

## BOROUGH OF KETTERING

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<b>Report Originator</b>	Head of Development Services	<i>Fwd Plan Ref No:</i> -	
<b>Wards Affected</b>	All Wards	19 February 2014	
<b>Title</b>	SITE SPECIFIC PROPOSALS LOCAL DEVELOPMENT DOCUMENT – GYPSY AND TRAVELLER ACCOMMODATION OPTIONS CONSULTATION		

### 1. PURPOSE OF REPORT

To inform Members of the results of the Site Specific Proposals Local Development Document – Gypsy and Traveller Accommodation Options consultation, and to agree a way forward for meeting needs in Kettering Borough to 2031.

### 2. INFORMATION

#### **Background**

- 2.1 Members are reminded that local authorities have a statutory duty under section 225 of the Housing Act 2004 to carry out an assessment of the accommodation needs of Gypsy and Travellers, and subsequently to prepare a strategy for meeting these accommodation needs. National planning policy is provided by the Planning Policy for Traveller Sites (March 2012), which reflects the Housing Act, and the presumption in favour of sustainable development contained within the National Planning Policy Framework.
- 2.2 Planning Policy for Traveller Sites further requires that local planning authorities identify a supply of specific deliverable sites to provide five years' worth of sites against local targets. It also requires that authorities identify a supply of specific developable sites, or broad locations for years 6-10, and where possible for years 11-15.
- 2.3 Members will recall that at its meeting of 21<sup>st</sup> May 2013, it was agreed to consult on a series of proposals to identify sites for Gypsy and Traveller accommodation to 2031. The need is set out in the North Northamptonshire Gypsy and Traveller Accommodation Assessment (GTAA), the most recent update of which was undertaken in November 2011. This update identified the following need for Gypsy and Traveller accommodation.

	2012-2017	2017-2022
Residential pitches	10*	10
Transit pitches	1	0
Travelling Showpeople plots	0	0

\* 7 of these pitches will be provided on the site planned at The Laurels, Desborough

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2.4 Given the period for the Site Specific Proposals Local Development Document (SSPLDD) extends to 2031, it was agreed by Committee that the SSPLDD should demonstrate how it will also meet the need for the period beyond the GTAA, i.e. beyond 2022. This, it was agreed, should be achieved by using the average pitch requirement per year, (i.e.1.3 pitches), for the remaining period of the Plan, 9 years. This gives an estimated need for a further 12 pitches for the period 2022 to 2031.

2.5 The Gypsy and Traveller accommodation need to 2031 is provided at Table 1, along with an indication of the provision that's already been identified.

**Table 1**

<b>Overall Pitch Requirement</b>	
2012 – 2017	10 pitches + 5 temporary planning permissions
2017 – 2022	10 pitches
<b>Total 2012 – 2022</b>	<b>25 pitches</b>
2022 – 2031	12 pitches (estimated)
<b>Total 2012 – 2031</b>	<b>37 pitches</b>
<b>Overall Pitch Provision Already Identified</b>	
Provision already identified	<ul style="list-style-type: none"> <li>• 7 pitches at The Laurels, Desborough</li> <li>• 1 pitch at Stoke Albany Road, Desborough</li> <li>• 2 pitches delivered at Northampton Road, Broughton</li> <li>• 1 pitch at Springfields, Braybrooke (previous temporary permission)</li> </ul>
<b>Estimated total remaining provision 2012 – 2022</b>	<b>10 pitches (plus 4 temporary pitches)</b>
<b>Estimated total remaining provision 2012 – 2031</b>	<b>22 pitches (plus 4 temporary pitches)</b>

