

<b>REPORT TO THE EXECUTIVE</b>		Report No. 6
<b>Date of Meeting</b>	3 <sup>rd</sup> July 2008	
<b>Title of Report</b>	<b>Gypsy and Traveller Site Provision: The Use of Publicly Owned Land</b>	
<b>Portfolio</b>	<b>Housing</b>	
Link to Corporate Priorities	Community - Housing	
Key Decision	Yes	
Executive Workplan Ref	B397	
Public Report	Yes	

**Summary of Report:**

This report supplements the report to the Executive presented on the 24<sup>th</sup> April 2008 which sought to identify a site in public ownership for the provision of a permanent Gypsy and Traveller site. It is recommended that it is read in conjunction with **Appendix A** which assesses the appropriateness of the sites for this purpose following a public consultation on the Issues and Options Consultation Document dated May 2008 as part of the Local Development Framework process.

**Recommendation**

1. That the Executive notes the summary of the 6-week consultation period.
2. That the Executive agrees that **NONE** of the 6 publicly owned sites are suitable.

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
Yes	Yes	Yes	No	Yes
<b>Contact Officers</b>	Mr Lachlan Roberts, Head of Policy & Performance      lrobertson@northwilts.gov.uk Mr David Stirling, Assets, Design and Regeneration Manager      dstirling@northwilts.gov.uk			

## 1. Background

- 1.1 Following a Gypsy & Traveller Accommodation Assessment undertaken by a specialist Consultant, a need for 24 permanent pitches was considered necessary for the North Wiltshire District. In May this year the Government Office for the South West (GOSW) published figures potentially increasing this requirement to 48 permanent. There is also a requirement for 12 transit pitches though this falls outside the scope of this Report.
- 1.2 A Report was taken to the 24<sup>th</sup> April meeting of this Council's Executive on the potential use of a site owned by a public authority to be made available for sale to interested members of the Gypsy and Traveller community, subject to the obtaining of appropriate planning permission.
- 1.3 The Executive declined to enter into this arrangement and instead asked for a full consultation in two parts:
- (a) To obtain the views of the public on the potential of the six identified publicly owned sites; and
  - (b) To undertake a "call for sites" consultation to reveal if other appropriate private sites may be made available.
- 1.4 This consultation was carried out as part of the normal planning process for considering the allocation of sites for specific land uses as part of the Local Development Framework for this area. The consultation ended on 20<sup>th</sup> June 2008.
- 1.5 Members are requested to refer to the separate Consultation Document for further background information. Members will also wish to refer to the Response to Consultations Document which is a summary of all the comments received and the accompanying commentary, written by the Spatial Planning Team.

## 2. The Specific Sites

- 2.1 In respect of the Council as local planning authority, details of the technical assessment of the sites for planning policy purposes (as part of an assessment within the context of developing a Local Development Framework) are set out in **Appendix B**.
- 2.2 The remainder of this section is directed to the Executive for information necessary for it to exercise its interests on behalf of the Council as landowner.
- 2.3 **Abberd Lane, Calne** – According to the technical assessment the site is in principle excluded from consideration as part of it lies within an identified floodplain. However, the site is large enough for only part of it to be used if appropriate mitigation work was investigated and implemented. The Highway Authority consider that Abberd Way and the Abberd Lane access to the site is unsuitable for this form of development. It is further noted that the main road spur from Oxford Road, whilst it is of an adequate standard, is not an adopted public highway. It is therefore recommended that the site is **not pursued** further.
- 2.4 **Land at Long Close & Hardens Mead, Chippenham** – The technical assessment suggests that the site is sufficiently close to a major flood plain of the Avon to give cause for concern. Further technical assessment of ground conditions would be required and any potential mitigation measures considered. However, the Highways Authority has stated specific concerns regarding the road accesses to this area.

Therefore, taking account of the other technical constraints set out in Appendix A, it is recommended that the site is **not pursued** further.

