



**Solihull**  
METROPOLITAN  
BOROUGH COUNCIL

# Gypsy and Traveller Site Allocations

Development Plan Document  
Submission Draft  
April 2013



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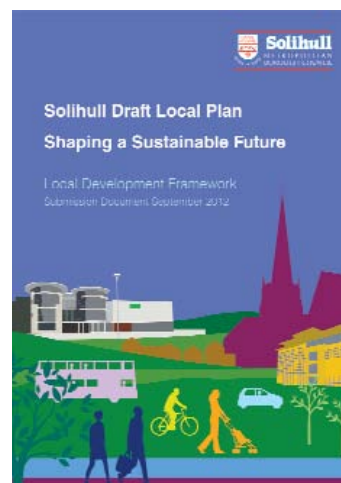
# 1. Introduction and Context

## 1.1 Background

1.1.1. This Gypsy and Traveller Development Plan Document (DPD) is part of the Local Development Framework (LDF) for Solihull. The LDF is a collection of documents which together provide the framework for the future development of the Borough.

1.1.2. The main document in the LDF is the Solihull Local Plan which sets out the long-term spatial vision for how the Borough will develop and change up to 2028. With regard to housing, the Council aims to ensure that everyone, including Gypsies and Travellers, has the opportunity to access a decent and safe home. The shortage of authorised Gypsy and Traveller sites to meet identified need is one of the key challenges for the Solihull Draft Local Plan to address.

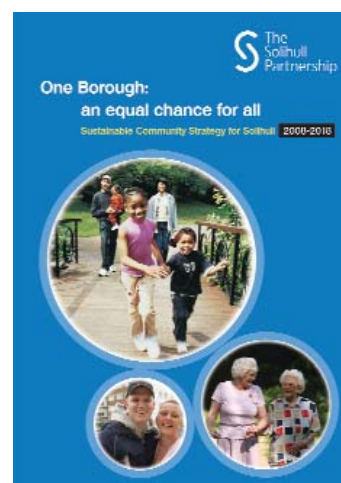
1.1.3. In addition, the Sustainable Community Strategy for Solihull 2008 – 2018 includes ‘building prosperous communities’ as one of four priorities for improvement. Within this priority is ensuring that everyone has a decent home and that new housing meets the needs of the whole community.



## 1.2. The role of the Gypsy and Traveller Site Allocations DPD and why we need one

1.2.1. The statutory duty for local authorities to provide Gypsy and Traveller sites was removed in 1994. Nationally this has led to a lack of suitable accommodation provision, an increase in unauthorised Gypsy and Traveller sites and tensions between the settled community and the travelling population.

1.2.2. Gypsies and Travellers have been recognised by the courts as being distinct ethnic groups and are protected from discrimination by the Equality Act 2010. The courts have made clear that travelling is not a defining characteristic of these groups, but only one among others. There is a statutory duty on public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations in the course of developing policies and delivering services.



1.2.3. As in most other areas of the Country, there is a shortage of authorised Gypsy and Traveller sites in Solihull to meet identified need. This leads to unauthorised developments and encampments and results in uncertainty for both the settled population and the Gypsy and Traveller community. It is also well recognised that Gypsies and Travellers are amongst the most socially excluded groups in society and research has consistently confirmed the link between the lack of good quality sites and poor health and education outcomes. Both the Government and the Council recognise that these inequalities must be addressed, whilst ensuring the planning system is not abused. The provision of sites can therefore be the key to tackling a host of issues.

1.2.4. The failure to allocate sufficient land to meet the need for new pitches has a number of impacts including:

- Continuing the current problem of unauthorised development and encampments, as well as tensions with the settled community;
- Reinforcing the cycle of nomadism for those Gypsies and Travellers who may prefer a more settled existence, but cannot find a permanent site;

- Restricting the Council’s ability to enforce against unauthorised development as our ability to enforce is related to our proactivity in meeting the need for new provision; and
  - Increasing the difficulty of ensuring that the Gypsy and Traveller community has access to all the support and services they need.
- 1.2.5. The Gypsy and Traveller Site Allocations DPD therefore seeks to address these issues by identifying sites to meet the accommodation needs of Gypsies and Travellers in Solihull between 2012 and 2027. It also includes planning policies against which applications for Gypsy and Traveller associated development will be determined.

### **1.3. Definition of Gypsies and Travellers**

- 1.3.1. For the purposes of this DPD, and to ensure the accommodation needs of all Gypsies and Travellers are considered (including those who do not have a nomadic habit of life but may still have a strong cultural aversion to bricks and mortar accommodation and be in need of a pitch), the definition of Gypsies and Travellers as used in the 2004 Housing Act is used. This defines Gypsies and Travellers as:

***“Persons with a cultural tradition of nomadism or of living in a caravan; and 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 dependant’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).”***

## 2. How the Development Plan Document has been Developed

### 2.1. Development of the DPD

2.1.1. The DPD has been founded on:

- National and local policies including:
  - o The National Planning Policy Framework
  - o Planning Policy for Traveller Sites
  - o The Solihull Draft Local Plan
  - o Other relevant plans, policies and strategies that relate to the Borough, including the Draft Gypsy and Traveller Strategy and the Sustainable Community Strategy for Solihull.
- Evidence base:
  - o Joint Birmingham, Coventry and Solihull Gypsy and Traveller Accommodation Assessment 2008
  - o Solihull Gypsy and Traveller Accommodation Assessment 2012
- Recommendations from appraisals and assessments:
  - o Sustainability Appraisal of the objectives, strategy and site allocations which highlights potential conflicts or areas where there could be improvements. It also ensures the DPD accords with the principles of sustainable development.
  - o Habitat Regulations Assessment of the impact of the allocated sites on the network of sites of European importance for nature conservation, specifically four Special Areas for Conservation at Cannock Extension Canal, Cannock Chase, Bredon Hill and the Peak District Dales.
  - o Fair Treatment Assessment of the impact of the DPD on specific groups as a result of race, gender, disability, age or religion.
- Involvement of key stakeholders, interested parties and local communities including consultation on:
  - o Options
  - o Preferred Options
  - o Submission Draft DPD

2.1.2. The diagram on below highlights the key stages in the development of the DPD and indicates where consultation has taken place.



## **2.2. Options Consultation and ‘Call for Sites’**

2.2.1. In July and August 2011, the Council consulted on an ‘Options’ paper which sought views on how the future accommodation needs of Gypsies and Travellers in Solihull could be met, by identifying the possible ways in which pitches and sites could come forward. Both prior to, and as part of the Options Paper consultation, the Council undertook a ‘call for sites’ exercise in which interested parties could suggest sites they considered suitable for Gypsy and Traveller accommodation. A total of 10 sites were suggested including requests from the owners of some existing authorised sites to extend their sites and / or increase the number of pitches. The full list of sites suggested to the Council was published for information and is available in a separate document available on the Council’s website at [www.solihull.gov.uk/ldf](http://www.solihull.gov.uk/ldf)

## **2.3. Site Assessment Process**

2.3.1. The potential suitability of each site suggestion was assessed to determine which, if any would be suitable to take forward as preferred sites. Existing sites without the benefit of full planning permission were also assessed to see if they were suitable and could contribute to meeting the Council’s identified need. Further detail on the approach to site selection is provided in Section 7.

## **2.4. Evidence Base Update**

2.4.1. In November 2011, the Council commissioned consultants to update its Gypsy and Traveller Accommodation Assessment. In March 2012 the updated GTAA was endorsed by Members as the evidence base for further policy development. Further details on the updated GTAA and the identified need for Gypsy and Traveller Accommodation in Solihull over the period 2012 – 2027 are provided in Section 4.

## **2.5. Preferred Options**

- 2.5.1. In July and August 2012, a ‘Preferred Options’ document was published for consultation, and set out the Council’s preferred approach to meeting the accommodation needs of Gypsies and Travellers in the Borough to 2027. Following the assessment of the potential suitability of each site suggested to the Council through the ‘call for sites’ exercise, as well as an assessment of existing sites without the benefit of full planning permission, the document identified 4 sites that the Council considered suitable to meet the Borough’s future pitch requirement.
- 2.5.2. Responses to the Preferred Options document supported many elements of the DPD and there was both support and objection for the Council’s preferred site allocations and the other sites that were rejected. There was concern, that the number of pitches proposed on the site at Old Damson Lane was too many and that the co-location of transit pitches with permanent pitches could exacerbate community tensions. All issues raised through the preferred options consultation have been considered and addressed as part of this Submission Draft document where deemed necessary.
- 2.5.3. The Sustainability Appraisal (SA) of the Preferred Options document indicates that the preferred strategy for allocating sites has the potential to be an effective means of meeting Gypsy and Traveller housing needs, although it is recommended that family groups are able to remain on sites together as far as possible. With regard to the preferred sites, it is recommended that individual allocation policies deal with their specific sustainability issues. The SA also identified gaps with regard to reducing energy use and renewable energy generation, adapting to the impacts of climate change and the historic environment. This Submission Draft document has acknowledged the issues raised and they are addressed through site allocation policies GTS 2 - 5 and the detailed planning considerations policy GTS 6.



