- There shall be no more than 5 pitches on site and no more than 10 caravans, 5 of which shall be a single unit residential mobile home
- No commercial activities shall take place on the land, including the storage of materials
- The site should incorporate open space provision and soft and hard landscaping. Existing boundary planting should be retained and, where appropriate, strengthened
- No more than one commercial vehicle per pitch shall be kept on the land for use by the occupiers of the site and they shall not exceed 7.5 tonnes in weight

- Detailed proposals for site layout should have regard to Secured by Design principles
- There should be no burning of materials on site at any time.

### Justification

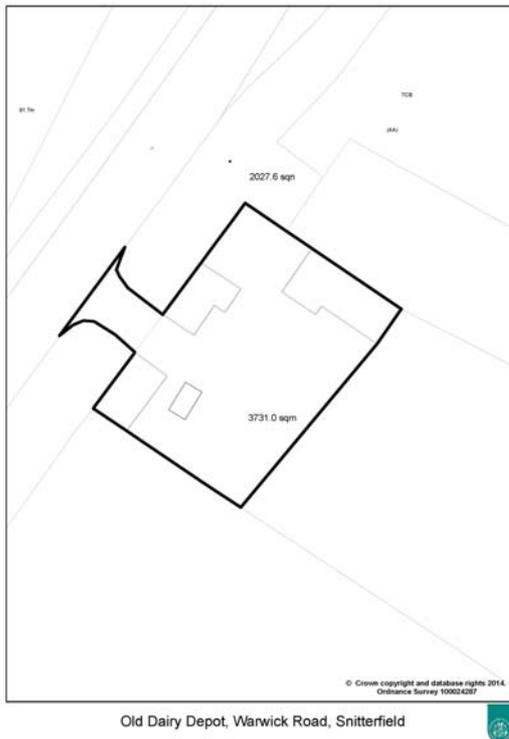
This site already has planning permission for a Gypsy and Traveller site. There are three existing pitches on site, one of which has a personal occupancy restriction. Three new pitches are proposed (of which 2 are new pitches and 1 pitch is created by removing the personal occupancy restriction from an existing pitch). A total of 5 pitches are provided on the site, including the two pitches already permitted with no occupancy restriction.

The remainder of the policy is intended to protect the amenity of residents on the site and neighbouring properties ensure a high quality of development.

### Consultation Question: 6

**Do you have any comments on Proposal WELF 0001**

### Proposal SNIT0011 Old Dairy Depot, Warwick Road, Snitterfield



**Site type** – private

**Number of pitches proposed** – 2

**Development phase** – Phase 1 (up to 2019/20)

**Specific requirements:**

- The site shall not be occupied by any person other than Gypsies and Travellers as defined in Annex 1 of 'Planning Policy for Traveller Sites'
- There shall be no more than 2 pitches on site and no more than 2 caravans, which shall be single unit residential mobile homes
- There may be potential for this site to be combined with SNIT005, removing the



**Site type** – private

**Number of pitches proposed** – 1

**Development phase** – Phase 1 (up to 2019/20)

**Specific requirements:**

- This site is deleted from the Green Belt and allocated specifically for Gypsies and Travellers, should the need for the site cease in the future consideration will be given to the site reverting back to Green Belt through a review of this Plan
- The site shall not be occupied by any person other than Gypsies and Travellers as defined in Annex 1 of 'Planning Policy for Traveller Sites'
- There shall be no more than 1 pitch on site and no more than 2 caravans, one of which shall be single unit residential mobile home
- No commercial activities shall take place on the land, including the storage of materials
- The site should incorporate open space provision and soft and hard landscaping. Existing boundary planting should be retained and, where appropriate, strengthened and replaced with native species;
- Detailed proposals for site layout should have regard to Secured by Design principles
- No more than one commercial vehicle shall be kept on the land for use by the occupiers of the site and they shall not exceed 7.5 tonnes in weight
- There should be no burning of materials on site at any time

### **Justification**

This site is in the Green Belt but is considered suitable for the proposed use in all other respects. Given the difficulties associated with finding alternative sites and the scale of unmet need within the District it is considered that this site could contribute to meeting that need. Its allocation would necessitate the creation of an inset within the Green Belt.

The wording of Policy GTS5 makes it clear that the site would be removed from the Green Belt but allocated solely for occupation by Gypsies and Travellers. The Inspector for the Solihull Metropolitan Borough Council Gypsy and Site Allocations Development Plan Document was clear that proposed allocations that were in the Green Belt would have to be taken out of the Green Belt in order for the plan to be found compliant with National Planning Policy.<sup>14</sup>

The remainder of the policy is intended to protect the amenity of residents on the site and neighbouring properties ensure a high quality of development.

### **Consultation Question 8:**

**Do you have any comments on Proposal PATH 0003?**

<sup>14</sup> The Planning Inspectorate, Report to Solihull Metropolitan Borough Council, 17 October 2014.

### Identifying Additional Pitches

The sites identified above would provide 6 pitches. In order to demonstrate a 5 year supply at the envisaged point of adoption (2017), there is a need to identify a total of 29 pitches. **That means we need to identify sufficient sites for an additional 23 pitches** before we can proceed to the next stage of the plan preparation process. Clearly this assumes that the sites currently being considered are retained in the Plan; if they are not alternative sites will need to be identified.

#### Consultation Question 9:

**Do you have any suggestions for sites within the District that could help meet future needs?**

## 5.4 Travelling Showpeople

A site used by Travelling Showpeople has been identified in the district at Lower Langley Farm. The Core Strategy included Proposal SUA.3 'Land East of Birmingham Road' and allocated this for employment. As noted earlier in this document, the Inspector has indicated in his Interim Report that he does not consider SUA.3 to be justified.

Proposal SUA3 included land at Lower Langley Farm. The site is owned and managed by the landowners who are themselves from a circus background. According to the owners the site was bought in 1948 and has been used for the overwintering of circuses since 1951/2. The site is currently used by the Moscow State Circus and affiliated shows. They need hardcore for the winter and buildings for maintenance. The site is also used as a headquarters for the show in the summer. There are three other shows affiliated to the circus – 'Extreme Stunts', 'Circus of Horrors' and 'Circus Berlin.' The operator indicated that these shows will also use the site if touring in the area.

The season runs from March through to November. Only the maintenance staff stay on in winter, comprising around 10 to 15 workers and their families. Children will attend local schools in the winter. The artists go back to Russia during the winter.

The owners have indicated that the current site amounts to about 1.4 hectares (3.5 acres). The operators indicate that ideally a site of 2.4 hectares (6 acres) would help meet longer term needs.

The operators live in the area and have also indicated that the circus operators like the existing site because it has good access to the strategic road network. Given that maintenance staff and their families stay on the site over winter, there is also a need to provide a suitable living environment, which the current site also provides.

There is potential to safeguard the site and potentially expand it (given the operators aspirations). However the site's Green Belt location is a key consideration as is the current planning status of the site, which is unclear and currently being considered by the District Council.

## POLICY GT3 – Travelling Showpeople

NOTE THAT LATER VERSIONS OF THE PLAN WILL NEED TO DEMONSTRATE HOW THE FUTURE NEEDS OF TRAVELLING SHOWPEOPLE IN THE DISTRICT WILL BE MET AND WILL BE SET OUT IN THIS POLICY.

### Justification

A site used by Travelling Showpeople has been identified in the district and there is a need to consider safeguarding and expanding this to meet the owner's aspirations or identify an alternative site that is suitable and deliverable.

Stratford-on-Avon District Council will work with the operators of the site at Lower Langley Farm to clarify the planning status of the site.

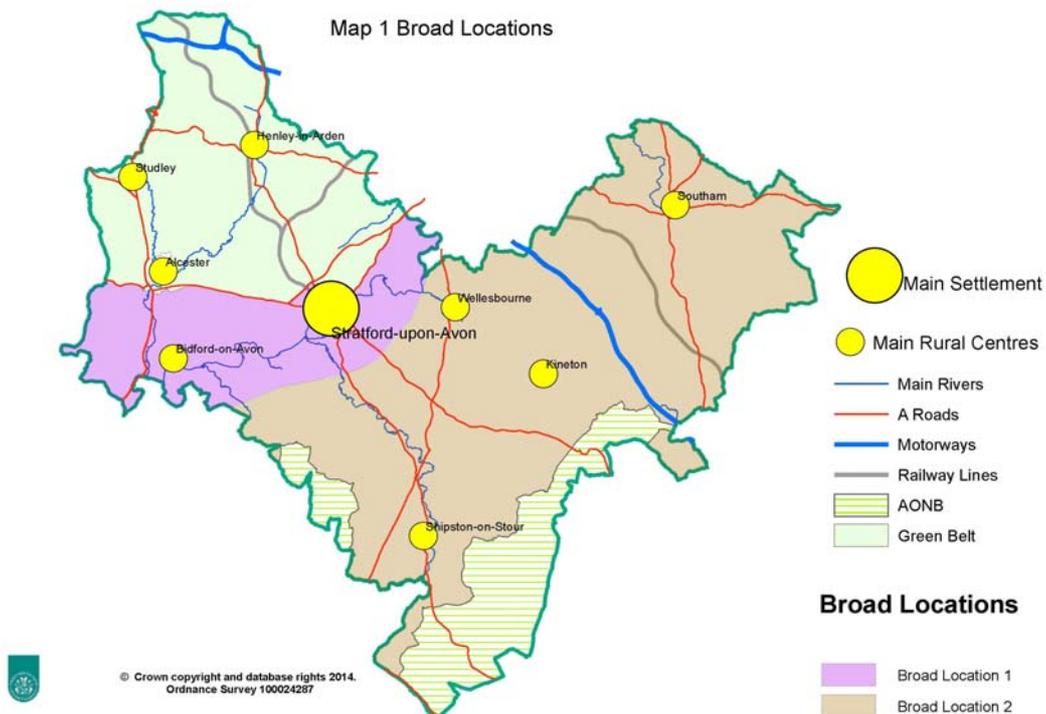
## 5.5 Preferred Areas of Search for Additional Gypsy and Traveller Sites

It is highly unlikely that the District Council will be able to identify sufficient pitches to meet all of its identified need to 2031 in the G&TLP. The PPTS allows for the identification of broad locations for growth where this is the case.

These broad locations also have a role in helping to identify appropriate locations to meet needs in the shorter term.

Two preferred broad locations for Gypsy and Traveller provision are identified in the Core Strategy as follows (see Map One):-

- Broad Location 1 – the 'Avon Valley' outside of the Green Belt;
- Broad Location 2 – the remainder of the District, but outside the Cotswolds Area of Outstanding Natural Beauty (AONB).



Earlier consultation on the Core Strategy and G&TLP suggests that these areas are too broad. Inspectors in recent decisions have also made similar comments. Given the difficulties finding sites to at least demonstrate a five year supply at the time of adoption it is suggested that the Broad Areas of Search are further refined to identify areas that are more suitable than others, for example taking account of proximity to Stratford-upon-Avon, main rural centres and local service villages and of environmental and other strategic planning constraints. The refined areas of search would be incorporated in the G&TLP and used to help inform the identification of additional sites.

Additional work has been undertaken to refine the preferred areas of search and these are shown on the Proposals Map.

The Council has considered the issue of the maximum distance from settlements and identified a maximum distance of 4.8km from Stratford-upon-Avon and the Main Rural Centres outside of the Green Belt and 3km from Local Service Villages that have both a GP and primary school and that are outside of the Green Belt. The 4.8km and 3km distances are linked to Government guidance on distances within which local authorities must provide free transport to school pupils and reflect what the Government considers to be reasonable walking distances to school, provided a safe route exists.<sup>15</sup> Locations within these distances would be considered more sustainable than those outside, in terms of the ability to access health and education facilities. The issue of proximity to services and facilities is considered in Appendix 4 of this consultation document.

The preferred areas focus on the following areas as shown on the Proposals Map:

- Stratford-upon-Avon (the areas within 4.8km of the town excluding land in the Green Belt)
- Main Rural Centres (within 4.8km of the following towns excluding any land in the Green Belt or Area of Outstanding Natural Beauty):
  - Bidford-on-Avon
  - Kineton
  - Shipston-on-Stour
  - Southam
  - Wellesbourne
- Local Service Villages with a Primary School and GP Surgery (excluding any land in the Green Belt or Area of Outstanding Natural Beauty):
  - Bishops Itchington
  - Fenny Compton
  - Harbury
  - Lower Quinton
  - Tysoe

Some of the areas as shown on the Proposals Map extend into neighbouring districts. For the avoidance of doubt the District Council would only seek to identify sites within its own boundary.