- 2.5 **Land at Marlborough Road, Wootton Bassett** – The majority of the site is in the ownership of the Wiltshire County Council. As set out in the original report to the Executive on the 24<sup>th</sup> of April, the County Council have stated that they do not wish their land to be considered. It is therefore recommended that the site is **not pursued** further.
- 2.6 **Land at Stanley Lane, Chippenham (Site A)** – There are two sites owned by Wiltshire County Council. This is the westernmost site. The proximity of power lines is an important factor. Officers have considered that for housing development, a precautionary principle should be followed that no residential development should take place within 200 metres of main power lines. For this reason it is recommended that **site A is not pursued** further.
- 2.7 **Land at Stanley Lane, Chippenham (Site B)** – This is a small site of only 0.6 hectares in size. It is a site that would be able to make only a small contribution to the requirement with room for a maximum of 7 pitches, depending on the need for landscaping and access arrangements. The Highway Authority's stated requirements for improvements to Stanley Lane are beyond the financial resources available and disproportionate to the scale of site that would result. For that reason it is recommended that the **site B is not pursued** further.
- 2.8 **Land at Stoneover Lane, Wootton Bassett** – The lack of a reasonable road access to this site is a significant factor here. It is recommended that the site is **not pursued** further.
- 2.9 **Site Adjoining Oxford Road, Calne** – Of all the sites considered, this site is the least technically constrained. As the recommended maximum is no more than 18 pitches, this suggests that only about half the site would be necessary for the purpose.
- 2.10 However, the technical report has highlighted two factors that the Council as landowner would wish to take into account. Firstly, unlike all the other sites, this site is allocated within the Local Plan for employment purposes. There are few large strategic employment sites in the District and the future retention of the site for this use is important to the local economy. The development for other purposes would not fulfil the objectives of that Plan for Calne. Secondly, this site, given its strategic location, may need to be considered as part of a review of potential development sites arising from the Regional Spatial Strategy. This brings the matter into the realm of the discussions about what the new Wiltshire Authority will wish to pursue, as part of their new Local Development Framework, for Calne. In the interests of not prejudicing the longer term strategic planning for the town of Calne, it is recommended that the site is **not pursued** further.

### **3. Financial Implications**

- 3.1 The Council has £250,000 available for this project. This is made up of £100,000 from the District Council, first agreed in the budget for 2006/07, and £150,000 grant from the Gypsy and Traveller Community Trust Fund. A condition of the grant was that if it was not committed by July 2008, the GOSW had to be advised.
- 3.2 Some sites would require further technical assessment and the implementation of mitigation measures that have a strong possibility of exceeding this budget. In addition, the costs of servicing the technically favoured site are not yet known, but if it is revealed, through the detailed consideration of any planning application, that the site

cannot be delivered within budget then it would require the Executive to identify further financial resources.

#### 4. Legal Implications

- 4.1 Circular 01/2006 and the Housing Act 2004 (particularly Section 225). The Housing Act obliges local housing authorities to include Gypsies and Travellers in their accommodation assessments and to take a strategic approach, including drawing up a strategy demonstrating how the accommodation needs of Gypsies and Travellers will be met, as part of their wider housing strategies.

#### 5. Community and Environmental Implications

- 5.1 The ultimate objective is to provide for permanent Gypsy and Traveller sites. The Council seeks to meet its obligations towards a section of the community in accordance with Government guidance on such provision and the Council's policies on land disposal.

#### 6. Equality and Diversity Implications

- 6.1 Gypsies and Travellers need to be treated as an integral part of the community whose need for decent housing has to be recognised and accommodated by and within the larger community.

#### 7. Risk Analysis

- 7.1 Failure to provide a permanent site for Gypsies and Travellers within the district within a reasonable timescale will severely undermine the Council's ability to control unauthorised developments of this nature within the open countryside.

<b>Appendices:</b>	<b>A Report on the Local Development Framework Consultation on Planning Matters</b> <b>B Details of the Technical Assessment of the Sites</b> <b>C Recommendations from the five Area Committees</b> <b>D Extract from the Proposals Map – Calne Employment Area North Wiltshire Local Plan 2011</b>
<b>Background Documents Used in the Preparation of this Report:</b>	<ul style="list-style-type: none"> <li>• Gypsy &amp; Traveller Issues and Options Consultation Document</li> <li>• Circular 01/2006</li> <li>• Responses to the public consultation.</li> </ul>

#### Previous Decisions Connected with this Report

Report	Committee & Date	Minute Reference
<ul style="list-style-type: none"> <li>• Gypsy and Traveller Site Provision</li> </ul>	Executive 24 <sup>th</sup> April 2008	E213