- 2.5.4. The Habitat Regulations Assessment of the Preferred Options document has concluded that none of the Gypsy and Traveller Site Allocations DPD policies will result in a significant effect on the Natura 2000 network, either alone or in combination with other local plans. The key factor is the very small Gypsy and Traveller population increase over the plan period as well as a reduction in the proposed housing allocations in the Solihull Draft Local Plan.
- 2.5.5. With regard to the Fair Treatment Assessment, the key findings and impacts have identified that the DPD will help to ensure the assessed accommodation needs are met and this will be a positive outcome for the Gypsy and Traveller community in Solihull. It will also ensure that they have the same opportunities and responsibilities as the settled community to secure a decent home which allows them to pursue and preserve their traditional way of life, whilst providing them and the settled community security and certainty about their future and that of their local environment, thereby increasing social cohesion.
- 2.5.6. The Gypsy and Traveller Site Allocations DPD has been an ongoing process of development, assessment and consultation over the last 2 years, with each stage influencing the next. The Preferred Options document and the responses received have formed the basis of this Submission Draft document.

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

- 2.6.1. The Council has consulted and actively engaged with neighbouring authorities in the preparation of the Gypsy and Traveller Site Allocations DPD. The first assessment of Gypsy and Traveller accommodation need in Solihull was undertaken sub-regionally with Birmingham and Coventry City Councils in 2007. The final report was published in March 2008 and endorsed for policy development by Members in May 2008. The main objective of the study was to quantify the current and future need for Gypsy and Traveller accommodation between 2007 and 2017. Although carried out at a sub-regional level, the assessment of need was undertaken separately for each local authority in the study area.
- 2.6.2. However, as the pitch figures in the 2008 GTAA are now 5 years old, coupled with the emphasis that decisions should be based on robust and up to date evidence, the Council considered that the GTAA should be updated.
- 2.6.3. In order to address potential cross boundary issues, the Council explored joint working with neighbouring authorities to update the GTAA. However, a number of authorities had already commenced independent updates of their Gypsy and Traveller evidence base. The Council therefore considered collaboration with neighbouring authorities (Warwick, Birmingham and Coventry) who had not already commenced an independent update of their own evidence base. At that time, all three authorities indicated that they were not in a position to undertake this work and their differing timescales and priorities resulted in Solihull also having to undertake an independent update of its Gypsy and Traveller evidence base.
- 2.6.4. Notwithstanding this, in updating the evidence base a number of data sources were drawn on including previous assessments of need and information submitted through the previous regional planning process. The updated GTAA for Solihull revealed that the Gypsy and Traveller population in the Borough appears relatively stable, with very few incidents of unauthorised encampments (i.e. Gypsies and Travellers residing on private / public land without the landowner's permission). This means that the accommodation need is arising from Gypsies and Travellers resident within the Borough as opposed to those coming from outside the area.

- 2.6.5. All of the Borough's Gypsy and Traveller accommodation needs will therefore be met within Solihull. There is no reliance on neighbouring authorities to meet any of Solihull's requirements and Solihull has not been asked to help meet the Gypsy and Traveller accommodation needs of any neighbouring authorities. The only exception to this is Warwick District Council, who has written to all its adjoining authorities with concerns that it may not be able to provide fully for the five year requirement for pitches within its District. Solihull has confirmed with Warwick that there is no spare capacity within the Borough to contribute to Warwick District's requirements and that there are no suitable sites which could assist. Solihull is not therefore able to help address the difficulties Warwick District has in meeting the accommodation needs of its Gypsy and Traveller population, but will continue to consult and engage with neighbouring authorities to share information and explore how the needs of the Gypsy and Traveller community can be better understood.

## **2.7. How to Respond**

- 2.7.1. Representations in support of or opposed to the Gypsy and Traveller Site Allocations DPD Submission Draft can be made in writing to the Council. Representations should be received by 5pm on the 17 May 2013 using either the Gypsy and Traveller Site Allocations DPD Submission Draft response form, emailing comments to [psp@solihull.gov.uk](mailto:psp@solihull.gov.uk) or writing to Policy and Spatial Planning, Council House, Manor Square, Solihull, B91 3QB. To find out more about the Gypsy and Traveller Site Allocations Development Plan Document you can visit the Council's website at [www.solihull.gov.uk/ldf](http://www.solihull.gov.uk/ldf) or speak to an officer on 0121 704 6428.

## 3. Planning Policy Context

### 3.1. National Policy

- 3.1.1. The Government is clear that the current position on Gypsy and Traveller site delivery remains unsatisfactory and local planning authorities have not addressed under provision or increased the number of sites in appropriate locations.
- 3.1.2. In March 2012, the Government published a new planning policy for traveller sites (PPTS), alongside the National Planning Policy Framework (NPPF). The overarching aim of Government policy is to ensure fair and equal treatment for travellers, in a way that facilitates their traditional and nomadic way of life, while respecting the interests of the settled community. The main aims of the policy include:
- Local planning authorities making their own assessment of need as long as it is based on robust evidence, includes engagement and cooperation with traveller and settled communities, and involves working collaboratively with neighbouring authorities.
  - Local planning authorities setting their own pitch and plot targets.
  - Local planning authorities:
    - Identifying and updating annually a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets.
    - Identifying a supply of specific developable sites (those in a suitable location, with a reasonable prospect that they will be available and could be viably developed) or broad locations for growth, for 6 to 10 years and where possible, for years 11 – 15.
  - Using criteria to guide land supply allocations and help determine planning applications.
  - Ensuring traveller sites are sustainable economically, socially and environmentally.
  - Protecting the Green Belt from inappropriate development and strictly limiting new traveller sites in the open countryside, away from existing settlements or outside areas allocated in the local plan.
  - Considering sites suitable for mixed use residential and business use wherever possible.

### 3.2. Local Policy

- 3.2.1. The Solihull Draft Local Plan<sup>1</sup> and Policy P6 specifically, provide the context and policy framework for the DPD.
- 3.2.2. With regard to Gypsies and Travellers, a key objective for the Solihull Draft Local Plan is:
- “To increase the number of authorised pitches for Gypsies and Travellers in the Borough in the most appropriate locations, to reduce the number of unauthorised developments and encampments and enable Gypsies and Travellers to access the services and facilities to meet their needs, whilst respecting the interests of the settled community.”*** (Solihull Draft Local Plan Submission Document September 2012)

<sup>1</sup> At the time of writing, the Solihull Draft Local Plan is the subject of independent examination by a Government appointed Planning Inspector.

3.2.3. Policy P6 of the draft Local Plan on Provision of Sites for Gypsies and Travellers states:

***The Council will meet the identified need for 38 residential pitches to 2027 as set out in the 2012 Gypsy and Traveller Accommodation Assessment. The provision of pitches to meet this need will be determined through a Gypsy and Traveller Site Allocations Development Plan Document.***

***The following criteria will be used in the allocation of future sites and subject to compliance with other policies in the plan, applications which perform well against the criteria and which contribute to meeting any identified unmet need, will be considered favourably.***

- i. The size and scale of the site and the number of caravans stationed is appropriate to the size and density of the local settled community;***
- ii. Any unacceptable adverse visual impact can be adequately minimised;***
- iii. The site is not in an area prone to flooding;***
- iv. Any unacceptable adverse impact on landscape or local nature conservation designations, ecology, biodiversity or the historic environment can be mitigated;***
- v. There is no unacceptable adverse impact on privacy and residential amenity for both site residents and neighbouring land uses;***
- vi. The site has safe and convenient access to the highway network;***
- vii. Local services and facilities such as schools, health facilities, fresh food and employment are accessible by walking, cycling and public transport, or it can be demonstrated that the site is sustainable in other ways.***

***Sites in the Green Belt will not be permitted unless other locations have been considered and only then in “very special circumstances”.***

## 4. Gypsy and Traveller Accommodation Need in Solihull

### 4.1. Introduction

- 4.1.1. Government guidance is clear that local planning authorities should make their own assessment of need for the purposes of planning and use a robust evidence base to inform the preparation of local plans and make planning decisions.
- 4.1.2. In March 2012, the Council published its updated Gypsy and Traveller Accommodation Assessment (GTAA) which supersedes the previous GTAA undertaken jointly with Birmingham and Coventry City Councils, as published in 2008. However, some of the assumptions used in the 2008 GTAA were carried forward to the 2012 update, particularly for estimates of Gypsies and Travellers living in bricks and mortar accommodation.