Whilst these areas form the basis for broad areas of search more detailed factors like topography, suitability of vehicular access, highways, landscape sensitivity, cultural

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<sup>15</sup> Home to School, Travel and Transport Guidance, Statutory Guidance for Local Authorities, July 2014

heritage etc. would still need to be taken into account when assessing sites. The potential for any cumulative effects associated with existing or proposed Gypsy and Traveller sites within the District or neighbouring districts would also need to be taken into account, for example potential effects on existing education and health facilities.

The work also highlights those parts of the district that might be less suitable for Gypsy and Traveller sites because of a lack of proximity to education and health facilities, for example the area between the south of Stratford - upon - Avon and Shipston-on-Stour outside of the suggested 4.8 km zone of each town.

The Preferred Areas of Search will need to be reviewed once the Core Strategy is adopted as there may be potential to identify additional areas centred on strategic locations for growth that provide a Primary School and GP as well as other services and facilities.

The suggested policy and justification to accompany the Preferred Areas of Search is provided below.

#### **POLICY GT4: Preferred Areas of Search**

The areas shown on the Proposals Map represent Preferred Areas of Search within Stratford-on-Avon District for the future provision of Gypsy and Traveller sites to meet identified needs to 2031.

Proposals within the Preferred Area will be assessed against the criteria in Policy CS.20 of the Core Strategy.

Whilst applications on land outside of the Preferred Areas of Search will be assessed against the criteria in Policy CS.20 by definition they are more likely to be subject to planning policy constraints and/or situated in relatively unsustainable locations and thus less likely to be considered suitable.

#### **Justification**

It is highly unlikely that the District Council will be able to identify sufficient pitches to meet all of its identified need to 2031 in the G&TLP. The PPTS allows for the identification of broad locations for growth where this is the case. The Preferred Areas of Search reflect locations that are accessible to facilities and services, particularly health (GP services) and education whilst acknowledging environmental and other constraints.

#### **Consultation Question 10:**

**Do you have any comments on POLICY GT4**

## 5.6 Emergency Stopping Places

Warwickshire County Council has identified the need for Emergency Stopping Places in the County. Emergency Stopping Places are areas where Gypsies and Travellers are permitted to stay temporarily if the local authority deems it appropriate, removing the need for them to occupy less suitable unauthorised sites. Stays would not be expected to exceed 28 days at a time unless there were exceptional welfare needs justifying a longer stay. Temporary planning permission has been granted for a facility in Stratford-on-Avon District SDC/13CC021.

The temporary consent runs to mid-November 2016, enabling the effects of the facility to be evaluated.

As this is a temporary consent (to test the effectiveness of the site) it would be inappropriate to identify the site as an Emergency Stopping Place in the G&TLP. The location, size and configuration of the site mean that it is not suitable for permanent pitches.

### **POLICY GT5: Emergency Stopping Places**

The District Council will co-operate with the County Council and other District Councils to identify a network of Emergency Stopping Places within the County.

#### **Justification**

Policy GT5 recognises the need to work with the County Council's Gypsy and Traveller Liaison Team to identify suitable sites for Emergency Stopping Places in the County. Such sites are important in managing unauthorised encampments.

#### **Consultation Question 11:**

**Do you have any comments on POLICY GT5?**

## 5.7 Other Policy Areas

Policy D of the PPTS states:

*"If there is a lack of affordable land to meet local traveller needs, local planning authorities in rural areas, where viable and practical, should consider allocating and releasing sites solely for affordable traveller sites. This may include using a rural exception site policy for traveller sites that should also be used to manage applications. A rural exception site policy enables small sites to be used, specifically for affordable traveller sites in small rural communities, that would not normally be used for traveller sites. Rural exception sites should only be used for affordable traveller sites in perpetuity. A rural exception site policy should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection whilst also ensuring that rural areas continue to develop as sustainable, mixed inclusive communities."*

The nature of the District and preferences of the Gypsy and Traveller communities suggest that all of the sites provided will need to be outside of existing built up areas. These factors suggest that a rural exception policy is not appropriate in the District.

**Consultation Question 12:**

**Should a rural exception site policy be included in the Gypsy & Traveller Local Plan?**

Policy F of the PPTS states that:

*Local planning authorities 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. Local planning authorities 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.*

There is no evidence of demand for mixed use sites in the District and it is considered that any such proposals could be considered through Policy CS.20.

**Consultation Question 13:**

**Should a policy on mixed use sites be included in the Gypsy & Traveller Local Plan?**

Policy G of the PPTS relates to major development projects that require a permanent or temporary relocation of a Gypsy or Traveller site. Policy G states that local planning authorities are entitled to expect the applicant to identify and provide an alternative site, providing the development on the original site is authorised.

The Preferred Areas of Search take account of major developments, including HS2. It is therefore concluded that a specific policy along the lines of Policy G of the PPTS is not required in the G&TLP; if necessary Policy G of the PPTS could be relied upon.

**Consultation Question 14:**

**Should a policy on major development projects be included in the Gypsy & Traveller Local Plan?**

## **5.8 Delivering Sites**

As noted earlier in this report, it was originally anticipated that sites would be provided privately. The majority of the sites identified above are small (i.e. less than ten pitches) privately owned sites but, given the lack of options for sites to address the shortfall, it is becoming very likely there will be a need to provide public sites using Compulsory Purchase Orders (CPO) if necessary.

One option available is to engage with Registered Providers of Social Housing (also known as Registered Providers). Some Registered Providers develop and manage Gypsy and Traveller sites using funding from the Homes and Communities Agency (HCA).

A complicating factor here is that a recent reform to the Mobile Homes Act had an unintended consequence in relation to Gypsy and Traveller Pitches on sites owned and managed by Registered Providers. The reform to the Act removed the need for occupants to obtain permission from the owner of the site before selling their home. Local authority run Gypsy and Traveller sites are exempt from this change but it is

feasible that the occupant of a Gypsy and Traveller site run by a Registered Provider could sell (or be coerced to sell) their home, meaning that the Registered Provider had no control over who occupied the site. The District Council will need to give further consideration to this issue where it is proposed that sites are managed by a Registered Provider.

A further factor to consider is that Registered Providers may prefer to manage larger sites, e.g. around a minimum of 10 pitches because of economies of scale, although there is one example of a 5 pitch site being managed by a Registered Provider in Leicestershire. This seems to be an exception to the rule.

The HCA provides funding towards Traveller Pitches. The HCA aims to support the development of good quality sites to help meet the accommodation needs of traveller communities.

Schemes not already approved are currently being considered through the 2015-18 Affordable Homes Programme via the continuous market engagement (CME) bidding route. Traveller Pitch Funding is run using an individual scheme by scheme approach with payment of grant also on an individual scheme basis.

Funding is provided to develop new sites, add new pitches onto existing sites and to improve existing provision for travellers. The priority for funding is new permanent pitches.

The programme comprises two sub-products:

- 'Traveller Pitch Funding' – rent which provides grant to develop traveller pitches to be let out under an Affordable Rent; and
- 'Traveller Pitch Funding – home ownership' which provides funding to develop traveller pitches for sale through the HCA's standard home ownership route, shared ownership.

Traveller Pitch Funding is open to all investment partners to participate, including local authorities, housing associations, voluntary organisations and community-based organisations (including traveller organisations).

Whilst there are no prescribed standards for the design and layout of traveller sites, the HCA would expect site location and design to take account of the Department for Communities and Local Government good practice guidance on site design (DCLG 2008), and, where appropriate, relevant legislation.

For the purposes of this programme the HCA uses the following standard definition of a traveller pitch:

- Traveller pitch means a space for a family unit comprising at least an amenity building, access to utilities and hard-standing area to accommodate at least one large trailer or caravan, parking for one vehicle and drying space for clothes.
- An amenity building or suitable equivalent facility must be provided on each funded pitch, which may include a:
  - hot and cold water supply;
  - electricity supply;
  - separate toilet and hand wash basin;
  - bath/shower room;
  - kitchen and dining area.

The maximum funding available from the HCA is £90,000 per pitch. It is important to note that this funding is not intended to incentivise the provision of pitches, but is provided to help enable the delivery of pitches by assisting with the actual cost of their provision, for example costs associated with water and power supply. The District Council is not a registered provider and could not therefore receive grant direct from the HCA associated with the provision of new pitches, neither could any private individual whether they are a member of the Gypsy and Traveller communities or the settled community. If the Council was to lease land to a registered provider, the registered provider could try and obtain funding from the HCA.

The Council could seek to acquire land to provide pitches. The Council has powers under planning legislation to acquire land compulsorily through a Compulsory Purchase Order (CPO) where the landowner or occupier is not willing to sell by agreement. The use of a CPO should be seen as a last resort and pursued only where the landowner is not willing to sell by agreement. The law and procedure relating to CPOs is complex. If there are any objections to the CPO, a public inquiry will need to be held. The Council will need to demonstrate that the taking of the land is necessary and there is a compelling case in the public interest. A CPO is usually sought following the grant of planning permission for the development. Allocation of the site within an adopted plan may not be enough. If the Council manages to obtain a CPO, the landowners are entitled to the cost of their land, compensation and reimbursement of their professional fees/costs. CPOs can therefore be a very expensive and lengthy process. The use of CPOs may not be a viable option for delivering Gypsy/Traveller pitches.

The difficulties outlined above in terms of the use of CPO powers suggest they should be used as a last resort and for sites of a minimum of 10 pitches, which would then be attractive to a Registered Provider to manage. The Registered Provider could then seek to secure funds from the HCA.

**Consultation Question 15:**

**Should the Council use Compulsory Purchase powers where necessary to deliver sites?**

## 5.9 Monitoring, Delivery and Review

To be found sound, the G&TLP will need to include a policy on monitoring, delivery and a commitment to keeping the GTAA up to date and reviewing the Plan if necessary. The proposed wording is set out below.

### **POLICY GT6 Monitoring, Delivery and Review of this Plan**

Monitoring of this Local Plan will be undertaken using the indicator identified in the Authority Monitoring Report (AMR) which relates to maintenance of a five year supply of Gypsy and Traveller Sites in accordance with paragraph 9 a) of PPTS.

In the event that any allocated site should fail to deliver the number of pitches anticipated for that site, the Core Strategy and this Local Plan provide the policy framework for other sites to be considered through the planning application process. Policy GT4 provides an indication of the Preferred Areas of Search for such applications.

The Council will update the GTAA in circa 5 years from adoption of the G&TLP to ensure that the District's evidence of need for Gypsy and Traveller accommodation remains up to date. This may then trigger a review of the Plan.

The Council will consider the use of CPO powers to ensure land is available to deliver essential sites and if necessary infrastructure to support sites.

The Council will continue to co-operate with other Councils and bodies to ensure that issues relating to need, site availability and infrastructure are addressed. This will include consideration of the potential for cumulative effects associated with the location of sites.

#### **Justification**

The AMR provides information on a range of topics related to planning and development in Stratford-on-Avon District. Monitoring is important as it enables the District Council to check the implementation of its policies and to take any management action as appropriate. It also helps inform future policy. Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulation 2012 sets out what information AMRs should contain.

The measures set out in Policy GT6 are considered appropriate to ensure that the G&TLP is monitored and a suite of actions identified to ensure that the Plan is effective.

The policy also sets out a commitment to review the plan if necessary.

#### **Consultation question 16:**

**Do you have any comments on POLICY GT6?**

#### **Consultation question 17:**

**Do you have any other comments on this document?**

## How to make comments

We would welcome your comments on the questions in this document.

### The deadline for responding to this consultation is 5:00pm on 30 October 2015



Online via the interactive consultation document at  
[www.stratford.gov.uk/gandt1p](http://www.stratford.gov.uk/gandt1p)



By completing a comment form for and emailing it to  
[planning.policy@stratford-dc.gov.uk](mailto:planning.policy@stratford-dc.gov.uk)



By completing a comment form form and posting it to:  
Stratford-on-Avon District Council, FREEPOST RSLH – ZYKJ –  
TYAZ, Stratford on Avon DC, PO BOX 5341, Stratford-upon-  
Avon, CV37 1LE

### What are the next steps?

- We will carefully consider all of the comments that are made on this document.
- Following this consultation, the next stage will be to prepare and publish the Submission Draft Plan.' This will include consultation on sites that provide sufficient pitches to meet the five year land supply requirement at the time the plan is adopted.
- This will be followed by a Test of Soundness representation period after which the Plan will be submitted to the Secretary of State.
- An Examination in Public will follow and the Inspector will then publish their report.
- Subject to the Plan being found sound it will then be adopted.