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- 2.6 In summary, the pitch requirement for the period 2012 to 2017 is 15 pitches, discounted to 10 pitches if the 5 pitches which have temporary planning permission are retained on a permanent basis. Members should note that if these temporary pitches are not renewed, and permanent permission is refused, then replacements for them will need to be added to the requirement for the period, therefore raising the requirement back to a maximum 15 pitches. A need remains for a further 10 pitches for the period 2017 to 2022. The estimated need for the remaining period, 2022 to 2031 is 12 pitches, providing an overall pitch requirement of 37 pitches in total.
- 2.7 In terms of pitch provision, planning permissions have been granted for 11 pitches, at the sites identified in Table 1 above. (The pitch at Springfields, Braybrooke, is included within this having now been granted permanent planning permission.) These consented pitches, together with the remaining 4 temporary pitches (3 at Black Paddocks, Braybrooke and 1 at Woodcroft, Stoke Albany Road, Desborough), would account for 15 pitches overall, leaving a shortfall for the period to 2022 of 10 pitches, and overall to 2031, a shortfall of 22 pitches. If however, the temporary permissions expired, or were refused any form of further permission upon expiry of the existing temporary permissions, then consideration would need to be given to making provision elsewhere for the resultant shortfall in supply.

### **Results of the Consultation**

- 2.8 The Gypsy and Traveller Accommodation Options consultation ran for 6 weeks, closing on 25 July 2013. As part of the consultation, four public exhibitions were held, one at each of the Borough's towns. The consultation was publicised through a variety of means including letter/e-mails, public notices, site notices, leaflets, and media releases. The consultation attracted significant interest, including air time on BBC Radio Northampton and BBC Look East. Approximately 1,700 visitors attended the exhibitions, and were provided with information on the background to the consultation, and the specific sites under consideration.
- 2.9 1,242 responses were received to the consultation, including suggestions for alternative sites to those contained within the consultation itself. The consultation document, and full details of the comments made, are available to view at <http://kettering.limehouse.co.uk/portal/gta - oc?pointId=2441713> A summary of the responses to the consultation, together with officer comments, are attached at Appendix 1 to this report. A number of general comments were made, some of which were non site specific in nature (E.g. suggesting that the gypsy and traveller communities prefer living outside of the settled community). In addition, comments were raised that sites should be more evenly spread across the Borough, and that development will put pressure on existing services and facilities.

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2.10 Following the responses to the consultation, a significant number of sites have been discounted. A number of these sites have been discounted after the owners confirmed their unavailability. This accounts for sites at:

- Beatrice Road, Kettering
- Harrington Road, Rothwell
- Wellingborough Road, Broughton
- Harrington Road, Rothwell
- Depot at Mawsley Lodge
- Former Service Station, Desborough Road, Rothwell

2.11 In addition, guided by responses to the consultation, officers have undertaken detailed investigatory work on the remaining sites. This reveals that in some cases the constraints are insurmountable, thereby resulting in the need to remove these sites as options for further consideration. These sites, and the constraints restricting further progress are detailed below:

- **Old Sewage Works, Burton Latimer** – the site has ecological, hydrology and access issues
- **Abattoir site off Wellingborough Road, Broughton** – the site has irresolvable highways constraints on the provision of a suitable access
- **Highways Agency land, Orton Road, Rothwell** – the site will suffer with noise constraints from the A14, and slip road junction. In addition, access difficulties will be difficult to mitigate against with the approved truck stop access, the cost of mitigation would be significant, making the scheme impractical.
- **Allotments south of Meadow Road, Rothwell** – Access to the site is a significant issue which would be difficult to overcome. Noise mitigation would also significantly reduce the developable area.
- **116 London Road, Kettering** – the site is being progressed for alternative uses, would be costly to develop and would adversely impact on the character of a property recognised as being of local historic value to Kettering, and which is protected by an Article 4 Direction.

2.12 Responses were also made to the consultation, suggesting additional sites to those the subject of the consultation. Officers reviewed all of the suggested sites, but found none suitable for progression. A list of the suggested sites, and conclusions on each are provided at Appendix 1.

### **Sites with Potential for Allocation**

2.13 A small number of sites, still with some potential for allocation, remain available. These are discussed below, and their locations viewed, by inspecting location plans at Appendix 2.