### 4.2. Existing Provision

- 4.2.1. At the time when the 2012 GTAA was published, in Solihull there were 7 sites with full planning permission accommodating 49 permanent residential pitches. All existing sites are private sites, although one is on Council owned land.

### 4.3. Future Pitch Requirements

- 4.3.1. With regard to future pitch requirements, the updated GTAA identifies that between 2012 and 2027 a total of 38 permanent residential pitches are required in Solihull. This is divided into 3 five year tranches as follows:

Time period	No. of pitches required
2012 – 2017	26
2017 – 2022	6
2022 - 2027	6

- 4.3.2. The GTAA has also identified that while some Gypsies and Travellers were able to afford to purchase or rent pitches at market rates, other sections of the community would require additional support to access safe and secure accommodation.



Photo courtesy of Rooftop Housing Group

#### **4.4. Transit Accommodation**

- 4.4.1. The GTAA recognises that the scale of unauthorised encampments experienced in Solihull is relatively small and as such the formal provision of a transit site is not necessary. However, the GTAA suggests identifying pieces of land to which Gypsies and Travellers coming into the area could be encouraged to move.

#### **4.5. Travelling Showpeople**

- 4.5.1. The GTAA has revealed that there are no Travelling Showpeople in Solihull, which implies that there is no need for a Travelling Showpeople site in the Borough. The DPD does not therefore make provision for such a site to be provided in Solihull.

#### **4.6. Development to Date**

- 4.6.1. Since the publication of the Preferred Options document two sites identified as 'preferred sites' have applied for or been granted planning permission.

These are:

- Old Damson Lane (Area 2) – planning permission for 7 private pitches
- The Uplands – planning application for 4 private pitches, not yet determined.

- 4.6.2. Planning permission for the site at Old Damson Lane (Area 2) has therefore reduced the number of pitches required over the period 2012 – 2017 to 19, and reduced the overall requirement over the plan period to 31.

## 5. Challenges, Vision and Objectives

### 5.1. Challenges

5.1.1. The overarching challenge is set out in the Solihull Draft Local Plan submission document as follows:

***“A shortage of authorised Gypsy and Traveller sites in Solihull to meet identified needs and the need to maintain an appropriate level of supply.”***

5.1.2. Linked to this overall challenge, local and national evidence coupled with engagement with stakeholders has led to the identification of a number of sub-challenges:

- The establishment of unauthorised developments and encampments;
- Tensions between the Gypsy and Traveller community and the local settled population as a result of unauthorised developments and encampments;
- Significant health, education and other inequalities between the Gypsy and Traveller community and the settled population;
- Protect the residential amenity and other amenities of both the Gypsy and Traveller community and the settled population;
- Protect the Green Belt from inappropriate development, whilst recognising the difficulties of securing Gypsy and Traveller accommodation in the urban area.



### 5.2. The Vision

5.2.1. The Vision has been developed with reference to the challenges identified and from national and local evidence and experiences. The Vision will help deliver the aspirations of the Sustainable Community Strategy and the Solihull Draft Local Plan to ensure that everyone has access to a decent home, reduce health and other inequalities and protect and enhance the local built and natural environment.

5.2.2. The Vision for the Gypsy and Traveller Site Allocations Development Plan Document is that by 2027 Solihull will be a Borough where:

***“Gypsies and Travellers have the same opportunities and responsibilities as the settled community to secure a decent home which allows them to pursue and preserve their traditional way of life and there is sufficient land and pitches available to meet the identified need for accommodation.”***

**Sites are well located, sustainable and of high quality where residents enjoy living and where they and the site are well integrated with the wider local community.**

**Unauthorised developments and encampments have moved to authorised sites and there are harmonious relationships between the Gypsy and Traveller and the settled community.**

**The recognised inequalities faced by the Gypsy and Traveller community are being tackled and Gypsies and Travellers can meet their own aspirations.**

**Where both the Gypsy and Traveller community and the settled community have security and certainty about their future and that of their local environment.”**

### 5.3. Objectives

5.3.1. The overarching objective to deliver this Vision is set out in the Solihull Draft Local Plan submission document as follows:

**“To increase the number of authorised pitches for Gypsies and Travellers in the Borough in the most appropriate locations, to reduce the number of unauthorised developments and encampments and enable Gypsies and Travellers to access the services and facilities to meet their needs, whilst respecting the interests of the settled community.”** (Solihull Draft Local Plan -Submission Document September 2012).

5.3.2. This will involve further sub-objectives to:

- Identify sites that are available, suitable and achievable;
- Allocate and grant planning permission for sufficient land and pitches to meet identified needs within Solihull Borough in the most appropriate locations;
- Increase access to local services and facilities including health, education, fresh food and employment by allocating sites and pitches in the most suitable locations to enable this;
- Ensure sites are of high quality design, safe and pleasant places to live; and
- Provide clear guidance for making decisions on planning applications regarding Gypsy and Traveller sites

5.3.3. The challenges, vision and objectives will ensure that this DPD contributes to the implementation of the Solihull Draft Local Plan and the Sustainable Community Strategy for Solihull.



*Photo courtesy of Rooftop Housing Group*



## 6. Strategy

### 6.1. Permanent Residential Pitches

- 6.1.1. Policy P6 of the Solihull Draft Local Plan establishes that the provision of pitches to meet identified need will be through this Gypsy and Traveller Site Allocations DPD. The criteria to be used in the allocation of future sites are set out in the Policy and these criteria will also be used in the determination of planning applications where there is an identified unmet need.
- 6.1.2. Following consultation on Options for the way in which future sites and pitches could be brought forward, a combination approach has been adopted to meet the Borough's identified need for 38 permanent residential pitches to 2027. This combination approach considers:
- Allocation of new sites;
  - Extensions to existing authorised sites;
  - Increasing capacity at existing authorised sites;
  - Examining whether existing, well established sites, which do not benefit from full planning permission are suitable to be regularised.
- 6.1.3. The strategy maximises the opportunity for a wide variety and type of site options to be considered and assessed without relying on a single means of provision, for example the allocation of new sites only. It is a fair and pragmatic approach and is the most appropriate way to meet the Borough's identified need for pitches.
- 6.1.4. The sites that are allocated or apply for planning permission in accordance with this strategy will be considered on a site by site basis, in order to ensure that only the most appropriate sites are taken forward. Sites identified through the allocations process will still be subject to the usual planning protocol and applications will need to be submitted to formally authorise their use as Gypsy and Traveller sites.
- 6.1.5. Although Policy P6 of the Solihull Draft Local Plan states that sites in the Green Belt will not be permitted unless other locations have been considered and only then in very special circumstances, the fact that Solihull has an identified unmet need and no available sites elsewhere may well constitute very special circumstances. In Solihull, evidence indicates that no areas outside the Green Belt can be identified for use by Gypsies and Travellers as all of the sites suggested through the 'call for sites' exercise, together with all the existing authorised and unauthorised sites, are in the Green Belt.

### 6.2. Transit Pitches and Travelling Showpeople Plots

- 6.2.1. The updated Gypsy and Traveller Accommodation Assessment for Solihull revealed that the Gypsy and Traveller population in the Borough appears relatively stable, with very few incidents of unauthorised encampments (i.e. Gypsies and Travellers residing on private / public land without the landowner's permission). This means that the accommodation need is arising from Gypsies and Travellers resident within the Borough as opposed to those coming from outside the area. Therefore, as Solihull does not have a large transit population, the provision of a formal transit site was not something specifically required in the Council's Gypsy and Traveller Accommodation Assessment as the scale of encampment is relatively small and contained to specific periods of the year.
- 6.2.2. However, the Preferred Options document proposed the provision of a small number of transit pitches as a sensible way to manage the issue of Gypsies and Travellers passing through the Borough for a specific period of time, and five transit pitches were therefore proposed on the site at Old Damson Lane.

- 6.2.3. Following responses to the Preferred Options consultation, which highlighted the potential tensions and conflicts which may arise as a result of the provision of transit pitches in this location, it has been necessary to reconsider whether the provision of transit pitches would be detrimental to social cohesion and community relations at Old Damson Lane, particularly as this site also faced objections for proposing too many pitches. As a result, transit pitches are no longer being proposed at land at Old Damson Lane.
- 6.2.4. Notwithstanding this, the Council remain keen to try and facilitate the traditional and nomadic way of life for Travellers, while respecting the interests of the settled community by providing Gypsies and Travellers with an alternative to stopping illegally or on inappropriate land.