## 6. Appendices

### Appendix 1: Existing Authorised Permanent Sites to be safeguarded under Policy GT1

#### **PATH 0004 Birmingham Road, Pathlow Existing Site to be Safeguarded**



Pathlow Caravan Site, Birmingham Road, Pathlow

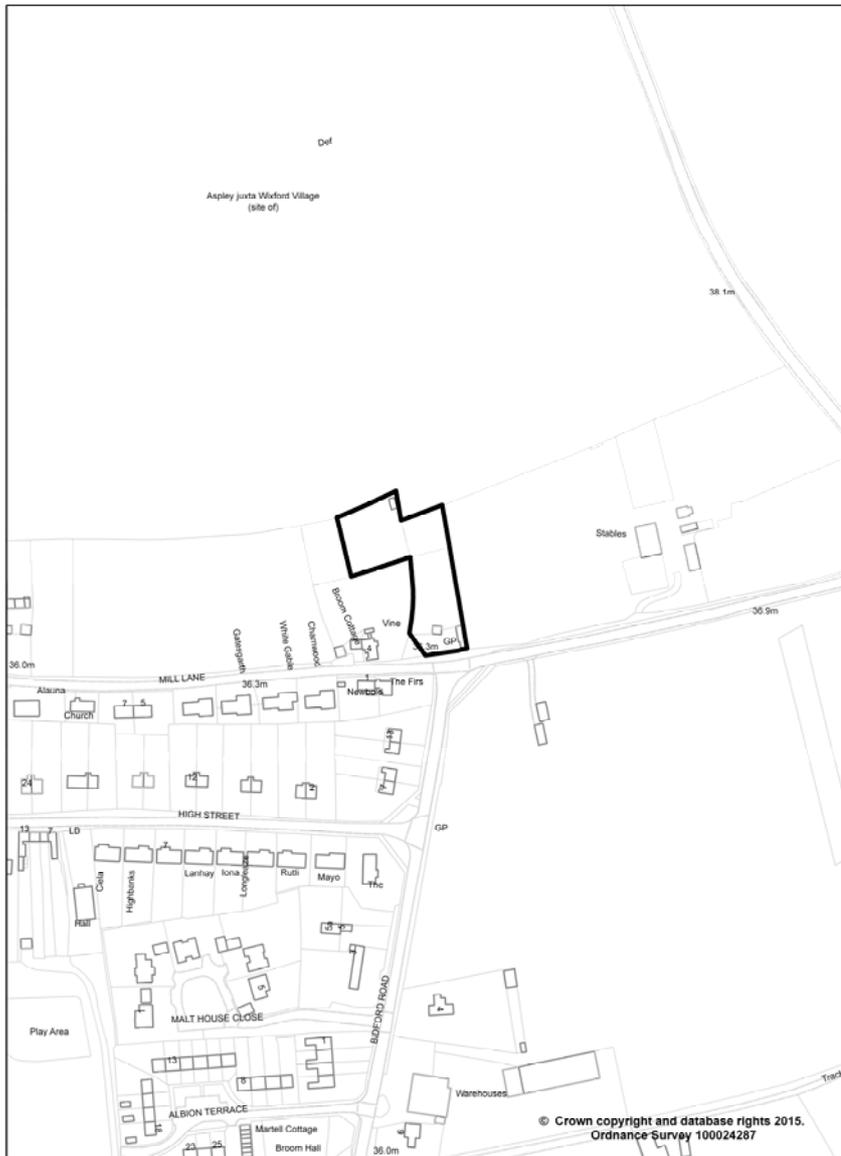


**BID 0001 Old Railway Yard, Waterloo Road, Bidford-on-Avon (Greenacres)  
Existing Site to be Safeguarded**



Old Railway Yard, Waterloo Road, Bidford-on-Avon

**BID 0002 Land between Harvest Camp and Vine Cottage, Mill Lane, Broom  
Existing Site to be Safeguarded**



Land between Harvest Camp and Vine Cottage, Mill Lane, Broom



**TRED 0001 The Crossroads, Darlingscote, Shipston-on-Stour  
Existing Site to be Safeguarded**



The Crossroads, Darlingscote Road, Shipston-on-Stour



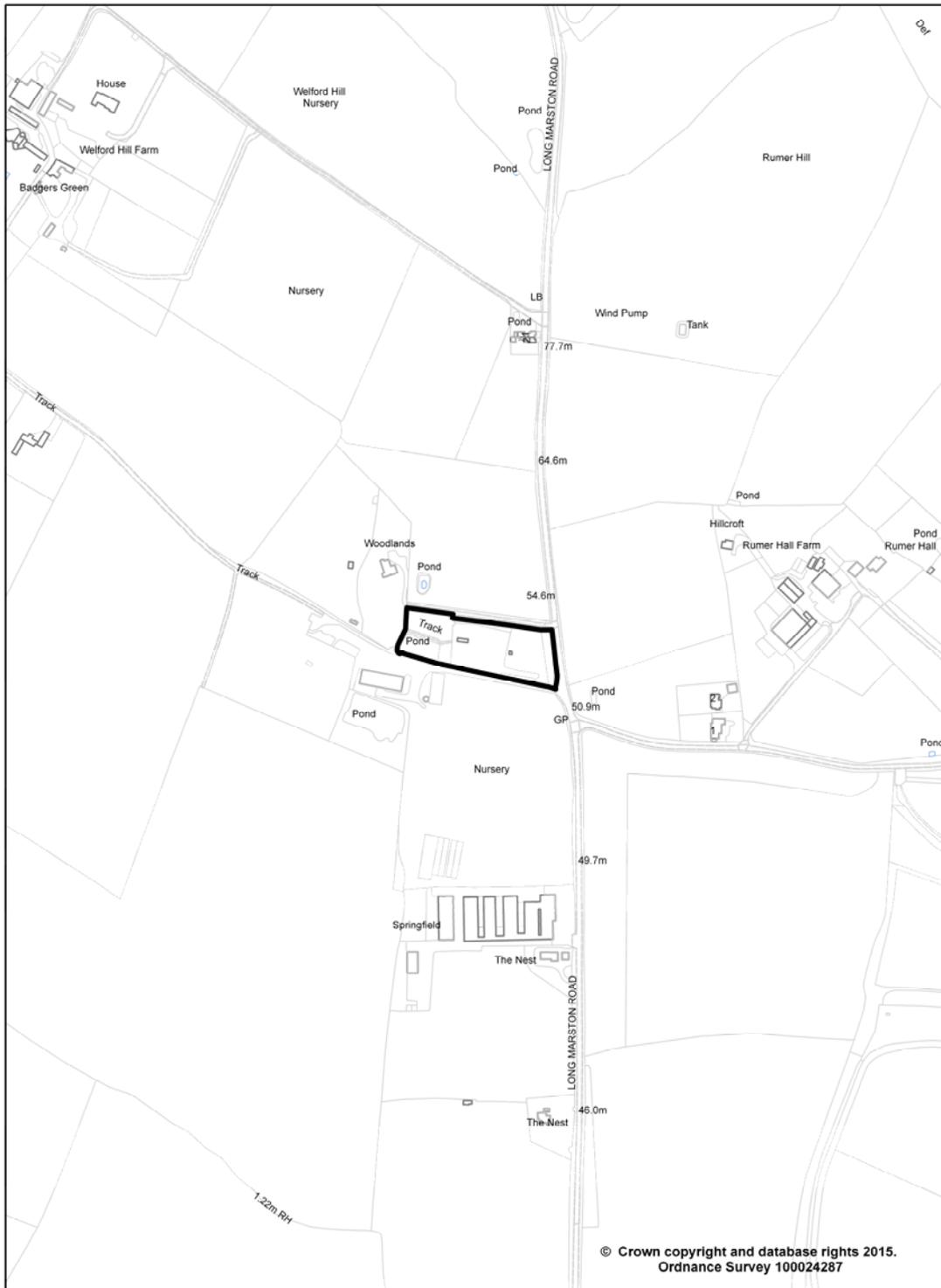
**SNIT 0005 Land adjacent Warwick Road, Black Hill, Stratford-upon-Avon  
Existing Site to be Safeguarded**



Land adjacent, Warwick Road, Snitterfield



**WELF 0001 Rainbow Nurseries, Welford on Avon (Part A) – Existing Site to be Safeguarded and Expanded to 5 pitches (net gain of 3 pitches)**



Land at Rainbow Nurseries, Long Marston Road, Welford-on-Avon (Part A)



## Appendix 2: Assessment of Potential Sites

Proforma for Detailed Assessment of Potential Sites		
Site Ref : WELF 0001	Site Name: Rainbow Nurseries	Settlement: Welford-on-Avon
Site Address: Rainbow Nurseries, Long Marston Rd, Welford		
<p><b>Description of site:</b> The site is part of a former commercial plant nursery and there is a young tree belt along the eastern boundary and a more established mixed woodland area along the northern and western boundaries. Along the southern boundary is a row of Poplar trees and directly on the road frontage is a thick native hedgerow. The main access off Long Marston Road is open and the site has been surfaced with a hardcore material. There is a pond and small woodland just to the west of the areas of hardcore.</p>		 <p>Land at Rainbow Nurseries, Long Marston Road, Welford-on-Avon (Part A)</p>
<p><b>Planning History:</b> Application 10/01796/FUL was submitted in August 2010 and refused in December 2010. It was allowed on appeal in September 2011. A permanent consent was granted with no occupancy restrictions. The development comprised change of use of part of a garden nursery to use as a site for two gypsy families with no occupancy restrictions.</p> <p>Application 12/01128/FUL was submitted in May 2012 and approved in August 2012. The development comprised change of use as a residential caravan site (extension of existing caravan site) for on gypsy family with two caravans, including laying of hardstanding and associated works (part retrospective). The conditions included an occupancy restriction.</p>		
<p><b>What is the fall back position for the site if any?</b> Existing consents for two permanent pitches with no occupancy restriction and one with an occupancy restriction.</p>		
Topic	Detailed criteria	Comments
Availability:	<p>Is there a reasonable prospect of the site being available at the point envisaged?</p> <ul style="list-style-type: none"> <li>Consider issues around land ownership and any legal</li> </ul>	Yes

<b>Proforma for Detailed Assessment of Potential Sites</b>		
<b>Site Ref :</b> WELF 0001	<b>Site Name:</b> Rainbow Nurseries	<b>Settlement:</b> Welford-on-Avon
	constraints (ransom strips, tenancies, multiple ownerships)	
<b>Viability:</b>	Can the site be viably developed at the point envisaged?	Yes
<b>Developability (Criteria in Policy CS.20)</b>		
<b>Green Belt:</b>	Is the site in the Green Belt?	No
	If site is in the Green Belt will development harm the five purposes of the Green Belt?	N/A
	<ul style="list-style-type: none"> <li>To check the unrestricted sprawl of large built up areas</li> </ul>	N/A
	<ul style="list-style-type: none"> <li>To prevent neighbouring towns merging into one another</li> </ul>	N/A
	<ul style="list-style-type: none"> <li>To assist in safeguarding the countryside from encroachment</li> </ul>	N/A
	<ul style="list-style-type: none"> <li>To preserve the setting and special character of historic towns</li> </ul>	N/A
	<ul style="list-style-type: none"> <li>To assist in urban regeneration, by encouraging the recycling of derelict and other urban land</li> </ul>	N/A
<b>Cotswold AONB</b>	Is the site in the AONB?	No
	If so can significant effects on landscape and scenic beauty be avoided?	
	Does the site constitute major development within the AONB?	N/A
	If so can exceptional circumstances be demonstrated?	
	If located in proximity to the AONB can the site provide a buffer of appropriate scale and landscaping to minimise any adverse visual impact upon the AONB	N/A
<b>Flood Risk</b>	Is the site within Flood Risk Zone 2 or 3?	No
	Any other known issues in relation to flood risk at the site or its surroundings?	No
<b>Unstable / Contaminated land/Hazardous materials</b>	Any evidence of the site being unstable or containing contaminated land or any other issues in relation to ground conditions that could not be mitigated?	No
	Any issues in relation to hazardous materials?	No
<b>Highway Network</b>	Are the access and roads in the vicinity are of an appropriate standard?	Yes
	Is the road lit?	No

