

CALDERDALE LOCAL PLAN

GYPSY AND TRAVELLER TECHNICAL PAPER

Calderdale Metropolitan Borough Council

2018



CONTENTS

1. Introduction	3
2. Site Selection Process	4
3. Conclusion	6

Appendices

1. All Sites Shortlisted for Gypsy and Travellers	
2. Table of Shortlisted Sites	
3. Option 1 & 2	

1. Introduction

1.1 The Housing Act 2004 places a duty on Councils to assess the accommodation needs for Gypsies and Travellers and make adequate provision for them within its area. The 2015 Planning Policy for Traveller Sites states “Local planning authorities should, in producing their Local Plan:

- a) Identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years’ worth of sites against their locally set targets;*
- b) Identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15;*
- c) Consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries);*
- d) Relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population’s size and density;*
- e) Protect local amenity and environment.*

1.2 In 2015 the Government changed the definition of “traveller” for planning related purposes so that it would exclude those who have permanently ceased from travelling. In the consultation response to the changes, the Government said that it believed “it is fair that if someone has given up travelling permanently then applications for planning permission should be considered as they are for the settled community within national planning policy rather than Planning Policy for Traveller Sites.” The new definition of gypsies and travellers in Planning Policy for Traveller Sites reads:

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

In determining whether persons are “gypsies and travellers” for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) whether they previously led a nomadic habit of life*
- b) the reasons for ceasing their nomadic habit of life*
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.*

To assess the current need the Council commissioned a Gypsy and Traveller Accommodation Assessment Study from Arc⁴, which was a joint commission with Kirklees Council. This Study considers the need for a Gypsy and traveller Site and sets out a methodology for establishing the demand for a site. The Study may be seen in its entirety on the Council's Local Plan web-pages at:

<https://www.calderdale.gov.uk/v2/residents/environment-planning-and-building/planning/planning-policy/evidence-base/homes#gypsy-traveller>

- 1.3 The Study found a slight shortfall of provision of pitches for Gypsies and Travellers. For the five year period 2014/15 to 2018/19. The study identified a shortfall of seven pitches if assumptions regarding households wanting to move from bricks and mortar accommodation onto a pitch are included. If assumptions regarding Gypsies and Travellers currently in built accommodation are not included there is no need at all. In the light of the 2015 definition (see above), which excludes people that have permanently ceased to travel, but includes people who have temporarily ceased to travel for certain personal/family reasons, this figure is clearly a maximum.
- 1.4 The study also recommended that the Council identifies six transit or stop-over pitches over the same period. This figure is based on past patterns of unauthorised encampment activity.
- 1.5 Analysis of future requirements for the 15 year period (2019/20 to 2033/34) suggests that there will not be any further requirement for new pitches over the life of the Local Plan.

2. Site selection process

- 2.1 Development of a site in the east of the Borough was considered more appropriate on account of the established patterns of travel through the Borough.
- 2.2 Government guidance "Planning Policy for Traveller Sites" states that "traveller sites in the Green Belt represent inappropriate development and Green Belt boundaries should be altered only in exceptional circumstances, and that if a limited alteration is to be made to a Green Belt boundary to meet a specified need for a traveller site, it should be specifically allocated in the development plan as a traveller site only. Other sensitive locations must also be protected as should local amenity and the environment generally." This guidance also requires that provision needs to be made to enable some travellers to live and work from the same location, thereby reflecting traditional lifestyles and contributing to sustainability by omitting many travel to work journeys. In view of this guidance, the Council's search has focused on potential sites within the urban area.

- 2.3 The site assessments carried out considered the sustainability of each site, how well the proposed use related to the existing land uses and whether it was within a reasonable distance of local services and facilities such as shops, hospitals, and schools. Sites that were at high risk of flooding, including functional floodplains were discounted. There needs to be a reasonable prospect that the preferred site would be delivered, which requires there to be a willing landowner. Having regard to this and the fact that no privately owned sites were brought forward during the 'call for sites' process, the search was narrowed down to only Council owned land.
- 2.4 The narrowed the search resulted in a shortlist of 9 sites. A plan of these sites is attached at Appendix 1. A table of the sites is also attached at Appendix 2. This table includes comments on the suitability of each site. Unfortunately it can be seen from the table that this is not a situation where the Council has multiple viable options.
- 2.5 At the stage of undertaking consultation on the Initial Draft of the Local Plan between August and October 2017, site LP1251 at Atlas Mill Road, Brighouse was identified as the preferred option. This site was subsequently rejected on the grounds that it relied on access through the adjacent operational household waste recycling site, and that this could not be achieved. Following the January Local Plan Working Party meeting, the Waste Management Team were asked to confirm whether it would be possible in theory to relocate the entrance gates to the waste site in order to allow unfettered access through to the potential site to the rear west. In response it was confirmed that that it was not practical to relocate the gates.
- 2.6 Having regard to the information above, site LP0166 at Shroggs Road Halifax has been identified as preferred option. This site was allocated as an Employment Site in the Replacement Calderdale Unitary Development Plan; however, it has not been developed and the most recent Employment Land Study (2017) concluded that the site was undeliverable for employment purposes due to its previous use as a former landfill site.
- 2.7 Part of LP0166 is considered to be a suitable area to accommodate a Gypsy and Traveller site. In order to demonstrate its suitability, a design study has been carried out to assess how a traveller site could be located. Two options were considered assessing how to accommodate a site on the land. These are shown in Appendix 3. Option 1 has been discounted as it relates poorly to the existing land uses and local area and is likely to result in conflicts with existing residents due to the poor access to the site. The Gypsy and Traveller community tend to use larger vehicles than the normal domestic vehicles and it would be inappropriate for these vehicles to try and use the narrow lanes that afford access to the site identified on the plan as Option 1. Option 2 takes its access directly off Shroggs Road, and is much more accessible to