### Policy GTS 1 -Temporary Stopping Places

The development of a site to accommodate Gypsy and Travellers on a temporary basis for a period of up to 28 days will be permitted provided:

- There is safe and convenient access to the highway network;
- The site can be adequately screened and secured, and provided with essential facilities;
- It is located so as to cause minimum disruption to surrounding communities and land uses;
- The site is not in an area prone to flooding given the vulnerable nature of caravans; and
- Any unacceptable adverse visual impact or impact on landscape, nature conservation designations, ecology, biodiversity or the historic environment can be mitigated.

It should be demonstrated that any risks to young children that may arise on site or from adjoining land uses can be adequately mitigated.

Proposals will be expected to have regard to guidance outlined in the Government's good practice guide on 'Designing Gypsy and Traveller Sites'.



### **6.3. Justification**

- 6.3.1. In accordance with the evidence in the GTAA, the Council will seek to identify a site or sites to accommodate temporary stopping places to avoid the need for Gypsies and Travellers passing through the Borough to stop unlawfully or park on inappropriate or unsafe land. The identification of a site or sites will allow the Council to direct Gypsies and Travellers to appropriate land, thus avoiding the potential for tensions between the Gypsy and Traveller community, the settled community and the Council.
- 6.3.2. Evidence over recent years highlights that the average duration of unauthorised encampments was 2 weeks. The shortest duration over the period 2009 and 2010 was for 3 days, with the longest being 6 weeks (there were no unauthorised encampments at all in 2011 and 2012). Therefore, and in accordance with Government guidance, the policy sets a time limit allowing a stay of up to 28 days. Planning permission will be required to enable a site to be identified as a temporary stopping place for use by Gypsies and Travellers.
- 6.3.3. With regard the provision of accommodation for Travelling Showpeople, no plots are identified in this DPD.

## 7. Site Allocations

### 7.1. Introduction

7.1.1. This section identifies the sites which are allocated to provide the level of Gypsy and Traveller accommodation required in Solihull. As outlined in Section 4, the total number of permanent residential pitches required in the Borough between 2012 and 2027 is 38 pitches. However, as 7 pitches have recently been granted planning permission, the number of pitches required is reduced to 31.

### 7.2. The Approach to Site Selection

7.2.1. The Solihull Draft Local Plan, particularly Policy P6, establishes the strategic policy framework within which this Site Allocations DPD must sit. In accordance with PPTS, Policy P6 sets out the pitch targets over the plan period and includes the criteria that will be used in the allocation of sites and the determination of planning applications. In addition to being suitable in accordance with the criteria in Policy P6, sites also need to be available and achievable. Consideration is also given to these elements. Appendix 1 outlines the site selection criteria and the more detailed issues that have been considered as part of the overall assessment process.

7.2.2. As part of the process of identifying site allocations, a 'call for sites' exercise was undertaken and a total of 10 sites were suggested to the Council. The suggested sites included new sites, extensions to existing authorised sites and increases in pitch numbers at existing authorised sites. In accordance with the Strategy, the potential suitability of each site was assessed against the site selection criteria in Policy P6 of the Solihull Draft Local Plan and the more detailed issues that each criterion encompasses as outlined in Appendix 1. All existing sites in the Borough without the benefit of full planning permission (unless they were the subject of a planning application at the time) were also assessed against the criteria to see if they would be suitable for meeting the need identified.

7.2.3. A total of 12 potential sites were therefore considered and the assessment process has enabled a comparison of the merits and shortcomings of each site to be made in order that the most appropriate sites are allocated in the plan. Having considered the results of the assessment process as a whole, four sites have been considered suitable as allocations for Gypsy and Traveller use to meet the identified need for pitches in Solihull.

7.2.4. The following sites, as identified on the proposals map, are allocated for Gypsy and Traveller use:

- GTS 2 - Old Damson Lane
- GTS 3- The Warren
- GTS 4 -The Uplands
- GTS 5 - The Haven

### **7.3. Phasing**

7.3.1. In order to help secure the delivery of Gypsy and Traveller pitches throughout the plan period to help meet identified need, sites will be phased. Phasing will enable the Council to identify a supply of deliverable sites over the next 6 – 10 and 11 – 15 years in accordance with the national PPTS. Without phasing, there is a danger that all sites could come forward early in the plan period, leading to a lack of sites in the latter part of the plan period and the need for more sites to be found. The phasing periods are as follows:

- Phase 1 – Up to 2017

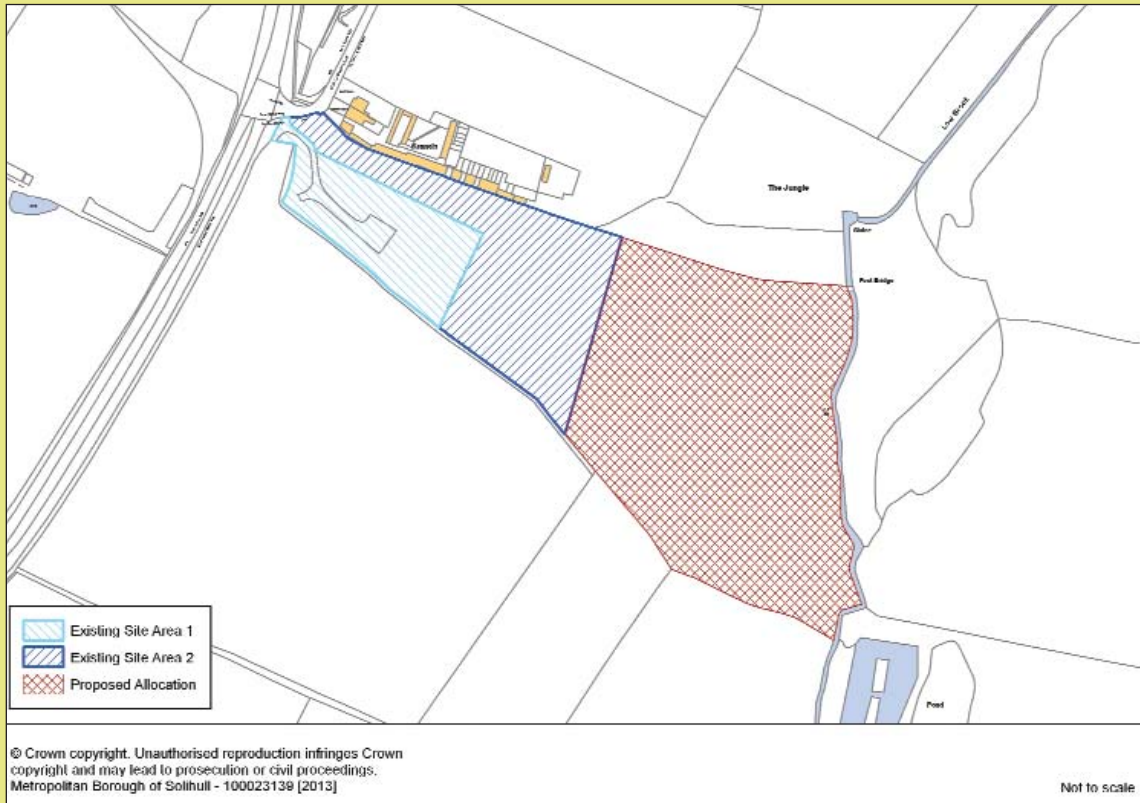
Sites in phase 1 have been identified because they are available and deliverable in the shorter term and can be developed to provide the most appropriate opportunity to fulfil all sources of need arising as identified in the GTAA, using a range of tenure options.

- Phase 2 –2017 - 2027

The site in Phase 2 will help to meet more long term needs for Gypsy and Traveller Accommodation. As this site is less accessible and has more constraints than sites in Phase 1, it has been phased slightly later in plan period.