<b>Proforma for Detailed Assessment of Potential Sites</b>		
<b>Site Ref :</b> WELF 0001	<b>Site Name:</b> Rainbow Nurseries	<b>Settlement:</b> Welford-on-Avon
	Is there a designated footway?	No
<b>Services and Facilities</b>	Distance to the following and any capacity constraints:	
	<ul style="list-style-type: none"> <li>Primary School</li> </ul>	Welford on Avon approx. 2.7km (1.7 miles), Temple Grafton 7.4 (4.6m)
	<ul style="list-style-type: none"> <li>Secondary School</li> </ul>	Stratford-upon-Avon School approx. 5.2km (3.28 miles)
	<ul style="list-style-type: none"> <li>GP surgery</li> </ul>	Meon Vale 4.8km (3miles)
	<ul style="list-style-type: none"> <li>Local shops</li> </ul>	Welford on Avon approx. 2.7km (1.7 miles)
	<ul style="list-style-type: none"> <li>Community facilities</li> </ul>	Closest settlements providing such facilities are Welford on Avon and Meon Vale (leisure centre)
	<ul style="list-style-type: none"> <li>Bus stop (hourly service)</li> </ul>	There are no bus services currently serving this site. The nearest service into Stratford-upon- Avon leaves from Welford on Avon (No. 27), which varies in frequency over the course of the day from a two hourly to hourly service.
	<ul style="list-style-type: none"> <li>Employment opportunities</li> </ul>	Stratford-upon-Avon is closest main employment centre but Meon Vale is also a significant source of employment.
	Scale and relationship to the nearest settled community	A development of 5 pitches at this location is not considered likely to dominate the nearest settled community.
<b>Amenity</b>	Any issues for future occupiers of the site in relation to:	
	<ul style="list-style-type: none"> <li>Noise</li> </ul>	No
	<ul style="list-style-type: none"> <li>Air quality (including odour)</li> </ul>	No
	<ul style="list-style-type: none"> <li>Any other issues?</li> </ul>	No
<b>Previously developed land (pdl)</b>	Does the site comprise or include pdl?	Former nursery site but not classified as previously developed land and buildings.
<b>Landscape</b>	Is the site within a Candidate Special Landscape Area (SLA)?	No
	If located in proximity to the SLA can the site provide a buffer of appropriate scale and and landscaping to minimise any adverse visual impact upon the SLA.	N/A
	Any other issues associated with landscape?	Need to retain existing mature planting

<b>Proforma for Detailed Assessment of Potential Sites</b>		
<b>Site Ref :</b> WELF 0001		<b>Site Name:</b> Rainbow Nurseries
		<b>Settlement:</b> Welford-on-Avon
<b>Biodiversity/ Geodiversity</b>	Habitat Biodiversity Audit Classification (2 to 6)	4 (scattered scrub)
	Local Wildlife Site	No
	Site of Special Scientific Interest	No
	Ancient Woodland	No
	National Nature Reserve	No
	Local Geological Sites	No
<b>Built Environment</b>	Any potential effects on the following and/or their setting:	
	<ul style="list-style-type: none"> <li>• Listed Building</li> </ul>	No
	<ul style="list-style-type: none"> <li>• Conservation Area</li> </ul>	No
	<ul style="list-style-type: none"> <li>• Scheduled Ancient Monument</li> </ul>	No
	<ul style="list-style-type: none"> <li>• Registered Historic Parks and Gardens</li> </ul>	No
	<ul style="list-style-type: none"> <li>• Archaeology</li> </ul>	No
	<ul style="list-style-type: none"> <li>• Battlefield</li> </ul>	No
<b>Residential Environment</b>	Any issues associated with provision of:	
	<ul style="list-style-type: none"> <li>• Landscaping</li> </ul>	No
	<ul style="list-style-type: none"> <li>• Security</li> </ul>	No
	<ul style="list-style-type: none"> <li>• Power supply</li> </ul>	No
	<ul style="list-style-type: none"> <li>• Water supply</li> </ul>	No
	<ul style="list-style-type: none"> <li>• Sewage infrastructure <ul style="list-style-type: none"> <li>○ 50 meters or less from a public sewer?</li> </ul> </li> </ul>	Most recent planning permission allows for use of package treatment plant (10/01796/FUL) and septic tank (12/01128).
	<ul style="list-style-type: none"> <li>○ Groundwater protection zone?</li> </ul>	No
	<ul style="list-style-type: none"> <li>○ Proximity to abstraction point?</li> </ul>	No
	<ul style="list-style-type: none"> <li>• Surface water drainage?</li> </ul>	No
	<ul style="list-style-type: none"> <li>• Waste / recycling storage and collection?</li> </ul>	No
	<ul style="list-style-type: none"> <li>• Play space for children?</li> </ul>	No

<b>Proforma for Detailed Assessment of Potential Sites</b>		
<b>Site Ref :</b> WELF 0001	<b>Site Name:</b> Rainbow Nurseries	<b>Settlement:</b> Welford-on-Avon
	<ul style="list-style-type: none"> <li>• Fire Hydrants within 100m?</li> </ul>	To be confirmed
<b>Neighbouring residential environment</b>	Any potential for impacts on neighbouring residential environment, including:	
	<ul style="list-style-type: none"> <li>• Noise/fumes from commercial activities</li> </ul>	No
	<ul style="list-style-type: none"> <li>• loss of outlook</li> </ul>	No
<p><b>Overall comment:</b></p> <p>Site has permanent consent for two pitches with no occupancy restriction and a third pitch with an occupancy restriction. An inspector has previously concluded that this is a suitable location for Gypsies and Travellers. There is potential to remove the occupancy restriction and also provide two additional pitches, taken the total number of pitches to 5 with a net gain of 3 permanent pitches.</p>		

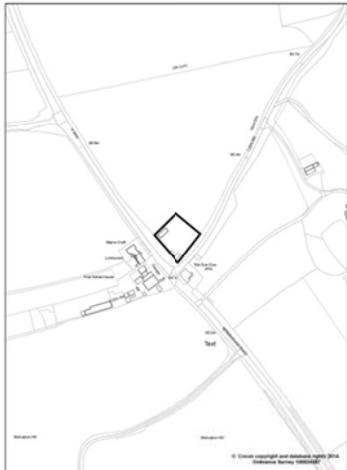
Proforma for Detailed Assessment of Potential Sites		
Site Ref : SNIT 0011	Site Name: Old Dairy Depot	Settlement: Snitterfield
Site Address: Old Dairy Depot Warwick Rd Blackhill		
<p><b>Description of site:</b> This site is situated on the eastern side of Warwick Road (the A439) and has potential for 2 pitches. It is accessed directly from the A439. Stratford Garden Centre lies to the south of the site. The site contains a number of structures associated with the former use of the site as a Dairy.</p> <p>The site to the east has a permanent planning permission for four pitches with no occupancy restriction (09/02313/FUL) from a separate access.</p> <p>Assessed on the basis that site has potential for two private pitches. The site would not be suitable for touring caravans because of highway issues. There may be potential to link development of this site with the site to the east to provide 6 pitches in total utilising the access associated with 09/02313/FUL).</p>		
<p><b>Planning History:</b> Application 14/02291 pending consideration - Change of use of and demolition of existing Dairy Plant to residential gypsy site comprising 2 gypsy pitches each with one mobile home, one touring caravan and one ancillary building and associated landscaping.</p>		
<p><b>What is the fall back position for the site if any?</b> Formerly in use as a Dairy.</p>		
Topic	Detailed criteria	Comments
<b>Availability:</b>	<p>Is there a reasonable prospect of the site being available at the point envisaged?</p> <ul style="list-style-type: none"> <li>Consider issues around land ownership and any legal constraints (ransom strips, tenancies, multiple ownerships)</li> </ul>	Yes
<b>Viability:</b>	Can the site be viably developed at the point envisaged?	Yes
<b>Developability (Criteria in Policy CS.20)</b>		
<b>Green Belt:</b>	Is the site in the Green Belt?	No
	If site is in the Green Belt will development harm the five purposes of the Green Belt?	N/A
	<ul style="list-style-type: none"> <li>To check the unrestricted sprawl of large built up areas</li> </ul>	N/A

<b>Proforma for Detailed Assessment of Potential Sites</b>		
<b>Site Ref : SNIT 0011</b>	<b>Site Name: Old Dairy Depot</b>	<b>Settlement: Snitterfield</b>
	<ul style="list-style-type: none"> <li>To prevent neighbouring towns merging into one another</li> </ul>	N/A
	<ul style="list-style-type: none"> <li>To assist in safeguarding the countryside from encroachment</li> </ul>	N/A
	<ul style="list-style-type: none"> <li>To preserve the setting and special character of historic towns</li> </ul>	N/A
	<ul style="list-style-type: none"> <li>To assist in urban regeneration, by encouraging the recycling of derelict and other urban land</li> </ul>	N/A
<b>Cotswold AoNB</b>	Is the site in the AONB? If so can significant effects on landscape and scenic beauty be avoided?	No
	Does the site constitute major development within the AONB? If so can exceptional circumstances be demonstrated?	N/A
	If located in proximity to the AONB can the site provide a buffer of appropriate scale and landscaping to minimise any adverse visual impact upon the AONB	N/A
<b>Flood Risk</b>	Is the site within Flood Risk Zone 2 or 3?	No
	Any other known issues in relation to flood risk at the site or its surroundings?	No
<b>Unstable / Contaminated land/Hazardous materials</b>	Any evidence of the site being unstable or containing contaminated land or any other issues in relation to ground conditions that could not be mitigated?	No
	Any issues in relation to hazardous materials?	No
<b>Highway Network</b>	Are the access and roads in the vicinity are of an appropriate standard?	Highways Authority consulted on the suitability of the site to be allocated in the G&TLP. They have indicated that the existing access could be used provided touring caravans were not accommodated on the site.
	Is the road lit?	No
	Is there a designated footway?	No
<b>Services and</b>	Distance to the following and any capacity constraints:	The site is outside of the 4.8km proposed preferred area of

<b>Proforma for Detailed Assessment of Potential Sites</b>		
<b>Site Ref : SNIT 0011</b>	<b>Site Name: Old Dairy Depot</b>	<b>Settlement: Snitterfield</b>
<b>Facilities</b>		search centred around Stratford-upon-Avon but the adjoining site has previously been judged to be a sustainable location for a Gypsy and Traveller site.
	<ul style="list-style-type: none"> <li>• Primary School</li> </ul>	Snitterfield Primary School – 3km (1.9 miles)
	<ul style="list-style-type: none"> <li>• Secondary School</li> </ul>	Stratford upon Avon School – 7km (4.4 miles). Nearest High School accepting boys and girls.
	<ul style="list-style-type: none"> <li>• GP surgery</li> </ul>	Rother House Medical Centre, Stratford-upon-Avon 6.7km (4.2 miles) accepting new patients. New dispensary, Warwick 6.4km (4 miles) accepting new patients.
	<ul style="list-style-type: none"> <li>• Local shops</li> </ul>	Sainsbury's Local Stratford on Avon approx. 5.8km (3.6 miles)
	<ul style="list-style-type: none"> <li>• Community facilities</li> </ul>	Village Hall at Snitterfield. Sports Club (organised sports include football, bowls, tennis cricket)
	<ul style="list-style-type: none"> <li>• Bus stop (hourly service)</li> </ul>	Hourly service to Stratford-upon-Avon, Coventry, Warwick and Leamington Spa (X16, X17, 16, 16A, 16X, X18 and 18A bus routes. Bus stop approximately 140m away opposite Mercedes Garage).
	<ul style="list-style-type: none"> <li>• Employment opportunities</li> </ul>	Stratford-upon-Avon is the closest major source of employment in the District, approx. 6.4km (4 miles) to the town centre.
	Scale and relationship to the nearest settled community	An additional 2 pitches at this location – combined with the 4 already approved (but not developed) is not considered likely to impact on the nearest settled communities.
<b>Amenity</b>	Any issues for future occupiers of the site in relation to:	
	<ul style="list-style-type: none"> <li>• Noise</li> </ul>	Proximity to the A439 not raised as an issue by Environmental Health during consultation on current planning application at this site.
	<ul style="list-style-type: none"> <li>• Air quality (including odour)</li> </ul>	See above.
	<ul style="list-style-type: none"> <li>• Any other issues?</li> </ul>	No
<b>Previously developed land (pdl)</b>	Does the site comprise or include pdl?	Yes