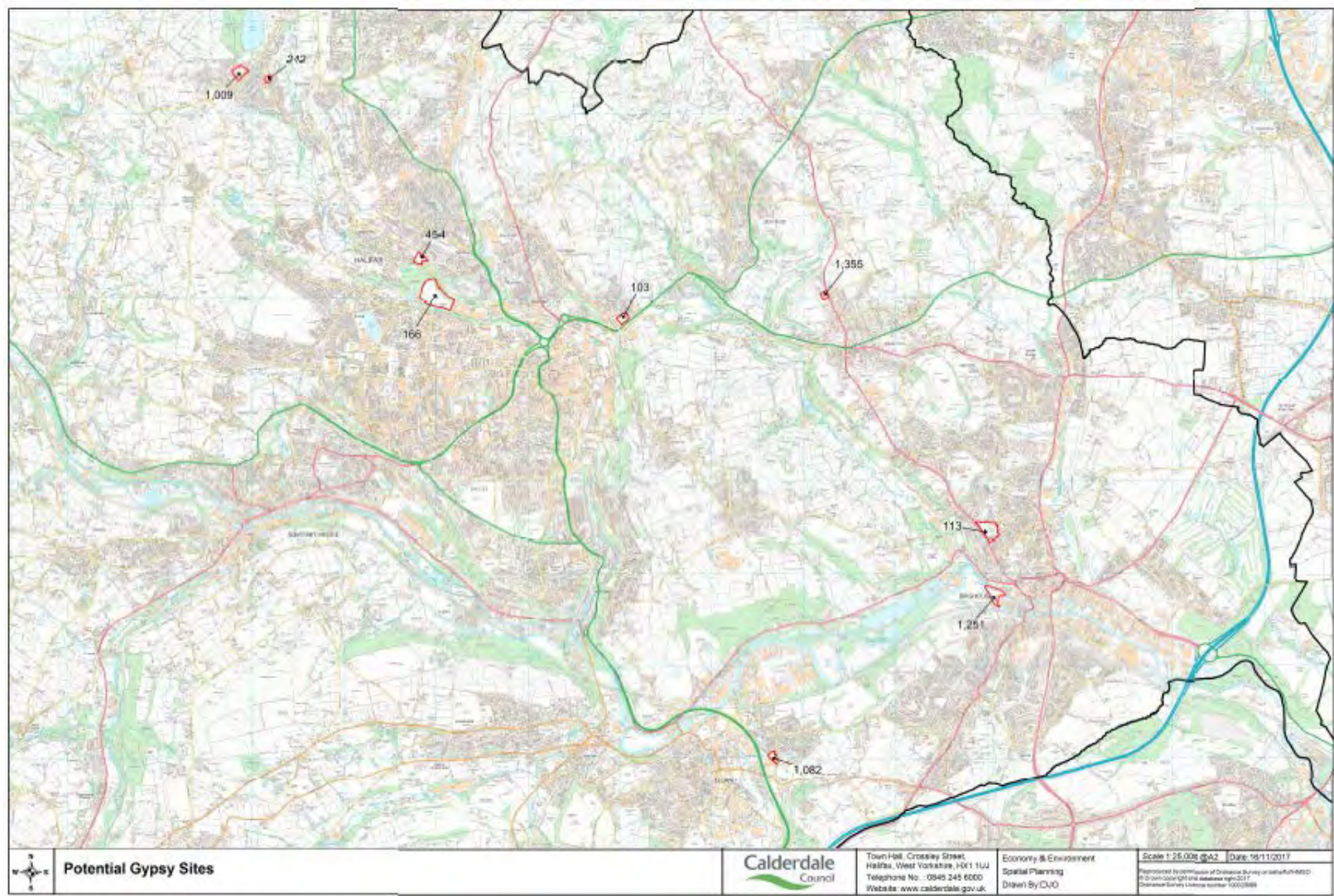
the existing primary route network, and is therefore less likely to lead to direct conflicts with the local resident population.