## 7.4. Allocated Sites

### Policy GTS 2 – Old Damson Lane



**Site type** – Social rented

**No. of pitches proposed** – 11

**Development Phase** – Phase 1 (up to 2017)

Proposals for development at this site should:

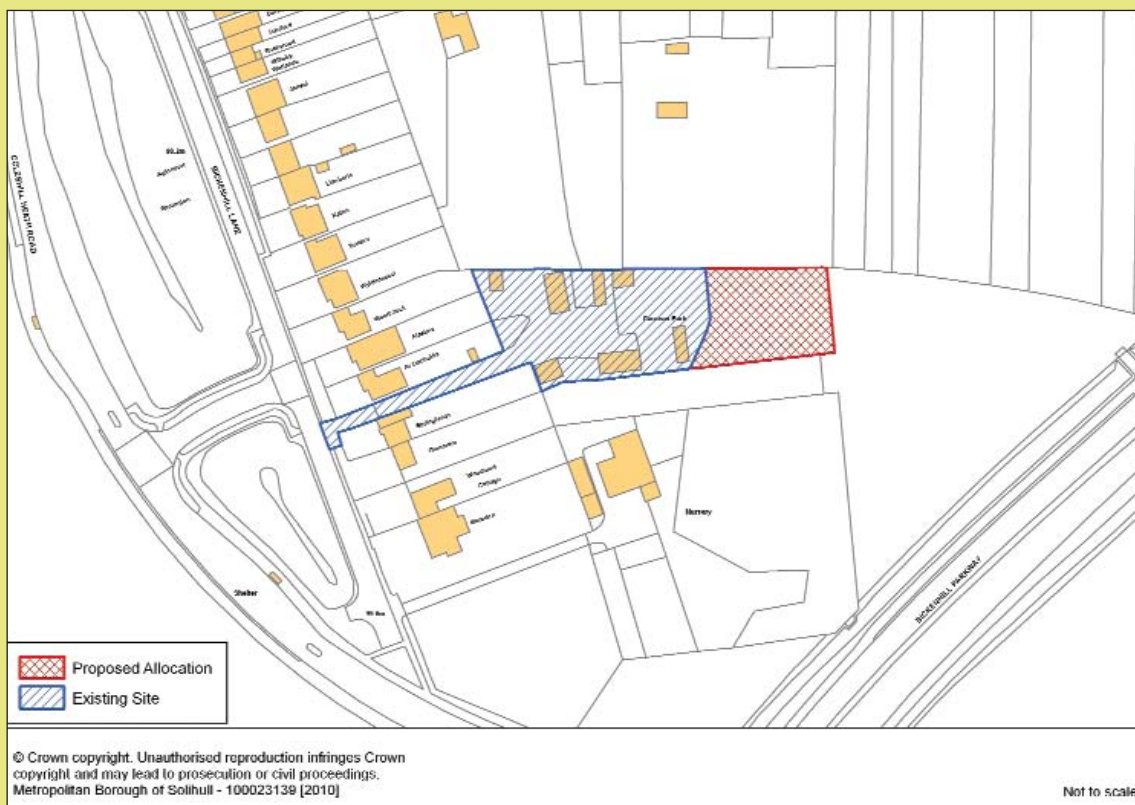
- Ensure the design and layout of the site facilitates proper management, and with the exception of a joint access, ensures that it is clearly separate from areas 1 and 2 as an independent site in its own right;
- Demonstrate that there would be no potential impact on the adjacent Castle Hill Farm Meadows Local Wildlife Site;
- Include a flood risk assessment in support of a planning application for residential pitches; and
- Have due regard to the provisions of Policy GTS 6 'Detailed Planning Considerations'.

In addition, the site shall only be occupied by those persons who meet the definition of Gypsies and Travellers.

## 7.5. Justification

- 7.5.1. The site has good accessibility, no significant highway issues and performs well against the criteria in Policy P6 of the Solihull Draft Local Plan. Although the site is part of a wider parcel of land which also accommodates Gypsies and Travellers on Areas 1 and 2, this site will be an independent and self-contained site that is not linked to, nor part of the sites which already have planning permission at Old Damson Lane. Areas 1 and 2 are also separate stand alone sites each with 7 pitches. Area 1 is a private site accommodating an extended family. Area 2, which has recently been granted planning permission, will also be a private site, although at the time of writing, further details regarding the terms of disposal of the site are still to be considered. Notwithstanding this, there will however be a joint access road to the site which is shared with Area 2.

- 7.5.2. The Council recognises that a small part of this site is located in the floodplain and a floodrisk assessment will therefore be required to ensure that the layout of the site is appropriate, given the vulnerable nature of caravans.
- 7.5.3. As the site is also located adjacent to the Castle Hill Farm Meadows Local Wildlife Site, any planning application should also demonstrate that there would be no impact on this site as a result of development.
- 7.5.4. A Registered Social Landlord has received funding for the provision of social rented pitches at this location and the site is therefore deliverable. The development of 11 social rented pitches on the site will also ensure that the Borough is providing a choice of tenure options, as well as opportunities for Travellers who cannot afford their own sites. Site management will be undertaken by a Registered Social Landlord who will also work with the Council in determining the allocation of pitches.



**Site type** – Private (family owned)

**No. of pitches proposed** – 5

**Development Phase** – Phase 1 (up to 2017)

Proposals for development at this site should:

- Demonstrate that there would be no potential impact on the adjacent Bickenhill Plantation Local Wildlife Site;
- Include a tree survey to accompany any planning application for residential pitches;
- Demonstrate that the potential for ground and surface water flooding can be adequately mitigated; and
- Have due regard to the provisions of Policy GTS 6 'Detailed Planning Considerations'.

In addition, the site shall only be occupied by those persons who meet the definition of Gypsies and Travellers.

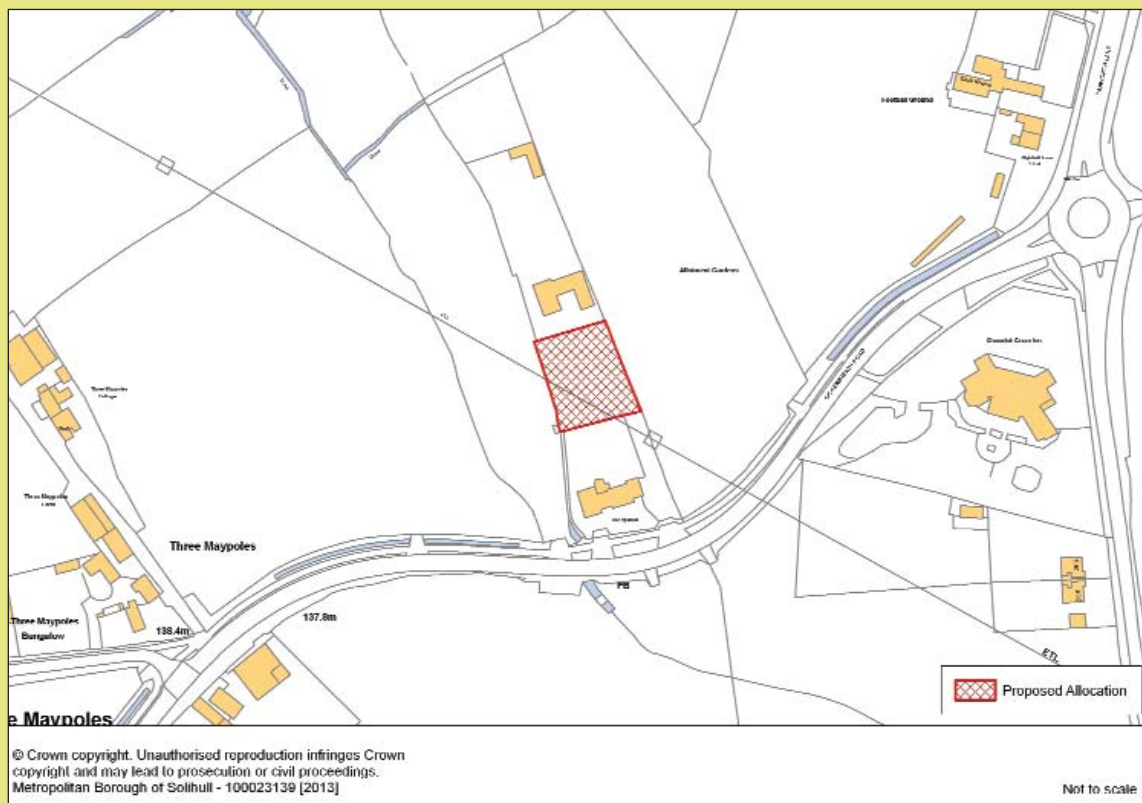
**7.6. Justification**

- 7.6.1. The site is an extension of an existing family owned and occupied site and will accommodate the future growth of this local family. The existing authorised site has planning permission for 6 pitches. The site performs well against the criteria in Policy P6 of the Solihull Draft Local Plan. There are no significant highway issues, all essential services and facilities are accessible by walking and cycling and there is a good range and frequency of public transport. The site is available and achievable and already integrates well with the existing settled community.
- 7.6.2. However, as the site extension is adjacent to the Bickenhill Plantation Local Wildlife Site, development should demonstrate that there would be no impact. The area of land covered by the site extension also includes a number of Tree Preservation Orders. Although some of the trees on site have been highlighted as dead or dying, an assessment will be required in support of any planning application and opportunities for how the existing area of trees can be more appropriately managed should also be explored.