<b>Proforma for Detailed Assessment of Potential Sites</b>		
<b>Site Ref : SNIT 0011</b>	<b>Site Name: Old Dairy Depot</b>	<b>Settlement: Snitterfield</b>
<b>Landscape</b>	Is the site within a Candidate Special Landscape Area (SLA)?	No
	If located in proximity to the SLA can the site provide a buffer of appropriate scale and landscaping to minimise any adverse visual impact upon the SLA.	N/a
	Any other issues associated with landscape?	No
<b>Biodiversity/Geodiversity</b>	Habitat Biodiversity Audit Classification (2 to 6)	3 and 4
	Local Wildlife Site	No
	Site of Special Scientific Interest	No
	Ancient Woodland	No
	National Nature Reserve	No
	Local Geological Sites	No
<b>Built Environment</b>	Any potential effects on the following and/or their setting:	
	• Listed Building	No
	• Conservation Area	No
	• Scheduled Ancient Monument	No
	• Registered Historic Parks and Gardens	No
	• Archaeology	No
	• Battlefield	No
<b>Residential Environment</b>	Any issues associated with provision of:	
	• Landscaping	No
	• Security	No
	• Power supply	No
	• Water supply	No
	• Sewage infrastructure	
	○ 50 meters or less from a public sewer?	Application on the adjoining site approved on the basis of a packaged sewage treatment plant.
	○ Groundwater protection zone?	No
	○ Proximity to abstraction point?	Licensed abstraction points for agricultural purposes within 1km

<b>Proforma for Detailed Assessment of Potential Sites</b>		
<b>Site Ref : SNIT 0011</b>	<b>Site Name: Old Dairy Depot</b>	<b>Settlement: Snitterfield</b>
		of site – no issues anticipated.
	<ul style="list-style-type: none"> <li>• Surface water drainage?</li> </ul>	No issues identified.
	<ul style="list-style-type: none"> <li>• Waste / recycling storage and collection?</li> </ul>	Adequate room on site for bins, only household waste would be generated, no commercial waste.
	<ul style="list-style-type: none"> <li>• Play space for children?</li> </ul>	Opportunity for play space likely to be limited given the size of the site but scope for integration with the adjoining site – however both sites are privately owned.
	<ul style="list-style-type: none"> <li>• Fire Hydrants within 100m?</li> </ul>	To be confirmed
<b>Neighbouring residential environment</b>	Any potential for impacts on neighbouring residential environment, including:	
	<ul style="list-style-type: none"> <li>• Noise/fumes from commercial activities</li> </ul>	No
	<ul style="list-style-type: none"> <li>• loss of outlook</li> </ul>	No
<p><b>Overall comment:</b></p> <p>This is a privately owned site, unoccupied and does not have planning permission but capable of occupation within the first 5 years of the plan.</p> <p>Adjacent site previously judged to be a sustainable location for a Gypsy and Traveller Site. The site has the benefit of an hourly bus service.</p> <p>Site is considered to have potential for up to two private pitches, subject to detailed site layout. Highways and access issues mean that site is not suitable for touring caravans if the existing access is used so touring caravans would need to be stored off site.</p> <p>There is potential for development of this site to be integrated with the adjoining site which has permission for four pitches and for the access from that site to be used and the existing access into the Dairy site closed.</p>		

<b>Proforma for Detailed Assessment of Potential Sites</b>		
<b>Site Ref :</b> PATH 0003	<b>Site Name:</b> Gospel Oak Lane Pathlow	<b>Settlement:</b> Pathlow
<b>Site Address:</b> Dunroaming Stable, Gospel Oak Lane, Pathlow		<b>Broad Location:</b> Green Belt
<p><b>Description of site:</b> The site approximately 0.24ha in size (0.6 acres) and is located at the corner of Birmingham Road (A3400) and Gospel Oak Lane, opposite the Armouries Arms public house. It is within the Green Belt. The site is adjacent to an agricultural field on its non-highway boundaries. A car sales garage with associated buildings and two private dwellings are located to the south-west of the site, across the A3400.</p>		 <p style="text-align: center;">Adjacent Gospel Oak Lane, Snitterfield</p>
<p><b>Planning History:</b> Application reference 10/00869/FUL was received in April 2010 and granted in October 2010. It involved change of use for stationing of caravans for residential purposes with ancillary works (hardstanding and septic tank). Permission was limited to three years and restricted to the applicant and family. Application 13/02697/VARY was submitted in October 2013 and approved in April 2014. It sought to make the site permanent or at least renew the temporary consent. A temporary consent (3 years) was approved and restricted to the applicant and family.</p>		
<p><b>What is the fall back position for the site if any?</b> Paddock/Stables - Planning permission for the erection of stables granted 1998.</p>		
<b>Topic</b>	<b>Detailed criteria</b>	<b>Comments</b>
<b>Availability:</b>	<p>Is there a reasonable prospect of the site being available at the point envisaged?</p> <ul style="list-style-type: none"> <li>Consider issues around land ownership and any legal constraints (ransom strips, tenancies, multiple ownerships)</li> </ul>	Yes
<b>Viability:</b>	Can the site be viably developed at the point envisaged?	Yes
<b>Developability (Criteria in Policy CS.20)</b>		
<b>Green Belt:</b>	Is the site in the Green Belt?	Yes

<b>Proforma for Detailed Assessment of Potential Sites</b>		
<b>Site Ref :</b> PATH 0003	<b>Site Name:</b> Gospel Oak Lane Pathlow	<b>Settlement:</b> Pathlow
	If site is in the Green Belt will development harm the five purposes of the Green Belt?	See comments below:
	<ul style="list-style-type: none"> <li>To check the unrestricted sprawl of large built up areas</li> </ul>	No impact on this purpose. Development here would not contribute to sprawl of a large built up area.
	<ul style="list-style-type: none"> <li>To prevent neighbouring towns merging into one another</li> </ul>	No impact on this purpose.
	<ul style="list-style-type: none"> <li>To assist in safeguarding the countryside from encroachment</li> </ul>	Some impact on this purpose but at less than 0.3ha the impact is considered minimal.
	<ul style="list-style-type: none"> <li>To preserve the setting and special character of historic towns</li> </ul>	No impact on this purpose – the site does not form part of the setting of Stratford-upon-Avon.
	<ul style="list-style-type: none"> <li>To assist in urban regeneration, by encouraging the recycling of derelict and other urban land</li> </ul>	No impact on this purpose. Sites within the urban area are not considered suitable for this purpose and no sites involving derelict land are available within the district.
<b>Cotswold AONB</b>	Is the site in the AONB? If so can significant effects on landscape and scenic beauty be avoided?	No
	Does the site constitute major development within the AONB? If so can exceptional circumstances be demonstrated?	No
	If located in proximity to the AONB can the site provide a buffer of appropriate scale and and landscaping to minimise any adverse visual impact upon the AONB	N/A
<b>Flood Risk</b>	Is the site within Flood Risk Zone 2 or 3?	No
	Any other known issues in relation to flood risk at the site or its surroundings?	No
<b>Unstable / Contaminated land/Hazardous materials</b>	Any evidence of the site being unstable or containing contaminated land or any other issues in relation to ground conditions that could not be mitigated?	No
	Any issues in relation to hazardous materials?	No
	Are the access and roads in the vicinity of an appropriate standard?	Highways Authority had no objection to development at this location at the time that the last application (13/02697) was considered and have subsequently confirmed that there would

<b>Proforma for Detailed Assessment of Potential Sites</b>		
<b>Site Ref :</b> PATH 0003	<b>Site Name:</b> Gospel Oak Lane Pathlow	<b>Settlement:</b> Pathlow
		be no objection to an allocation of one pitch at this site.
	Is the road lit?	No – Gospel Oak Lane and the A3400 are unlit.
	Is there a designated footway?	No
<b>Services and Facilities</b>	Distance to the following and any capacity constraints:	Although the site is within the Green Belt it is within 4.8 km of Stratford-upon-Avon and so while it is not within one of the proposed preferred areas of search it is in a relatively sustainable location.
	<ul style="list-style-type: none"> <li>• Primary School</li> </ul>	Wilmcote Cof E – 2.4km (1.5 miles)
	<ul style="list-style-type: none"> <li>• Secondary School</li> </ul>	Stratford-upon-Avon School 4km (2.5 miles)
	<ul style="list-style-type: none"> <li>• GP surgery</li> </ul>	Stratford-upon-Avon, e.g. Trinity Court 4km (2.4 miles) accepting new patients.
	<ul style="list-style-type: none"> <li>• Local shops</li> </ul>	Wilmcote is the closest LSV with a shop approximately 2.4km (1.5 miles). Stratford-upon-Avon town centre approximately 4.5km (2.8 miles).
	<ul style="list-style-type: none"> <li>• Community facilities</li> </ul>	As above, public house also adjacent to site.
	<ul style="list-style-type: none"> <li>• Bus stop (hourly service)</li> </ul>	Hourly service to Stratford and Birmingham, also services to Solihull Rail Station and Warwickshire College in Leamington (X20, 220, 516) bus stops immediately adjacent to site at the Dun Cow and Four Ashes Garage.
	<ul style="list-style-type: none"> <li>• Employment opportunities</li> </ul>	Stratford –upon-Avon is the closest major source of employment, approx. 4.5km (2.8 miles) to centre of town.
	Scale and relationship to the nearest settled community	An additional permanent pitch here is not considered likely to impact on the nearest settled communities, alone or in combination with the existing site at Pathlow.
<b>Amenity</b>	Any issues for future occupiers of the site in relation to:	
	<ul style="list-style-type: none"> <li>• Noise</li> </ul>	No issues identified when last planning application was considered in 2013.
	<ul style="list-style-type: none"> <li>• Air quality (including odour)</li> </ul>	No issues identified when last planning application was considered in 2013.
	<ul style="list-style-type: none"> <li>• Any other issues?</li> </ul>	None identified

<b>Proforma for Detailed Assessment of Potential Sites</b>		
<b>Site Ref :</b> PATH 0003		<b>Site Name:</b> Gospel Oak Lane Pathlow
		<b>Settlement:</b> Pathlow
<b>Previously developed land (pdl)</b>	Does the site comprise or include pdl?	No
<b>Landscape</b>	Is the site within a Candidate Special Landscape Area (SLA)?	Yes, the site is within the boundary of the Candidate SLA but also immediately adjacent to areas that were in the previous SLA but are now proposed to be omitted from the revised boundary.
	If located in proximity to the SLA can the site provide a buffer of appropriate scale and and landscaping to minimise any adverse visual impact upon the SLA.	The site is reasonably well screened and is on a cross roads that includes residential properties, a car showroom/vehicle repair shop and pub. These were within the former boundary of the SLA but are proposed to be removed from it. Existing Conifer trees on the northern and eastern boundary of the site are out of character but do screen the site. Ideally these would be removed and replaced with more appropriate species.
	Any other issues associated with landscape?	The site is within the Arden Wooded Estatelands LCT but borders the Arden Pastures LCT. Landscape objection to the original application (10/00869/FUL).
<b>Biodiversity/ Geodiversity</b>	Habitat Biodiversity Audit Classification (2 to 6)	3 (semi-improved grassland). Warwickshire County Council did not raise any objection in relation to application 13/02697.
	Local Wildlife Site	A prospective LWS has been identified based on the hedgerows adjacent to the site, these are associated with the highway verge and are under separate ownership.
	Site of Special Scientific Interest	No
	Ancient Woodland	Site is within 500m of an area of Ancient Woodland (Oak Farm Wood) but there is no public access into the site.
	National Nature Reserve	No
	Local Geological Sites	No
<b>Built Environment</b>	Any potential effects on the following and/or their setting:	
	<ul style="list-style-type: none"> <li>Listed Building</li> </ul>	No

