
REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 9
DATE OF MEETING:	15th NOVEMBER 2018	CATEGORY:
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	NICOLA SWOROWSKI nicola.sworowski@south-derbys.gov.uk	DOC:
SUBJECT:	GYPSY AND TRAVELLER SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That the Committee approves commencement on the Sustainability Appraisal Scoping Report for the Gypsy and Traveller Site Allocations DPD.

2.0 Purpose of Report

- 2.1 To outline to the Committee the requirement to formally commence the preparation of a Gypsy and Traveller Site Allocations Development Plan Document (the DPD) as set out in the South Derbyshire Local Plan Part 1 Policy H22 and timetabled in the adopted Local Development Scheme.

3.0 Detail

- 3.1 The Local Plan Part 1 was adopted in June 2016 and includes policy H22 – Sites for Gypsies and Travellers and for Travelling Showpeople. This policy set out that in order to meet the identified need, a Site Allocations DPD would be produced.
- 3.2 The criteria set out in policy H22 is for identifying sites for allocation in a DPD and that in the intervening period before adoption, the criteria would be used should a planning application be made.
- 3.3 The Local Development Scheme (approved in May 2018) sets out the timetable for the Gypsy and Traveller Site Allocations DPD. This first key milestone will be publication of the DPD for the first consultation known as a Regulation 18 consultation in the summer of 2019.
- 3.4 To not undertake this work within the timescales specified in the Local Development Scheme may be seen as discriminatory under the Equalities Act 2010 and would, in the absence of an agreed strategy for providing a supply of sites, make it difficult to resist proposals that may not be appropriate as a lack of five-year supply will be a significant material consideration when making decisions on planning applications.

- 3.5 The Government's policy is set out in Planning Policy for Traveller Sites (PPTS), with the aim of ensuring fair and equal treatment for travellers, in a way that facilitates their traditional and nomadic way of life whilst respecting the interests of the settled community.
- 3.6 The PPTS states that "a supply of specific deliverable sites sufficient to provide five-years' worth of sites against locally set targets" should be identified through production of the Local Plan. The PPTS further states that as a minimum, broad locations for growth should be identified for years 6 -10 and years 11-15 where possible.
- 3.7 The DPD will undertake the same process as the Local Plan Parts 1 and 2, and the process the Local Green Spaces (LGS) DPD is currently undertaking. The process will be:
- Sustainability Appraisal Scoping Report undertaken
 - Regulation 18 – Issues and options, including a call for sites
 - Regulation 19 – Pre-submission consultation. The document at this point will include all sites to be allocated and policies (if any) supported by a Sustainability Appraisal.
 - Submission to the Secretary of State
 - Examination in public
 - Adoption by the Council

Evidence Base

- 3.8 The Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment (GTAA) was published in June 2015. This set out the additional need across the area for 2014 to 2034 and is the most recent needs assessment undertaken.
- 3.9 The current GTAA sets out South Derbyshire's pitch requirement for the period 1 April 2014 to 31 March 2019 as 14 pitches. The total requirement for pitches over the period 2014 - 2034 is 38 pitches. It should be noted that the need for the first five-year period is determined through a detailed methodology, whilst that of future five-year periods is derived from projections based on survey data. It is acknowledged in Government guidance that accurate projections of future needs (beyond the first five years) are likely to be more difficult due to how the circumstances of travellers change.
- 3.10 As such, Derbyshire County Council who coordinates the GTAA work, has indicated that the process for updating the document will commence in 2019. Therefore the projections for 2019 onwards will be looked at again and revised through an updated GTAA.
- 3.11 There have been 15 pitches provided to date since the start of the GTAA period.

Development Plan Document

- 3.12 Whilst there may not be a shortage in the number of pitches provided in South Derbyshire over the period to 31 March 2019 (assuming no pitches are lost), to meet the identified need from the GTAA, there is not a demonstrable up to date five-year supply of deliverable sites.

- 3.13 This will continue to be an issue without the adoption of an allocations document that can identify future delivery.
- 3.14 The starting point for the document is to undertake a sustainability appraisal scoping report. This considers the framework against which policies and sites will be evaluated and tested. This scoping report would be consulted on with key stakeholders for a period of five weeks.
- 3.15 Following this would be the Regulation 18 consultation, to allow residents, landowners, businesses, organisations and stakeholders to give their views on the key issues and to identify a list of potential allocation sites. This information would be sought through a number of questions.
- 3.16 The questions would cover the following areas:
- The scope of the DPD
 - Evidence base requirements
 - The distribution that should be considered
 - Specific criteria requirements for individual sites
 - Additional policy requirements
- 3.16 The results of the initial public consultation alongside updates from the concurrent GTAA review process would allow a draft document to be formulated and consulted upon as a Regulation 19 consultation. This is the final stage of consultation prior to submission to the Secretary of State.
- 3.17 The Regulation 19 consultation would include the sites proposed for allocation. The initial call for sites would be to establish what sites exist, as this information has not been collected previously.
- 3.19 It should be noted that at least two other authorities in Derbyshire have found it difficult to find appropriate sites for allocation and it may therefore require additional consultations or further discussions with public sector bodies as to any suitable land they own.
- 3.20 The scoping report process will take a period of time to be completed prior to the five-week consultation starting. It is prudent for the LGS DPD to have moved to Regulation 19 before introducing a new development plan document, as the two documents need to be considered separately. It is also pragmatic to time the commencement of the DPD with that of the review of the GTAA, which is not expected to begin until spring 2019.
- 3.21 The recommendation if approved may allow for an element of weight to be applied to the DPD as approval will have been given for work to start, which is a position that would have progressed from that when determining applications to date.

4.0 Financial Implications

- 4.1 There are no direct financial implications from this report.

5.0 Corporate Implications

- 5.1 The adoption of a complete South Derbyshire Local Plan is a key priority of the District Council and is included as an action within the Corporate Plan.

5.2 As the document progresses, consultation will take place to consider all elements of the DPD.

6.0 Community Implications

6.1 The Local Plan Part 1 set out the requirement for the Gypsy and Traveller Site Allocations DPD to ensure that all housing need is considered across the District. The Sustainable Development section of the Sustainable Community Strategy which aims to make South Derbyshire a better place to live and work.

7.0 Background Papers

7.1 The Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment, 2015, Derbyshire County Council

7.2 Planning Policy for Traveller Sites, August 2015, MHCLG