- 7.6.3. The site has also been highlighted as an area where there may be some ground or surface water flooding issues. Any application for planning permission should demonstrate that any such issues can be mitigated.

### Policy GTS 4 – The Uplands



**Site type** – Private (family owned)

**No. of pitches proposed** –3

**Development Phase** – Phase 1 (up to 2017)

Proposals for development at this site should:

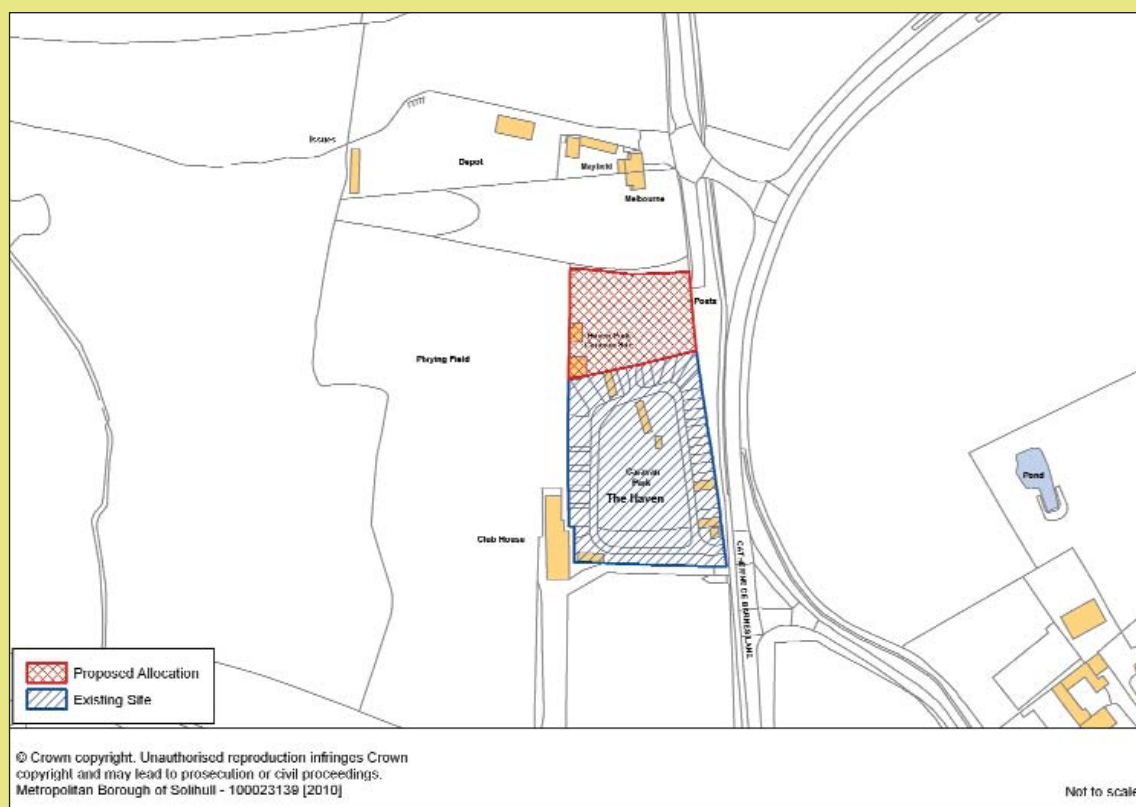
- Have due regard to the provisions of Policy GTS 6 ‘Detailed Planning Considerations’.

In addition, the site shall only be occupied by those persons who meet the definition of Gypsies and Travellers.

### 7.7. Justification

7.7.1. The Uplands is an established unauthorised site that has been present and occupied in this location for many years. It is a small family owned and occupied site located approximately 1km from Dickens Heath village centre. The site is not visually obtrusive; it is located to the rear of an existing residential property and is well screened along the side and rear boundary. The site is in an accessible location and performs well against the other criteria in Policy P6 of the Solihull Draft Local Plan.

7.7.2. A planning application for 4 pitches at the site has been submitted to the Council. This outcome of this application is still to be determined.



**Site type** – Private (rented)

**No. of pitches proposed** – 12

**Development Phase** – Phase 2 (up to 2017)

Proposals for development at this site should:

- Demonstrate that there would be no potential impact on the nearby Castle Hill Farm Meadows Local Wildlife Site; and
- Have due regard to the provisions of Policy GTS 6 ‘Detailed Planning Considerations’.

In addition, the site shall only be occupied by those persons who meet the definition of Gypsies and Travellers.

## 7.8. Justification

- 7.8.1. This site is an extension of an existing, well established authorised site with planning permission for 25 pitches that has been present in this location for many years. The Haven is a private rented site and the site extension would also accommodate pitches for private rent.
- 7.8.2. The site is within 250m of the Castle Hill Farm Meadows Local Wildlife Site and any planning application should also demonstrate that there would be no impact on this site as a result of development.



## **8.2. Justification**

- 8.2.1. Policy P6 of the Solihull Draft Local Plan sets out the criteria against which site allocations will be considered and provides a basis for decision making should planning applications come forward which contribute to meeting any identified unmet need. However, once sites have been allocated and / or planning applications submitted, it is important to ensure that development is well designed, respects the local environment and meets the needs of the Gypsy and Traveller community. The policy seeks to ensure that good quality sites are provided, rather than just meeting a numerical requirement for pitches.

## Policy GTS 7 – Safeguarding

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

Site Ref:	Location	Pitches
GTS 7 / 1	Brook View, Earlswood	6
GTS 7 / 2	Canal View, Salter Street, Earlswood	1
GTS 7 / 3	Land off Salter Street, Earlswood	3
GTS 7 / 4	The Warren, Marston Green	6
GTS 7 / 5	Windmill Lane, Balsall Common	1
GTS 7 / 6	Land off Old Damson Lane - Area 1	7
	Land off Old Damson Lane - Area 2	7
GTS 7 / 7	The Haven, Bickenhill	25

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

Site Ref:	Location	Pitches
GTS 2	Land at Old Damson Lane	11
GTS 3	The Warren extension, Marston Green	5
GTS 4	The Uplands, Dickens Heath Road	3
GTS 5	The Haven extension, Bickenhill	12

Any new Gypsy and Traveller sites granted planning permission will also be safeguarded for Gypsy and Traveller use for the number of pitches permitted.

### 8.3. Justification

- 8.3.1. To ensure that the levels of Gypsy and Traveller accommodation are maintained, all current authorised sites and future sites allocated through this DPD or via the successful outcome of a planning application will be safeguarded for Gypsy and Traveller use.
- 8.3.2. Safeguarding will ensure that existing and future Gypsy and Traveller sites remain as such and are not lost to alternative development.

## 9. Delivery and Monitoring

- 9.1.1. The delivery and monitoring of this DPD will be through the indicators identified for Policy P6 of the Solihull Draft Local Plan on the Provision of Sites for Gypsies and Travellers. These are set out in the table below:

Delivery	Monitoring Indicator
<ul style="list-style-type: none"><li>• Development Management process</li></ul>	<ul style="list-style-type: none"><li>• Whether the identified need for permanent residential pitches has been met for the period 2012 – 2017, 2017 – 2022 and 2022 – 2027.</li><li>• The number of authorised pitches provided per annum</li><li>• The number of unauthorised developments and encampments per annum.</li></ul>

- 9.1.2. In the event that any allocated site should fail to deliver the number of pitches, Policy P6 of the draft Local Plan makes provision for any unmet need to be met through the planning application process. Therefore, an alternative approach can be pursued if this situation arises.