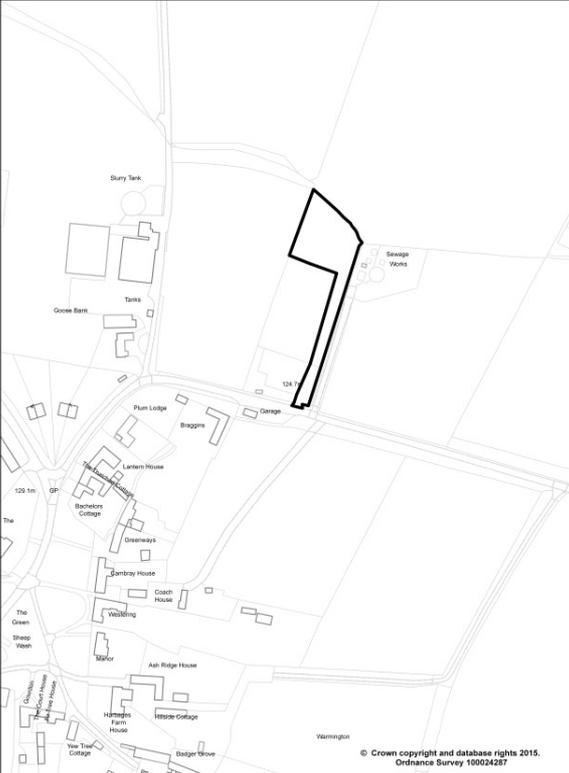
<b>Proforma for Detailed Assessment of Potential Sites</b>		
<b>Site Ref :</b> PATH 0003	<b>Site Name:</b> Gospel Oak Lane Pathlow	<b>Settlement:</b> Pathlow
	• Conservation Area	No
	• Scheduled Ancient Monument	No
	• Registered Historic Parks and Gardens	No
	• Archaeology	No
	• Battlefield	No
<b>Residential Environment</b>	Any issues associated with provision of:	
	• Landscaping	Need to maintain visibility splays from site entrance.
	• Security	No
	• Power supply	Electricity is available, LPG bottles also being utilised.
	• Water supply	Water supply is available.
	• Sewage infrastructure	Septic tank used for foul water being utilised.
	o 50 meters or less from a public sewer?	N/A
	o Groundwater protection zone?	No
	o Proximity to abstraction point?	No
	• Surface water drainage?	Soakaways for surface water already being utilised.
	• Waste / recycling storage and collection?	Adequate room on site for bins, only household waste would be generated, no commercial waste.
	• Play space for children?	There is scope on site for a children's play space.
	• Fire Hydrants within 100m?	To be confirmed
<b>Neighbouring residential environment</b>	Any potential for impacts on neighbouring residential environment, including:	No – there are three residential properties (including two bungalows) on the other side of the A3400. The Local Planning Authority has previously concluded that permanent residential activity at the site would not result in any acceptable harm to nearby properties or land uses.
	• Noise/fumes from commercial activities	No commercial activities would be permitted on site.
	• loss of outlook	No – see comments under 'neighbouring residential properties'
<b>Overall comment:</b>		
As this is an occupied site with a temporary and personal consent it is capable of contributing quickly to supply, albeit for one pitch.		

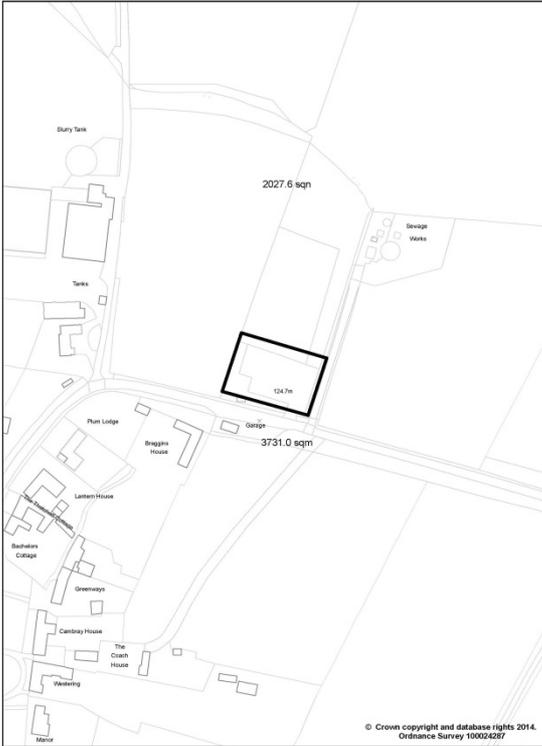
<b>Proforma for Detailed Assessment of Potential Sites</b>		
<b>Site Ref :</b> PATH 0003	<b>Site Name:</b> Gospel Oak Lane Pathlow	<b>Settlement:</b> Pathlow
<p>The site is reasonably well located in relation to community facilities and services and has the benefit of an hourly bus service. Although in the Green Belt the site is within 4.8km of Stratford-upon-Avon (the suggested maximum distance from a main settlement for sites).</p> <p>Permanent development at this location would have some impact on one of the purposes of the Green Belt (safeguarding the countryside from encroachment) but at less than 0.3ha the impact is considered minimal.</p> <p>The site is within a Candidate SLA but is adjacent to the Birmingham Road and other built development around the cross roads. The site does not display the characteristics that the SLA designation is predicated on. The exception is the hedgerows that border the site but these should be maintained. Any impact on the SLA is not judged to be so great that it makes the proposed allocation unsound.</p> <p>The hedgerows should be managed and maintained as they are important for landscape and ecology. Overtime it would be desirable to replace the Conifers on the northern and eastern boundaries of the site with traditional hedgerows and trees.</p> <p>No demonstrable harm to other interests of acknowledged importance has been identified.</p> <p>The site is considered to have potential for one pitch but would need to be removed from the Green Belt and safeguarded as a Gypsy and Traveller site. Should that use cease for any reason the site should revert to Green Belt and a revision to the G&amp;T LP would be required to enable that.</p>		

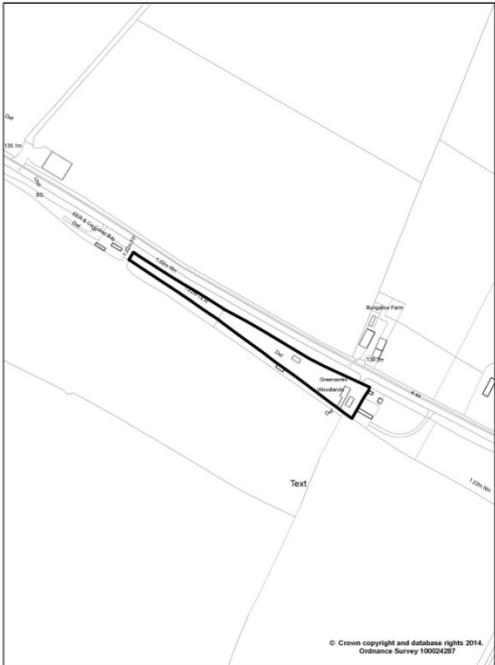
## Appendix 3: Other sites considered

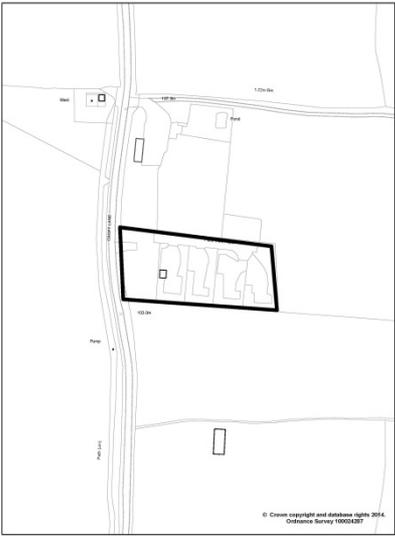
<b>Proforma for other sites considered</b>		
<b>Site Ref :</b> PATH 0002	<b>Site Name:</b> Land adjacent Hill House, Birmingham Rd, Pathlow	<b>Settlement:</b> Pathlow
<p><b>Description of site:</b> Site is within the Green Belt. Hill House is immediately adjacent to the Pathlow Park Gypsy and Traveller site. The authorised planning use of Hill House is as offices, although the property has been vacant for some time and is deteriorating. The owners have indicated that the property cannot be sold or let due to the 'bad neighbour effect' of the adjacent use. Planning permission was granted (09/02098/FUL) for the demolition of Hill House, cessation of office use and construction of one new dwelling and new access of the A3400 on land nearby Hill House. However the application was not implemented as the proposal was not considered to be viable.</p>		
<p><b>Source:</b> Call for sites – suggested as a location for additional permanent pitches and a transit site.</p>		
<p><b>Commentary:</b> Warwickshire County Council's Gypsy and Traveller Service Team Leader has advised that allocating a transit site next to a permanent site is inadvisable because of potential impacts on the health and safety of existing residents. The existing permanent site has 30 pitches and therefore any additional pitches would be significantly in excess of the recommended 15 pitches. Additional permanent pitches at this location are not therefore considered appropriate.</p> <p>Initial discussions were held between the landowner's agent and the District Council about the potential for Hill House and adjoining land to be given over to the Council with the landowners developing housing on the remaining land. The additional land (with Hill House demolished) could have been used to provide additional parking and play space (rather than additional pitches). However the number of dwellings that the landowner considered necessary to make the scheme viable was considered by the Council to be inappropriate, given the location of the site and the fact that it is in the Green Belt.</p>		
<p><b>Site Location:</b></p>  <p>Land adjacent Hill House, Birmingham Road, Pathlow</p>		

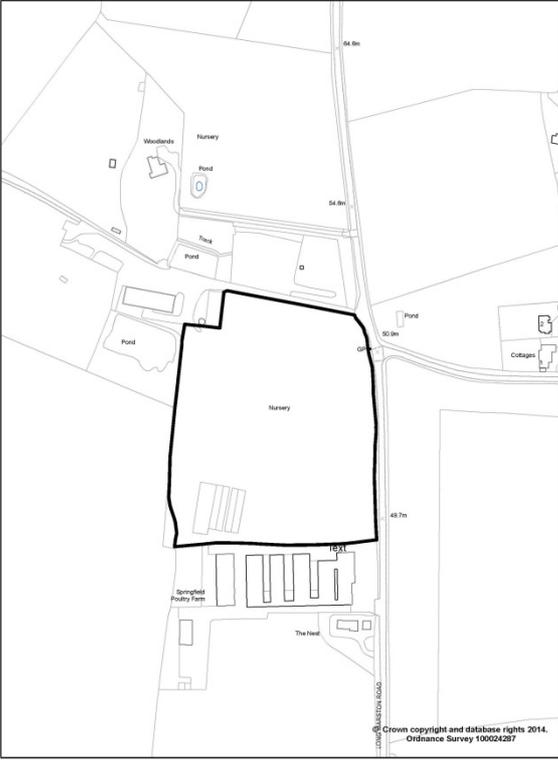
<b>Proforma for other sites considered</b>		
<b>Site Ref :</b> EARL 0001	<b>Site Name: Poolhead Lane, Tanworth-in-Arden</b>	<b>Settlement:</b> Earlswood
<b>Description of site:</b> Site is within the Green Belt. There are three pitches on this site with temporary planning permission. The site is located on the south western side of Poolhead Lane to the south of the M42 Motorway. The temporary consent was extended (12/00216/VARY) for two years in October 2014.		
<b>Source:</b> Desk Top Study		
<p><b>Commentary:</b> The Highways Authority has been consulted on the site and a speed survey undertaken. Speed data indicates vehicles are approaching the access at speeds in the region of 50mph. In accordance with the Design Manual for Roads and Bridges, visibility splays both from and of the access of 2.4m x 160m (160m forward visibility) should be provided. This cannot be achieved and accordingly, the Highway Authority consider that the use of a below standard access for the use proposed may be detrimental to public highway safety.</p> <p>The Highways Authority has also advised that the close proximity of the access to the carriageway makes movements in and out of the access difficult (especially when towing a caravan or trailer) with the swept path of vehicles crossing into the opposing lane on Poolhead Lane. The Highway Authority considers the use of the access for the development as proposed may be detrimental to highway safety.</p> <p>Noise measurements in the vicinity of the site were made by a member of the District Council's Environmental Health team in November 2014, between 12:00 and 15:00 hours, using the Department of Transport's Calculation of Road Traffic Noise (CRTN) Shortened measurement procedure. The location chosen was on Poolhead Lane, in a position parallel to the site and at a distance of 41 metres from the edge of the Motorway. The results of this brief survey found the traffic noise level to be 69 dBLA10 or 68 dBA, expressed as an 18-hour average (dBLA10, 18 hr).</p> <p>The team has advised that such noise levels could impact on the health of future residents. For this reason, they recommend that this site should not be allocated for residential use, especially as a caravan site, because of the inability of insubstantial caravan structures to protect their occupiers against external noise.</p>		
<p><b>Site Location:</b></p>  <p>The Paddock, Poolhead Lane, Earlswood</p>		