- 2.8 Site LP0166 is not without its own constraints. In relation to this, its former use as a landfill site will necessitate the inclusion of measures to ensure that the site is developed safely. Additionally, the site has become overgrown, and as such consideration would need to be given to mitigating any harm to biodiversity during and after the completion of the development.
- 2.9 Although it is not ideal that site LP0166 is subject to the constraints identified above, it is the only potentially deliverable option that the Council has been able to identify.
- 2.10 A report was presented to the Local Plan Working Party on 22 January 2018 outlining the potential sites. The Council considered the matter and resolved that it should be adjourned to present environmental and ecological information on the proposed site, and to establish the location of the proposed gypsy site within the boundaries of Rossendale BC, the neighbouring Authority, to a future meeting of the Local Plan Working Party. Rossendale responded advising that it was relocating its chosen site due to a significant number of objections but an alternative site has yet to be identified.
- 2.11 The Local Plan Working Party met again on the 7 February 2018 and resolved that a report on the possibility of locating a Gypsy and Traveller site along the border of Rossendale Council and adjacent to their proposed location for a Gypsy and Traveller site should be submitted to a future meeting of the Working Party. The matter was subsequently heard at Cabinet on the 11 June 2018.
- 2.12 At the Cabinet's meeting, it was decided that the preparation of a Gypsy and Traveller Development Plan Document should be removed from the Local Development Scheme to allow Officers to work on the Plan. It has further been decided that it should come forward after the adoption of the Plan in 2019.


3 Conclusion



- 3.1 The Council has reviewed sites within its own land and has only identified one suitable site. It has been presented to both the Council's Local Plan Working Party and Cabinet and Members decided that further work to identify a suitable Gypsy and Traveller site within the Borough should be suspended and to re-commence work after the adoption of the Plan. This work will concentrate on the preparation of a Development Plan Document rather than identifying an individual site.


APPENDIX 1: All Sites Shortlisted for Gypsy and Travellers






APPENDIX 2: Table of shortlisted sites



Address/ Local Plan Ref	Draft Plan Proposed Use	Asset Ref	Site Area	Site Comments & Reason for rejection	Preferred Location	Green Belt	Take Forward	Aerial photograph
Land at, Horley Green Road, Claremount, Halifax LP0103	New Housing Site	CL0596	0.98	Site too small to accommodate needs. Highway access unsuitable to facilitate G&T use. Site is in very close proximity to established residential development	Yes	No	No	

Address/ Local Plan Ref	Draft Plan Proposed Use	Asset Ref	Site Area	Site Comments & Reason for rejection	Preferred Location	Green Belt	Take Forward	Aerial photograph
Lane Head, Brighouse CL0113	Open Space	CL0113	2.1	Site could accommodate needs but well used as open space and unavailable. Site is in very close proximity to established residential development	Yes	No	No	
Land at Shroggs Road, Halifax LP0166	Filtered	CL2362	1.55	Former tip. No longer allocated for employment. EH satisfied providing there are no foundations to disturb any substrata. Ready-made landscaping with limited loss of trees.	Yes	No	Yes	