# Appendix 1 – Site Assessment Criteria and Detailed Considerations

	Issues to consider
<b>Availability</b>	<ul style="list-style-type: none"> <li>• Whether the site is available, in principle, for use as a Gypsy and Traveller site.</li> <li>• Land ownership</li> <li>• Legal constraint (ransom strips, tenancies, multiple ownerships etc)</li> </ul>
<b>Suitability: Criteria in Policy P6</b>	
<b>The size and scale of the site and the number of caravans stationed is appropriate to the size and density of the local settled community.</b>	<ul style="list-style-type: none"> <li>• Whether the site size is appropriate for its local context in relation to the local infrastructure, the local environment and the local settled population size and density.</li> <li>• Consider impact on the immediate locality and nearest settlement.</li> </ul>
<b>Any unacceptable adverse visual impact can be adequately minimised.</b>	<ul style="list-style-type: none"> <li>• Consider the visual prominence and visual impact of the site from various public and private viewpoints including: <ul style="list-style-type: none"> <li>o public highway</li> <li>o public footpaths</li> <li>o other public areas</li> <li>o surrounding residential properties</li> </ul> </li> </ul>
<b>The site is not in an area prone to flooding</b>	<ul style="list-style-type: none"> <li>• Whether the site is located in a flood zone.</li> <li>• Whether evidence suggests that there are other flooding issues affecting the site and its surroundings.</li> </ul>
<b>Any unacceptable adverse impact on landscape or local nature conservation designations, ecology, biodiversity or the historic environment can be mitigated.</b>	<ul style="list-style-type: none"> <li>• Whether there any statutory designations affecting the site including <ul style="list-style-type: none"> <li>o Site of Special Scientific Interest</li> <li>o National Nature Reserve</li> <li>o Scheduled Ancient Monument</li> <li>o Listed Building</li> <li>o Registered Historic Parks and Gardens</li> <li>o Conservation Areas</li> </ul> </li> <li>• Whether there any local environmental designations affecting the site. <ul style="list-style-type: none"> <li>o Local Nature Reserves</li> <li>o Local Wildlife Site</li> <li>o Tree Preservation Orders</li> <li>o Ancient Woodland</li> <li>o Sites of Interest for Nature Conservation</li> <li>o Local Geographical Site</li> <li>o Heritage Assets (local lists)</li> </ul> </li> <li>• Whether there is likely to be any impact on features that contribute to the landscape character. e.g. hedgerows</li> <li>• Whether there are special qualities to the landscape</li> <li>• Whether there is likely to be any impact on biodiversity resources or known protected species</li> </ul>

## Suitability: Criteria in Policy P6

<p><b>There is no unacceptable adverse impact on privacy and residential amenity for both site residents and neighbouring land uses.</b></p>	<ul style="list-style-type: none"> <li>• Whether neighbouring uses are likely to unacceptably affect / be affected by Gypsies and Travellers (light, visual impact, noise, general disturbance, other issues)</li> <li>• Whether there is likely to be any significantly adverse impact on the character and appearance of the area</li> </ul>
<p><b>The site has safe and convenient access to the highway network.</b></p>	<ul style="list-style-type: none"> <li>• Whether the access and roads in the vicinity are of an appropriate standard (considering issues such as the adequacy of the existing access, the character and speed of the road and width and alignment)</li> <li>• Potential for pedestrian / vehicle conflict (considering issues such as whether the road has a designated footway or cycleway and is lit)</li> <li>• Whether there are other highway safety concerns or other highway issues.</li> </ul>
<p><b>Local services and facilities such as schools, health facilities, fresh food and employment are accessible by walking, cycling and public transport, or it can be demonstrated that the site is sustainable in other ways.</b></p>	<ul style="list-style-type: none"> <li>• Whether essential key services are available in the nearest settlement (essential services include schools, health facilities and fresh food and all should ideally be available).</li> <li>• Whether key services are within an appropriate walking and cycling distance and whether the route is conducive to walking and cycling for such trips.</li> <li>• Whether public transport is available and provides a relatively frequent level of service.</li> </ul> <p>Sites will be considered more suitable where all essential services are available in the nearest settlement and are within realistic walking and cycling distances.</p>
<p><b>Other Issues to consider</b></p>	<ul style="list-style-type: none"> <li>• Whether there are any other site specific or other issues that need to be considered.</li> </ul>
<p><b>Achievability</b></p>	<ul style="list-style-type: none"> <li>• Whether the site has any constraints to delivery.</li> <li>• Alternative land uses</li> <li>• Remediation work required</li> <li>• Viability</li> </ul>



# Appendix 2 – Existing Authorised Sites to be Safeguarded

## GTS 7 / 1 - Brook View, Earlswood (6 pitches)

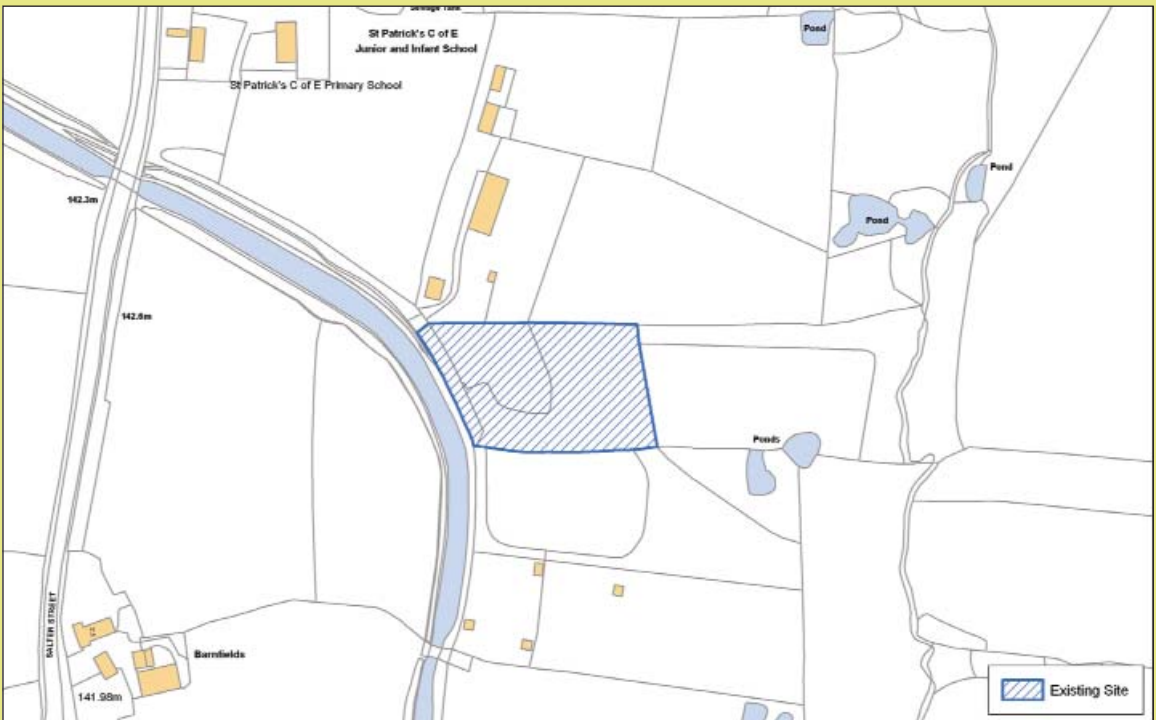


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Existing Site to be Safeguarded

Not to scale

## GTS 7 / 2 - Canal View, Salter Street, Earlswood (1 Pitch)



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Existing Site to be Safeguarded

Not to scale

# Appendix 2 – Existing Authorised Sites to be Safeguarded

## GTS 7 / 3 - Land off Salter Street, Earlswood (3 pitches)



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Existing Site to be Safeguarded

Not to scale

## GTS 7 / 4 - The Warren, Marston Green (6 pitches)



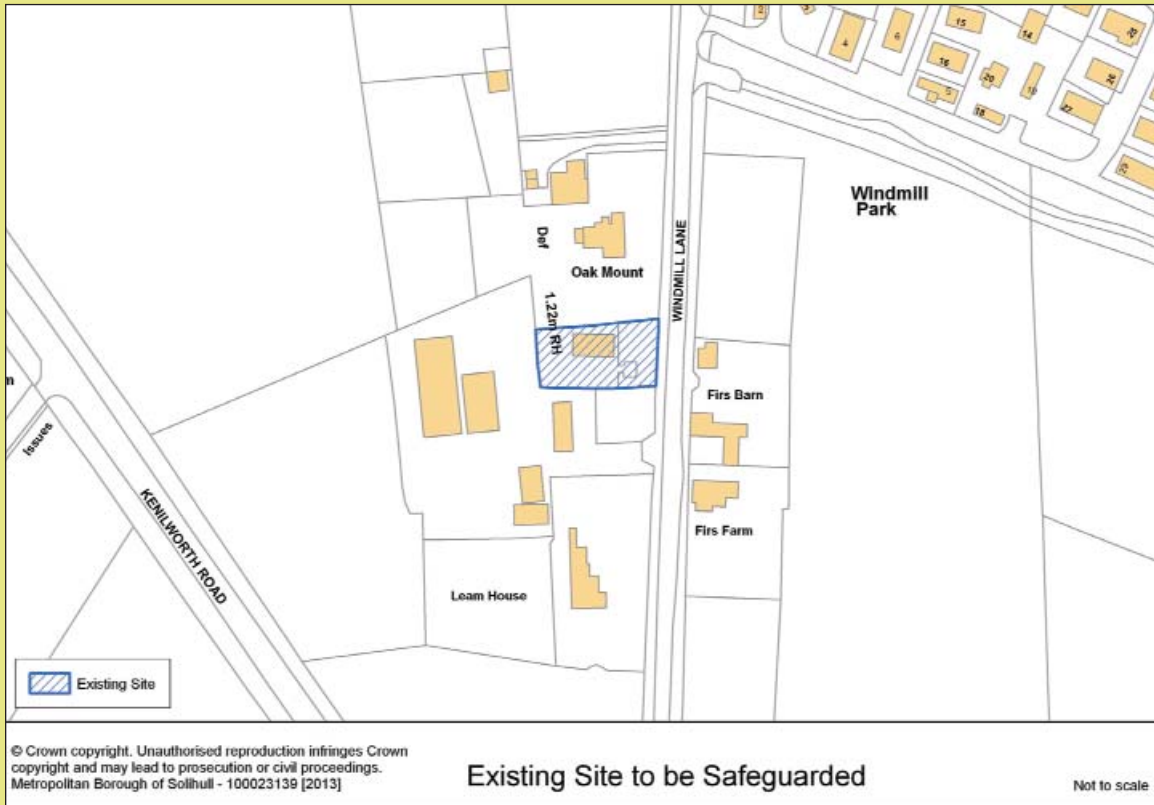
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Existing Site to be Safeguarded