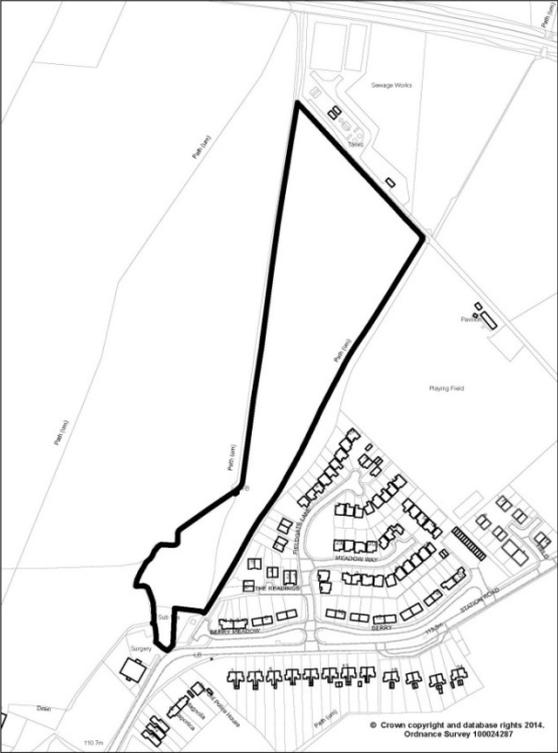
<b>Proforma for other sites considered</b>		
<b>Site Ref :</b> WARM 0002	<b>Site Name:</b> Mollington Lane Warmington	<b>Settlement:</b> Warmington
<p><b>Description of site:</b> The site is outside of the village but adjacent to a small garage and sewage treatment works. It is close to the southern boundary of the Cotswolds AONB. A temporary consent for one extended pitch (three caravans) was granted following on appeal (10/02142/FUL). The site was subsequently granted permanent consent with an occupancy restriction (14/03293/VARY). The occupancy restriction was imposed because the Council's Environmental Health team expressed concerns about the results of an odour assessment for the site. The assessment indicated that there would be a few days when odour would be detectable within the caravans. An occupancy restriction limiting occupation by members of the applicant and his immediate family was therefore considered appropriate.</p>		
<p><b>Source:</b> Call for sites</p>		
<p><b>Commentary:</b> An odour assessment commissioned in relation to application 14/03293/VARY indicated that there would be a few days when odour from the sewage treatment works would be detectable within the caravans. The site is not therefore considered suitable as a pitch that could be made generally available for members of the Gypsy and Traveller communities.</p>		
<p><b>Site Location:</b></p>  <p>Rear of Mollington Lane, Warmington</p>		

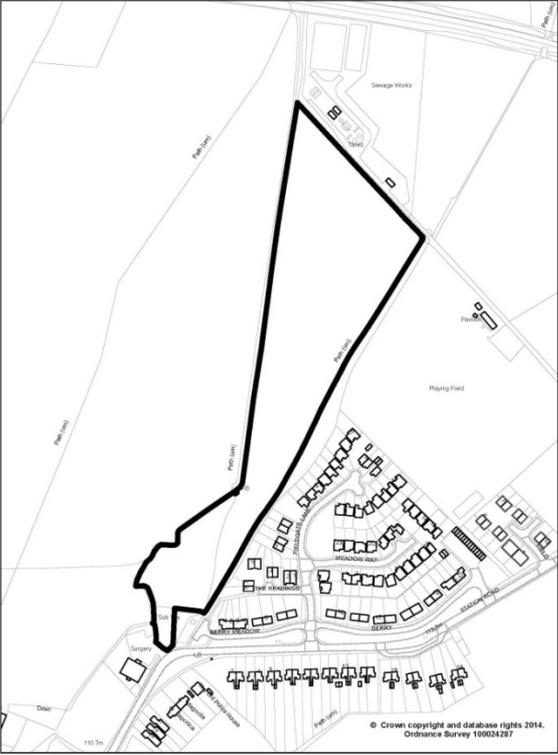
<b>Proforma for other sites considered</b>		
<b>Site Ref :</b> WARM 0001	<b>Site Name:</b> Mollington Lane Warmington	<b>Settlement:</b> Warmington
<p><b>Description of site:</b> The site is outside of the village but adjacent to a small garage and sewage treatment works. It is close to the southern boundary of the Cotswolds AONB.</p> <p>This site is adjacent to WARM0002 and is effectively part of the same paddock.</p> <p>A previous application (09/01260/FUL) for a residential caravan site for one extended family, with 4 caravans was refused and the appeal dismissed in May 2010 (appeal reference APP/J3720/A/09/2112704/NWF).</p>		
<b>Source:</b> Desk Top Study		
<p><b>Commentary:</b> The previous application referenced above was dismissed because of concerns about the impact that development at this location would have on character and appearance of the area. The Inspector also concluded that development at this location would also impact on views of the Area of Outstanding Natural Beauty from the public footpath that runs through the site. Concerns around odour could apply equally to this site. Personal consent granted for an extended pitch on the area to the north so there would be cumulative effects associated with development on this part of the site.</p>		
<p><b>Is this a Reasonable Alternative for the purpose of SEA?</b> No – the site is not suitable for the reason set out above and as such would not be a reasonable alternative for inclusion in the Plan. It would not therefore be appropriate to assess it.</p>		
<p><b>Site Location:</b></p>  <p>Land at, Mollington Lane, Warmington</p>		

<b>Proforma for other sites considered</b>		
<b>Site Ref :</b> LICO 0002	<b>Site Name:</b> Land known as the Briars, London Road Little Compton	<b>Settlement:</b> Little Compton
<p><b>Description of site:</b> Former nursery site approximately 0.48 ha in size (1.2 acres). Lies in the open countryside approximately 3.5km from the centre of Moreton in Marsh. It is bounded by open fields to the south and to the north by the A44 and open fields beyond. A public footpath abuts the eastern boundary of the site. A deep highway verge, approximately 7 metres wide separates the boundary of the site from the A44. There is a grain store, with a drying facility located on the opposite side of the A44 albeit not directly opposite. The site straddles the boundary between Stratford – on – Avon and West Oxfordshire District Councils. An Appeal against refusal of one pitch (Appeal reference APP/D3125/A/13/2208730) was dismissed in October 2014. The site was occupied at the time of the appeal but the Inspector found that the occupant did not meet the definition of a Gypsy/Traveller as set out in PPTS.</p>		
<p><b>Source:</b> Desk Top Study</p>		
<p><b>Commentary:</b> Site judged to be unsuitable by an Inspector at appeal. In terms of access to services and modes of transport this would not be a sustainable location for a gypsy site (paragraph 25), there would be significant harm to the character and appearance of the surrounding area (paragraph 31), whilst concluding that noise could be mitigated, for example by ensuring that windows facing the road remained closed (paragraph 33) the Inspectors overall conclusion in relation to noise was that proximity to the road makes it a poor site in relation to noise ... there would be some adverse effect on the amenity of occupiers to which some limited weight should be given (paragraph 35).</p>		
<p><b>Site Location:</b></p>  <p>Land known as The Briars, London Road, Little Compton</p>		

<b>Proforma for other sites considered</b>		
<b>Site Ref :</b> TEMP 0001	<b>Site Name:</b> Orchard View, Croft Lane, Temple Grafton	<b>Settlement:</b> Temple Grafton
<p><b>Description of site:</b> The current temporary consent was granted on appeal (10/01181/FUL) and is for five pitches. The site is to the east of Croft Lane and is 0.56 hectares. The caravans occupy the west of the site and much of the rest remains open. The site is in an elevated position within a predominantly open, agricultural area. Site levels fall markedly towards the south-east and the eastern boundary is about seven metres lower than the boundary with Croft Lane.</p>		
<p><b>Source:</b> Desk Top Study</p>		
<p><b>Commentary:</b> Impact on landscape is a key issue. This site was considered at appeal and a temporary consent granted. The Inspector concluded that:</p> <ul style="list-style-type: none"> <li>• There would be a significant adverse visual impact from public footpaths (paragraphs 8 and 9);</li> <li>• Its visual impact and the loss of openness would result in significant harm to landscape character (paragraph 9);</li> <li>• Given the elevated and sloping nature of the site, effective measures to mitigate views from key vantage points in a manner sympathetic to the local landscape character would not be practical (paragraph 10);</li> <li>• Development would be significantly harmful to the character and appearance of the area (paragraph 11);</li> <li>• There is a significant unmet need for additional sites in the area (paragraph 17);</li> <li>• The degree of harm to the character and appearance is considerable and weighs heavily against the development (paragraph 24).</li> </ul> <p>A further temporary consent was granted. The identified landscape impact is such that the District Council's position is that these pitches should be relocated to an alternative location.</p>		
<p><b>Site Location:</b></p>  <p>Orchard View, Croft Lane, Temple Grafton</p>		

<b>Proforma for other sites considered</b>		
<b>Site Ref :</b> WELF 0002	<b>Site Name:</b> Part of Rainbow Nurseries, Welford on Avon, Long Marston	<b>Settlement:</b> Welford on Avon
<p><b>Description of site:</b> The site forms part of a former garden nursery located immediately off Long Marston/Welford Road (C46). The parcel of land is relatively flat and is covered with shrubs and trees. The site includes remnants of some greenhouses and hard surfacing. The site has its own access onto the C46. To the north of this site is an access road and the area that has planning permission for three pitches (one with an occupancy restriction). A HGV repair centre is also accessed off the access road.</p>		
<p><b>Source:</b> Desk Top Study</p>		
<p><b>Commentary:</b> Two applications for 6 pitches have previously been submitted on a parcel of land on the eastern part of the site that has its own access onto the C46. The first application (14/00314) was refused on the grounds that no noise assessment was provided with the application. The second grounds for refusal was that insufficient information had been provided on visibility splays associated with the site's access. A revised application was submitted with additional information provided. The second application (14/02954) was refused on grounds that the proposal would result in visual harm in the countryside and that the proposed visibility splays were inadequate. The second refusal is subject to appeal.</p>		
<p><b>Site Location:</b></p>  <p>Part of Rainbow Nurseries, Welford Road, Long Marston</p>		

<b>Proforma for other sites considered</b>		
<b>Site Ref :</b> FENN 0001	<b>Site Name:</b> Land at Station Road, Fenny Compton	<b>Settlement:</b> Fenny Compton
<p><b>Description of site:</b> Pasture 3.27 hectares (8 acres) in size. The southern boundary of the site is adjacent to Station Road and the village surgery car park. There is an electrical sub-station adjacent to the southern boundary of the site. There is housing development along the eastern side of the boundary and then playing fields. To the north of the site is a sewage treatment works. There is a public footpath along the eastern boundary of the site and an adjoining footpath that crosses the southern section of the site. A stop notice and injunction have been issued in relation to any development at this site. The site is also accessed from a track serving the sewage treatment works.</p>		
<p><b>Source:</b> Desk top study</p>		
<p><b>Commentary:</b> The land is classified as medium to high and high in the Landscape Sensitivity Study and its location means that development would be visually intrusive. The proximity of the site to existing residential properties, which have gardens immediately abutting the site, also means there is potential for an impact on the amenity of neighbours. The Highways Authority, in responding to consultation from the District Council associated with the stop notice also raised concerns about the access adjacent to the Doctor's surgery as there could be scope for conflicts with vehicle movements. The use of the access on the northern part of the site was not acceptable as it is not wide enough.</p>		
<p><b>Site Location:</b></p>  <p>Land at Station Road, Fenny Compton</p>		

<b>Proforma for other sites considered</b>		
<b>Site Ref :</b> FENN 0001	<b>Site Name:</b> Land at Station Road, Fenny Compton	<b>Settlement:</b> Fenny Compton
<p><b>Description of site:</b> Pasture 3.27 hectares (8 acres) in size. The southern boundary of the site is adjacent to Station Road and the village surgery car park. There is an electrical sub-station adjacent to the southern boundary of the site. There is housing development along the eastern side of the boundary and then playing fields. To the north of the site is a sewage treatment works. There is a public footpath along the eastern boundary of the site and an adjoining footpath that crosses the southern section of the site. A stop notice and injunction have been issued in relation to any development at this site. The site is also accessed from a track serving the sewage treatment works.</p>		
<p><b>Source:</b> Desk top study</p>		
<p><b>Commentary:</b> The land is classified as medium to high and high in the Landscape Sensitivity Study and its location means that development would be visually intrusive. The proximity of the site to existing residential properties, which have gardens immediately abutting the site, also means there is potential for an impact on the amenity of neighbours. The Highways Authority, in responding to consultation from the District Council associated with the stop notice also raised concerns about the access adjacent to the Doctor's surgery as there could be scope for conflicts with vehicle movements. The use of the access on the northern part of the site was not acceptable as it is not wide enough.</p>		
<p><b>Site Location:</b></p>  <p style="text-align: center;">Land at Station Road, Fenny Compton</p>		

## Appendix 4: Preferred Areas of Search for Gypsy and Traveller Sites - Services and Facilities as a Locational Factor

### Background

It is for the Council to establish the preferred spatial strategy and associated Preferred Areas of Search for Gypsy and Traveller sites and to consider reasonable alternatives. The issue of access to facilities is one dimension of that strategy.