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### Existing Sites with Temporary Planning Permissions

- 2.14 Some sites currently benefit from temporary planning permission, these include 3 pitches at Black Paddock, Braybrooke, and 1 pitch at Woodcroft, Desborough. These permissions were limited to temporary periods to enable the local planning authority to assess the suitability of the sites for appropriateness and sustainability through this plan making process. With respect to Black Paddock, a total of 20 objections were received. The issues raised included: unsustainable location; concern over cumulative impact of increasing the pitches in the area; site not close to supporting services; and no footpath provided. A total of 3 objections were received with regards to Woodcroft. The concerns were with regards to: only providing 1 pitch, which has the potential for abuse, and that there are a large number of pitches already in the area.
- 2.15 Although these temporary sites are not in the ideal locations to score highly against sustainability criteria, many of the sites that were assessed through this process and did perform better in this respect are now no longer available, or have been discounted for other reasons that cannot be resolved. In all other respects, these existing temporary sites compare favourably to other sites, and can help to meet Gypsy and Traveller accommodation needs.

### Potential New Sites

- 2.16 **Highcroft Farm, Broughton (8-10 pitches)** – The site is owned by Northamptonshire County Council (NCC), and is leased by tenancy agreement. Highcroft Farm is at the junction of Pytchley Road, with the A43 Northampton Road outside Broughton. The land considered for gypsy and traveller use is currently used as pasture/garden land. NCC has indicated it is prepared to release an area of land for gypsy and traveller accommodation. It has also indicated that other land would be required at some point in the future for the widening and improvement of the A43 route between Kettering and Northampton, and the realignment of the junction of Pytchley Road with the A43. A plan showing the extent of land offered for gypsy and traveller use, and an allowance for road improvements, is provided at Appendix 2.
- 2.17 Results of an ecological walkover survey of the site have been submitted by the tenant. This concluded that the site may have some merits to be designated a Wildlife Site. It is considered prudent to explore this further, by commissioning an independent ecological survey in the Spring/ Summer.
- 2.18 A total of 84 objections were received to the allocation of this site. These raised issues including: sustainability of the site in relation to services, facilities and footpaths; alternative sites or solutions; highways and road safety issues; scale of development exceeds advice and available education and healthcare provision; impact on facilities and basic infrastructure; noise; ecological qualities (rare orchids); landscape and cultural heritage impact; on-site drainage problems; and security of tenure for the site.

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- 2.19 **Crown Street, Kettering (1 pitch)** – This site is privately owned, and lies to the north of Kettering town centre. The constraint to allocating this site has been around access. Northamptonshire County Council has now confirmed that access for a single pitch is possible.
- 2.20 A total of 102 objections were received to the allocation of this site. Issues were raised including: the site is located within the settled community, close to a range of facilities; the scale of the proposal could lead to overcrowding and overdevelopment of the area; concern over access and parking; insufficient community infrastructure, including school places; damage to amenity through noise, disturbance and loss of privacy; and not in keeping with the character of the area.
- 2.21 **Land at Junction 4 of A14, Rothwell (up to 15 pitches)** – This site is owned by Kettering Borough Council, and lies to the south of the A14 at Rothwell. The site area is larger than that needed to accommodate 15 pitches (the maximum recommended pitch number for a single site) and has some potential to be considered for future allocation as an employment use. The site is constrained by flood risk and accessibility, the cost of which would be significant given the proximity of the Slade Brook, and the land levels to overcome to provide access to the site.
- 2.22 A total of 19 objections were received to the allocation of this site. The issues included: traffic safety and constraints with regards future expansion of the A14; impact on the ecology of the Slade Brook; noise and pollution from the A14; flood risk constraints; negative visual impact; and would provide potential for further expansion.
- 2.23 **Scott Road Garages, Kettering (6-7 pitches)** – This site is owned by Kettering Borough Council, and lies within one of the residential estates in the northern part of Kettering. It has already been earmarked by the Council for affordable housing purposes. Use of the site for any alternative purpose would therefore have clear implications for the Council's aspirations to increase the Borough's stock of affordable housing, and thereby meet more of its housing need. Kettering has a shortfall in its affordable housing delivery targets and the removal of readily deliverable sites would further harm this. The Council will need to establish its priorities for the development of the site.
- 2.24 A total of 408 objections were received to the allocation of this site. These raised issues including: the site would be better used for housing or other community support facilities; highways and access concerns, particularly in relation to the surrounding road network and the school; impact on amenity through noise and disturbance; and out of character with the area.

