

Proposed Criteria-Based policy for Traveller Applications

The following uses the approach approved by the Secretary of State in the Maldon Local Development Plan 2014-2029 (policy H6 - Provision for Travellers), appended. The Maldon policy covers several aspects of traveller provision, most of which are also dealt with in Winchester by separate policies in the Local Plan or DPD. For example, safeguarding of existing traveller sites (Maldon H6 [1]) is covered by Winchester policies CP5 and TR1, criteria for new development (Maldon H6 [3]) is covered by Winchester policies CP5 and TR6, and intensification of existing sites (Maldon H6 [2a]) is covered by Winchester policy TR5.

However, the Maldon policy also provides for expansion of existing sites (H6 [2b]), sites within development boundaries (H6 [2c]), or sites which would form sustainable development (H6 [2d]), which the Winchester policies do not specifically provide for. The Council considers that where identified needs have been met traveller proposals should accord with the same policies as other forms of housing (policies DM1, MTRA3, MTRA4) – see WCC Matter 5 statement. Where needs have not been met, as currently for travelling showpeople, policies CP5 and DM4 would continue to allow exceptions to countryside policies to permit sites that meet the relevant policy criteria (CP5, TR6).

However, should the Inspector consider that a ‘criteria-based’ policy is nevertheless needed to satisfy PPTS paragraph 11, the following policy and explanatory text has been drafted based on the relevant part of the Maldon policy and having regard to the need to maintain a fair and consistent approach to the location of all forms of residential development.

Planning Applications

This DPD provides for current and expected traveller accommodation needs, although for travelling showpeople it has not been possible to identify adequate sites currently. Therefore, proposals for traveller accommodation should be on the sites identified in this Plan (policies TR1 – TR4) or in locations where residential development is otherwise permitted (policies DM1 and MTRA3), consistent with other housing. Proposals for traveller accommodation should also accord with the policies of this DPD and other relevant policies in Local Plans Parts 1 and 2, particularly policies CP5 and TR6.

It is acknowledged that there may be cases where an exception to countryside policies (MTRA4) may be justified, for example to meet the remaining needs of showpeople or for households with an overriding need to be located in the area. Where these meet the definition of travellers (PPTS Annex 1) but have not been able to find a suitable site within a settlement boundary or through infilling, permission may exceptionally be granted on suitable sites. There should be evidence to show that sites complying with policies DM1 or MTRA3 have been sought, and why these are not suitable or available, and the proposed site should be in a sustainable location accessible to key facilities on foot, by cycle or by public transport. Proposals should continue to meet the policy criteria relevant to traveller sites, particularly those in policies CP5 and TR6.

Policy TR x

Proposals for traveller accommodation outside the sites identified in policies TR1 – TR4, including expansion of these sites, will only be permitted within the settlement boundaries defined by policy DM1 or through infilling in accordance with policy MTRA3. Sites outside the provisions of these policies (other than appropriate intensification under policy TR5) will only be permitted where they:

***i* are for occupation by persons defined as gypsies and travellers or travelling showpeople (Planning Policy for Traveller Sites 2015 Annex 1 or a subsequent revision) who have an overriding personal or cultural need to be located in the area and can demonstrate a lack of other suitable accommodation; and**

***ii* are in sustainable locations well related to the existing built-up area and with good access* to key facilities on foot, by cycle or by public transport, as well as by private car.**

All proposals for traveller accommodation should accord with other relevant Development Plan policies, particularly CP5 and TR6.

*** Defined as being ideally within 800 metres walking distance of a primary school and doctor's surgery or within 400 metres of a bus stop that provides at least one bus per hour to locations with these services. Locations with walking distances to facilities of 1600m or more, or a bus stop 800m or more away, are not regarded as sustainable or having good access.**

Policy H6 – Provision for Travellers

1. There are a limited number of Traveller and Travelling Showpeople sites with planning permission in the District. The Council will protect existing lawful sites, plots and pitches for Gypsies, Travellers and Travelling Showpeople. Proposals that would lead to the loss of an existing Gypsy, Traveller or Showpeople site will only be permitted where it is demonstrated that there is no longer an identified need for the site, or that replacement provision on a site that is of equal or better quality is provided and subject to other policies in this Plan.

2. Proposals for Traveller or Travelling Showpeople sites must meet at least one of the following criteria, and other relevant policies in this Plan, including Part 3 of this policy:

- a) Whether the site is on an existing site that could provide additional provision through intensification and / or improved orientation; or
- b) Whether the site could provide additional provision through appropriate expansion; or
- c) Whether the site is within existing development boundaries or strategic growth areas; or
- d) If the site is located elsewhere in the District, whether it would form sustainable development. In assessing this, the Council will have regard to the sustainability/site suitability criteria in the 'Traveller Site Allocations Development Plan Document Draft Background Paper: Methodology and Site Selection' August 2016.

3. The Council will consider applications for planning permission against the other relevant policies in this Plan, and will require sites to be:

- a) appropriate in scale to the nearest settlement or dwelling(s) and do not dominate them, having regard to factors such as the scale and form of existing Travellers' pitches in the locality, and the availability of infrastructure, services and facilities;
- b) well related to the existing built-up area, where relevant; capable of having access to essential services; and allow convenient access, preferably by pedestrian, cycle or public transport, as well as by private car, to key facilities;
- c) located away from areas at risk of flooding. Proposals for sites in locations other than Flood Zone 1 will be expected to demonstrate a sequential approach to site selection and be justified by a Flood Risk Assessment (FRA). Due to the highly vulnerable nature of caravans and mobile homes, sites in Flood Zone 3 will not be supported;
- d) accessed safely by vehicles from the public highway;
- e) of sufficient size to provide amenities and facilities for the planned number of caravans; including parking spaces, areas for turning and servicing of vehicles, amenity blocks, play and residential amenity areas, access roads and temporary visitor areas;
- f) located, designed and landscaped to avoid unacceptable harm to the character of the local area and the living conditions of local residents;
- g) large enough for the storage and maintenance of rides and equipment, in the case of Travelling Showpeople.