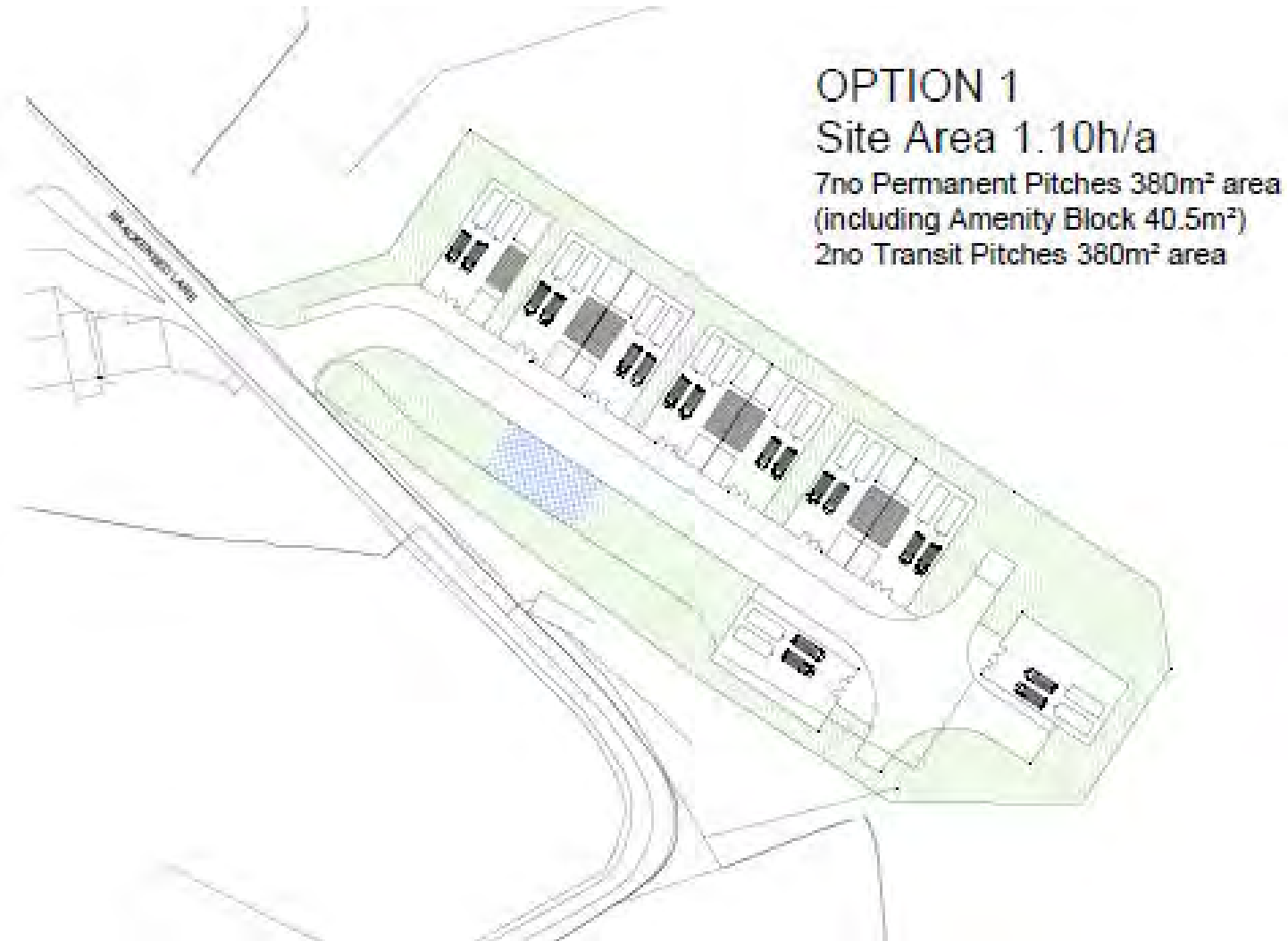
Address/ Local Plan Ref	Draft Plan Proposed Use	Asset Ref	Site Area	Site Comments & Reason for rejection	Preferred Location	Green Belt	Take Forward	Aerial photograph
Land opposite 109-119, Mixenden Road, Mixenden, Halifax LP0242	Filtered	CL1952	0.40	In preferred location but site too small to accommodate needs and therefore inappropriate to allocate for G&T development. Reject. Site is in very close proximity to established residential development	Yes	No	No	

Address/ Local Plan Ref	Draft Plan Proposed Use	Asset Ref	Site Area	Site Comments & Reason for rejection	Preferred Location	Green Belt	Take Forward	Aerial photograph
Land off, Wheatley Road, Lee Mount, Halifax LP0454	New Housing Site	CL0331	1.08	Topography. Site is steep and has a protected land allocation and identified as a new housing site. Site is in very close proximity to established residential development	Yes	No	No	
Site of demolished School, Clough Lane / Brow Bottom Lane, Mixenden, Halifax LP1009	New Housing Site	CL0515	1.52	Rejected as allocated for new housing site. Site is in very close proximity to established residential development	Yes	No	No	

Address/ Local Plan Ref	Draft Plan Proposed Use	Asset Ref	Site Area	Site Comments & Reason for rejection	Preferred Location	Green Belt	Take Forward	Aerial photograph
Land at, Whitwell Green Lane, Elland LP1082	New Housing Site	CL1878	3.10	Site has been identified for new affordable housing and is in very close proximity to established residential development	Yes	No	No	

Address/ Local Plan Ref	Draft Plan Proposed Use	Asset Ref	Site Area	Site Comments & Reason for rejection	Preferred Location	Green Belt	Take Forward	Aerial photograph
Atlas Mill Road, Brighouse LP 1251	None	CL0164	2.08	Not developable unless Right of access can be agreed across Council Household Waste Recycling Centre off Atlas Mill Road - No access achievable	Yes	No	No	
Denholme Gate Road (Woodhead Recreation Ground), Hipperholme, Halifax LP1355	Filtered	CL1855	0.55	Recreation ground adjacent existing rugby ground. Level access to adj highway and flat site. Too small to accommodate needs. Reject.	Yes	No	No	

Appendix 3: Option 1 Site off Brackenbed Lane - Rejected



Appendix 3: Option 2 Site off Shroggs Road Preferred Allocation