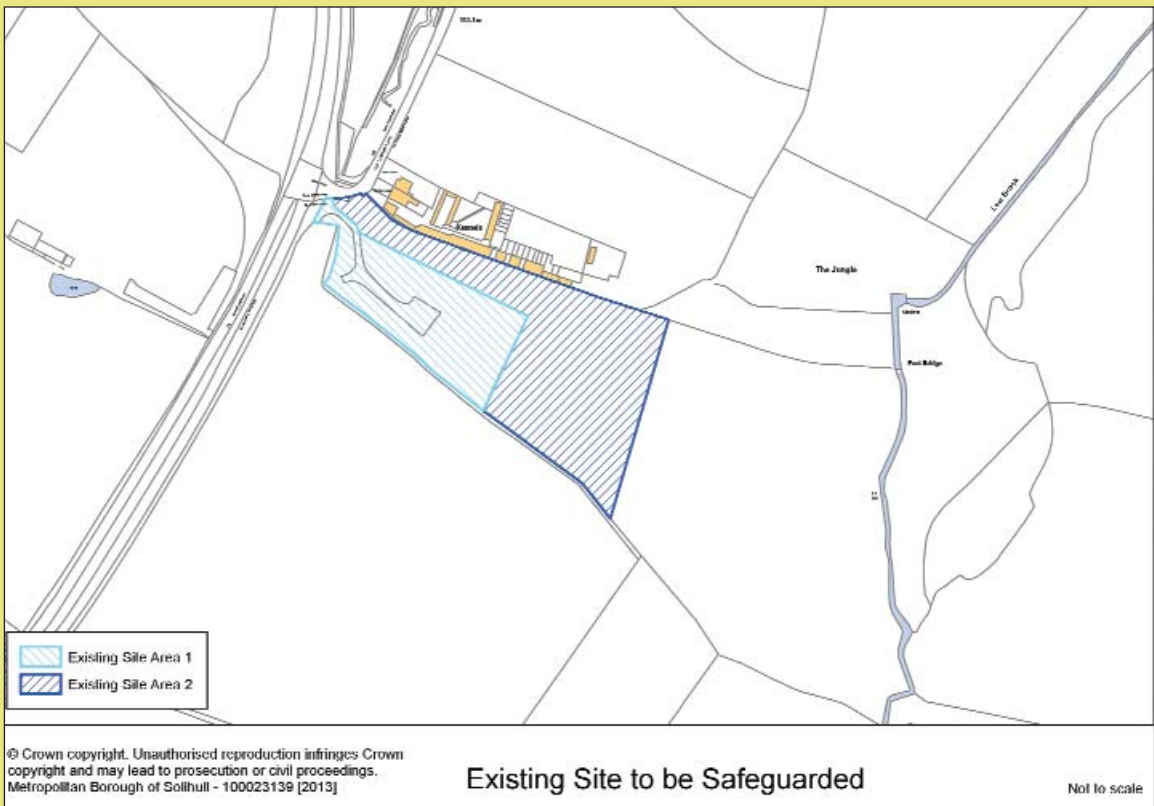
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# Appendix 2 – Existing Authorised Sites to be Safeguarded

**GTS 7 / 5 - Windmill Lane, Balsall Common (1 pitch)**



**GTS 7 / 6 - Land off Old Damson Lane (Area 1 - 7 pitches) (Area 2 - 7 pitches)**



# Appendix 2 – Existing Authorised Sites to be Safeguarded

## GTS 7 / 7 - The Haven, Bickenhill (25 pitches)

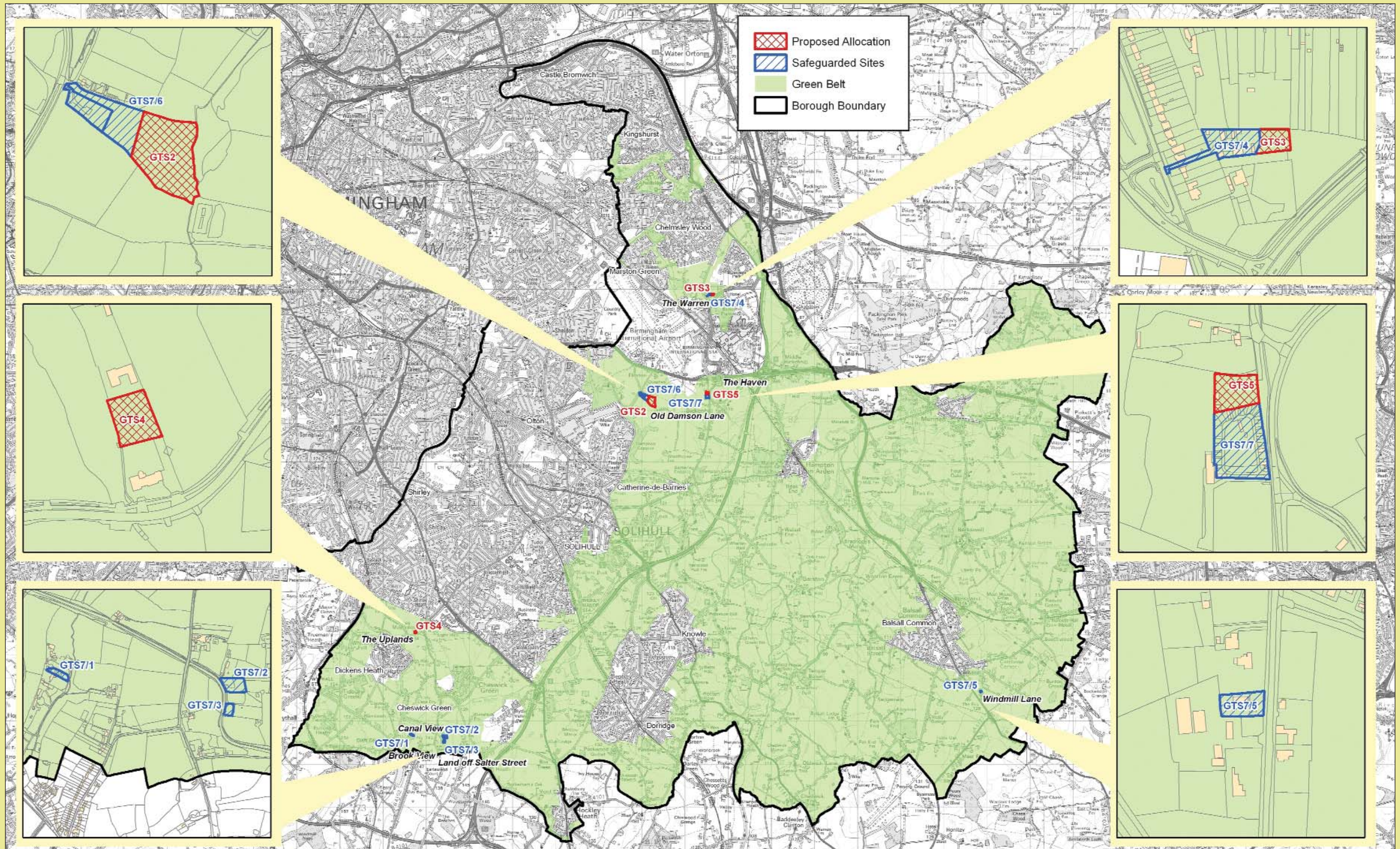


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Existing Site to be Safeguarded

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# Appendix 3 – Proposals Map: Safeguarded Sites and Proposed Allocations



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