The work on Preferred Areas of Search will include consideration of access to facilities and services. In work undertaken elsewhere indicators normally associated with bricks and mortar housing, have been used, e.g. ideally development is located within 600m of a railway station, 800m from a Primary School etc. These do not seem to be appropriate distances given the G&T communities desire to live 'near the settled community but not on top of it' in more rural locations that reflect their traditional way of life.

This note looks at the national policy context and other information to arrive at an appropriate distance.

### National Planning Policy Framework (NPPF)

There are no accessibility standards in the NPPF. It sets out a range of general principles around development and proximity to services and facilities. These include:

- Paragraph 7: [roles of the planning system include] supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.
- Paragraph 17: Core planning principles include: take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.
- Paragraph 28: Supporting a prosperous rural economy - promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.
- Paragraph 30: Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, **where reasonable to do so**, facilitates the use of sustainable modes of transport.
- Paragraph 70: ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Planning Policy Statement: eco-towns - A supplement to Planning Policy Statement 1 (July 2009) included accessibility standards for such development, advocating that homes should be within ten minutes' walk of (a) frequent public transport and (b) neighbourhood services (paragraph ET11.1). The PPS has been withdrawn but in any event this standard related to bricks and mortar housing in the context of new settlements.

Planning Policy Guidance Note 13 (PPG13) on Transport (March 2011), now withdrawn, noted at paragraph 74 that "*walking is the most important mode of travel at the local level and offers the greatest potential to replace short car trips, particularly under two kilometres.*"

### **Planning Policy for Traveller Sites, 2015 (PPTS):**

The PPTS does not contain any accessibility standards. Policy B, para 13.b, c, d and f identify the need to:

- Promote, in collaboration with commissioners of health services, access to appropriate health services.
- Ensure that children can attend school on a regular basis.
- Provide a settled base that reduces the need for long-distance travelling.
- Avoid placing undue pressure on local infrastructure and services.

Policy C indicates that sites in rural or semi-rural settings may be permissible subject to scale, i.e. they should not dominate the nearest settled community (although how this is measured or assessed is not defined).

### **Planning Appeals**

A small sample of appeals involving Gypsy and Traveller pitches determined since PPTS was published highlights variations in approach. In some decisions proximity to services is not discussed at all; where it is views on the appropriate distances to facilities and the importance of access by alternatives to the car vary. Some recent appeals are summarised below in Table One at the end of this note.

### **Home to School, Travel and Transport Guidance, Statutory Guidance for Local Authorities, July 2014**

This document sets out eligibility for free transport to school based on the distance to school and age of the child. Local authorities must provide free transport for all pupils of compulsory school age (5-16) if their nearest suitable school is (paragraph 16):

- Beyond 2 miles (3.2km) – if below the age of 8 or
- Beyond 3 miles (4.8km) if aged between 8 and 16

This suggests that 3km is a reasonable maximum distance in terms of accessing a Primary School.

Note that if a route is deemed to be unsafe because children cannot reasonably be expected to walk to the nearest suitable school there is a need to make transport arrangements; this is called 'unsafe route eligibility' (paragraph 16).

Under the extended rights eligibility, which applies in the case of children who are entitled to free school meals or their parents are in receipt of Working Tax Credit the 2 miles (3km) criteria applies irrespective of the age of the child (paragraph 16), i.e. free transport should be made available if the nearest suitable school is beyond 2 miles (3km).

The measurement of statutory walking distances is not necessarily the shortest distance by road. It is measured by the shortest route along which a child, accompanied by an adult as necessary may walk safely. As such, the route measured may include footpaths, bridleways, and other pathways as well as recognised roads (paragraph 22).

### **Consultation**

In terms of accessing health facilities the NHS South Warwickshire Commissioning Group has advised that the NHS Commissioners have undertaken informal engagement with the Gypsy and Traveller community. This emphasised the importance of any new site having access to a local General Practitioner (GP) surgery that understands the culture and needs of the community. They suggest that availability of public transport to access facilities is not the most important factor. The close-knit culture of the community means that many families have access to vehicular transport to access facilities.

It was also suggested that sites not be in built up areas as these can feel claustrophobic and out of sync with the transient nature of the traditional lifestyle.

### **Conclusions**

The NPPF and accompanying guidance do not set any standards in relation to accessibility to facilities and services. The PPTS encourages sustainable development in the round, proximity to and accessibility of services and facilities is one factor. In the context of Gypsies and Travellers it can be argued that any settled base is preferable to a road side existence because it enables access to school and health facilities, irrespective of the distance travelled and mode of transport. Inspectors have taken different approaches when considering individual appeal cases. Accessibility standards applied to bricks and mortar housing do not seem appropriate given that Gypsies and Travellers prefer to live in the countryside but what are the alternatives?

PPG13 identified 2km as a reasonable walking distance but the PPG has been withdrawn. National standards in relation to free transport to school apply a higher threshold of 3km (for children under 8) and 4.8 km for those between 8 and 16.

The spatial strategy that the District Council wants to consult on is therefore based on a distance of 4.8km from Stratford-upon-Avon and the Main Rural Centres and 3km from a Local Service Village that has both a GP and Primary School. These distances reflect those associated with free transport to school and the importance of access to health facilities.

<b>Table One: Summary of Appeal Decisions</b>			
<b>Address</b>	<b>No. of pitches</b>	<b>Comments on proximity to facilities (any reference to paragraph numbers relates to the relevant decision letter)</b>	<b>Decision and date</b>
The Old Forge House, Bath Rd, Beenham Reading	1	The Council's highway engineer considers that the site is very well served by all modes of travel to a range of facilities. In any case there is no requirement in the PPTS that sites should have easy access to services (paragraph 14). Family currently registered with a GP 8km away. They would register with a doctor nearer but Inspector took the view that either way a settled base would enable access to health services (paragraph 19). School is 10 minute walk away although involves crossing the busy A4 (paragraph 20).	Allowed 12/12/13
Land on south side of Lower Sandhurst Rd, Finchampstead, Berkshire	1	Finchampstead is 1.4km away and has a shop and various other amenities. There is a medical centre, hospital, primary and secondary school between 1.9km and 5.6km away. There is a bus stop about 1.3km away. As such the site is within reasonable distance of local services and facilities (paragraph 14).	Allowed 18/12/14
Three Chimneys Stud, Hareplain Rd. Biddenden, Ashford Kent	1	The appeal only considered effect on character and appearance, no comments on proximity to facilities and services.	Allowed 18/06/12
Abdo Farm, Market Drayton, Shropshire	4	There is no requirement in the PPTS that gypsy sites should be close to facilities. It was accepted for the appellant that the nearest GP facility was nearly 8 kilometres from the site. Nevertheless, the provision of a settled base would help the families gain access to continuous and stable healthcare provision (paragraph 27). The provision of a settled base would provide the opportunity for children to attend school regularly.	Allowed 07/02/14
Land between Langlebury Lane and Old House Lane, Langlebury Lane, Langlebury Hertfordshire	2	Sustainability must be looked at in the round – not just about proximity to services and facilities (paragraph 35).  Paragraph 38 of the decision discusses 'integrated co-existence' (as promoted by Paragraph 11 of the PPTS). The Council argued that 'integrated' applies in the physical sense in that the development needs to be closely related to or within an existing settlement. The appellant argued that this is wrong and that integration is about how the travellers integrate in a social sense with the local community, e.g. through children attending schools and by connections with local clubs, shops and services. The Inspector favoured the latter interpretation which goes beyond any physical relationship. Paragraph 12 of the PPTS indicates that sites in rural and semi-rural settings may be permitted subject to scale.	Allowed 09/07/12

<b>Table One: Summary of Appeal Decisions</b>			
<b>Address</b>	<b>No. of pitches</b>	<b>Comments on proximity to facilities (any reference to paragraph numbers relates to the relevant decision letter)</b>	<b>Decision and date</b>
		<p>Paragraph 40 onwards considers access to health services. The families occupying the site are registered at Harbourfield Surgery in Kings Langley which is about 3.6km away. The nearest hospital is 7km away in Watford. The Inspector concluded that the site is not particularly conveniently located in terms of access to health services. Nevertheless the journey distances to the doctors and a hospital are not great and those residing in the locality would be making similar journeys to access health facilities (paragraph 41).</p> <p>Paragraph 42 considers access to other services and public transport. Hunton Bridge is 1.5km away and there are two public houses and a primary school. There are also bus stops at this location. The walking distance to the bus stop was considered reasonable and the route considered safe during daylight hours. Although Planning Policy Guidance Note 13 has been withdrawn the guideline for a reasonable walking distance was 2 kilometres and no fresh guidance has been produced to suggest that this was misconceived (footnote 9).</p> <p>The nearest secondary school is 4.8km away in Kings Langley but children would be entitled to free school transport.</p> <p>In paragraph 45 the Inspector accepts that the site is not close to services and that journeys mainly by private vehicle are likely to be generated on a daily basis. However he concluded that the distances are not excessive and the opportunity of having a settled base in this location would provide a positive advantage in terms of continuity compared to an alternative roadside existence.</p>	
The Crossroads Caravan Park, Darlingscote Rd, Shipston-on-Stour, Warwickshire	16	Temporary consent granted but appealed against. In allowing the appeal the Inspector made no comment on the sites proximity to services and facilities. Permanent consent with no occupancy restriction granted.	Allowed 23/09/14
Briar Close, Nursery, London Rd Moreton in Marsh	1	Paragraph 17 notes that the site is 3.5km from Moreton in Marsh, includes Primary and Secondary Schools, General Practitioner and shopping. Public transport is limited, for about 2 km between the site and the outskirts of the settlement the road has no footway or lighting. It is an inconvenient route for pedestrians during daylight hours and would be dangerous and impractical at night and at all times for children, the elderly and those with pushchairs. Cycling along the A44 would be possible but few would find it pleasant (paragraph 18). The distance of the proposed site from Moreton-in-Marsh and the necessary reliance on the use of the car would not support the aims of the NPPF (paragraph 19). The Inspector concluded that in terms of access to services and modes of transport this would not be a sustainable location for a Gypsy site	Dismissed 28/10/14

<b>Table One: Summary of Appeal Decisions</b>			
<b>Address</b>	<b>No. of pitches</b>	<b>Comments on proximity to facilities (any reference to paragraph numbers relates to the relevant decision letter)</b>	<b>Decision and date</b>
		(paragraph 25).	
The Paddock, Poolhead Lane, Tanworth-in-Arden	3	Temporary consent granted but appealed against. In allowing the appeal the Inspector made no comment on the sites proximity to services and facilities. A further temporary consent was granted with an occupancy restriction.	Allowed 30/10/14
Highlands, Brighton Road, Lower Kingswood, Tadworth, Surrey	3 mobile homes but no. of pitches not specified	Site was in the Green Belt, temporary consent granted. No discussion of the suitability of the site in terms of proximity to facilities etc.	Allowed (temporary consent) 30/10/13
Treetops, Peeks Brook Lane, Horley, Surrey	6	Site was in the Green Belt, Secretary of State dismissed the appeal. No discussion of the suitability of the site in terms of proximity to facilities.	Dismissed 30/10/13

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