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2.25 The potential new sites have the combined capacity to provide up to 33 pitches, as indicated in the table below. Each of the sites has issues to overcome, leaving a delivery strategy unclear at this moment in time. If Members doubt the suitability of all sites at this stage, an alternative strategy is required. Options available to the Council are discussed below.

Site Name	Number of Pitches
Highcroft Farm, Broughton	8 - 10
Crown Street, Kettering	1
Land at Junction 4 of A14, Rothwell	Up to 15
Scott Road Garages, Kettering	6 - 7
<b>Total Pitches</b>	<b>30 - 33</b>

### Options for Consideration

2.26 The numbers of sites, and pitches, now available for allocation are significantly reduced as a result of the consultation and the findings of further research. This impacts on the flexibility that can be provided in terms of options for the way forward. The identified options are listed below.

2.27 **Option 1: Allocate Sites to 2031** - Assuming all constraints can be overcome, the Council could technically secure up to 37 pitches if all four of the potential new sites and the two existing sites with temporary planning permission were to be allocated. This would be more than sufficient to meet the shortfall for the full period of the Plan to 2031. There are however, constraints associated with many of these sites which affect their deliverability. Although in some cases feasible mitigation measures can be found, the costs likely to be associated with these have a bearing on the financial viability and thus, deliverability of some sites. For example, the costs of flood alleviation measures and provision of a suitable site access at the Junction 4, A14 site, Rothwell. In addition, a balance also needs to be struck where there are competing proposals, such as in the case of the site at Scott Road Garages, Kettering, where an alternate use of the land could provide an equal or greater benefit to the community. If considering Option 1 as the preferred strategy, Members will need to satisfy themselves that they can allocate a combination of the sites identified in this report to achieve the required 26 pitches needed to 2031 and should have regard to the factors that affect the deliverability of some sites.

2.28 **Option 2: Allocate Sites to Meet Short/Medium Term Need and Develop a Criteria Based Policy** – This would entail identifying sufficient pitches from the list of sites above, to meet the needs to 2022. This option would allow for a choice of sites to be allocated to meet the shortfall in pitch numbers, and still enable those sites which are considered less deliverable to be removed from the list of potential sites for allocation. In order to satisfy the longer-term need, a policy containing a series of criteria would be drafted, this would allow planning

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applications to be tested using the criteria within the policy. The policy should provide broad areas of search, and encourage applications to satisfy the criteria provided. Further consultation would likely be required to establish the specific criteria, and areas of search. This option would meet the requirements for a five year supply, and in part allocate land for years 6-10, together with providing broad locations for this period, and beyond for years 11-15. Members should note that this strategy of allocations and criteria based policy would need to be found sound at Public Examination.

- 2.29 Option 3: Expand Search to Include Open Countryside** – Criteria used in assessing the sites to date have focussed strongly on sustainability principles, including brownfield designated land; and the relationship of sites to facilities at nearby settlements, which is the approach supported by Government guidance. This option would mean loosening the sustainability criteria, to explore more sites in open countryside that are less well connected to settlements with a range of facilities. Members should be aware such sites will be less sustainable, and therefore are less likely to fully accord with Government guidance. As with Option 2, the site allocations would need to be found sound at Public Examination, however there is an increased risk to success where policies deviate from Government guidance without good reason. The cost of preparing a Plan for submission, and the Examination itself, is significant, with the risk that the work could be abortive if an independent Planning Inspector finds the policy not to conform with national guidance, and declares it unsound.

### **Conclusion**

- 2.30** Government policy requires that the Council assess accommodation needs for Kettering Borough, and based upon that need, identifies specific deliverable sites to provide five years' worth of supply, together with solutions for years 6-10, and 11-15 where possible. The GTAA reports a clear need, the burden of responsibility is therefore on the Council to demonstrate how it will meet that need. Doing nothing will leave the Borough exposed to sites being imposed upon the area, rather than planned for.
- 2.31** Given that permission has already been granted for 11 pitches, the Borough Council will need to identify land for a further 14 pitches to meet its gypsy and traveller pitch requirement to 2022. For the period 2022 to 2031, a further estimated 12 pitches will be required
- 2.32** An ecological survey of land at Highcroft Farm can be reported quite quickly, and NCC is prepared to make the site available for Gypsy and Traveller accommodation within the short-term. The sites at Scott Road Garages and Junction 4 of the A14 both hold more significant constraints, or have detrimental implications for other deliverable benefits for the Borough.
- 2.33** Circumstances associated with the availability of land are susceptible to change, with the potential that land will become available for new uses in the future. On these occasions, a set of assessment criteria would seem a plausible means for



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testing the suitability of that land for the purpose of developing gypsy and traveller accommodation. It is considered this approach would be of significant benefit, along with the identification of “areas of search”, to guide interested parties to where sites could best be accommodated. The need to 2031 could be met by testing planning applications against the adopted policy criteria.

- 2.34 Although Option 1 would resolve the Gypsy and Traveller requirement by delivering the long term needs within the Borough to 2031, it is recognised that there are factors affecting deliverability and that what appears technically possible, may prove difficult to deliver in reality. Alternatively, Option 2, involving a dual approach to provision, through site allocations and a criteria based approach, does not provide specific site allocations over the longer term, but offers a strategy that appears likely to prove more deliverable in the short to medium term, combined with an alternative policy approach to address longer-term need.

### **3. CONSULTATION AND CUSTOMER IMPACT**

- 3.1 The Gypsy and Traveller Accommodation Options consultation formed an informal consultation stage in the preparation of the Site Specific Proposals Local Development Document. The consultation ran for six weeks, closing on 25 July 2013. Interested parties were notified of the consultation through letter and e-mail; local media releases using newspapers, radio and television; the Council's website; leaflets displayed in libraries and at the Council offices; leaflets delivered to the gypsy and traveller communities; and site notices posted at each of the sites the subject of the consultation. The consultation exceeded the draft North Northamptonshire Statement of Community Involvement requirements.

### **4. POLICY IMPLICATIONS**

- 4.1 The Site Specific Proposals Local Development Document, when adopted, will form part of the Development Plan.

### **5. USE OF RESOURCES**

- 5.1 The consultation proposals contained within this report have been met within the Development Service Planning Policy budget. Additional resources will be necessary to carry out further work, including an ecological survey of the Highcroft Farm site, and any other technical study necessary for sites.

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### **6. RECOMMENDATION**

That Members note the results of the Site Specific Proposals Local Development Document – Gypsy and Traveller Accommodation Options consultation. Following the outcome of that consultation, Members are therefore asked to agree that:

- i. sites with temporary planning permissions at Black Paddock, Braybrooke and Woodcroft, Desborough be identified within the emerging policy as site allocations for permanent pitches;
- ii. relevant assessments be completed for sites at Highcroft Farm, Crown Street, Scott Road Garages and Junction 4 of the A14, and that based upon the findings, if a suitable combination of these sites is considered realistically deliverable, then those sites be taken forward as an allocation to provide sufficient pitches to meet needs for the period 2012 - 2031; or
- iii. if Members do not consider it realistic to deliver a combination of sites to fulfil the Borough need to 2031, then they are asked to agree to:
  - a. identify realistically deliverable site(s) which offer sufficient pitches to meet the need for Gypsy and Traveller accommodation for the period to 2022; and
  - b. the development of a series of new criteria, to be used in assessing sites submitted as planning applications. The criteria will be presented to a future meeting of this Committee for consideration.

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#### Background Papers:

Title of Document: Gypsy and Traveller Accommodation – Options Consultation  
Date: June 2013

Contact Officer: Simon Richardson – Development Manager