

**HAMBLETON DISTRICT COUNCIL**

**Report To:** Cabinet  
16 July 2013

**Subject:** TRAVELLERS' AND SHOWMEN'S SITES PROVISION STRATEGY

**All Wards**  
**Portfolio Holder for Housing, Planning and Waste Management: Councillor B Phillips**

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**1.0 PURPOSE AND BACKGROUND:**

- 1.1 This report is to consider the sites recently submitted by private landowners and a strategy of action to meet the established needs in the District by further assessment of possible suitable sites through planning applications.
- 1.2 The need for Showmen's plots is approximately 10 at one main yard in Hambleton up to 2019 (North Yorkshire Accommodation Requirements of Showmen, Dec 2009). For Travellers' pitches (HDC Traveller Housing Needs Study, Sep 2012) it is 11 for the next 5 years, with a further need for 7 by 2022, and 8 more by 2027 (Total 26). Planning permission has since been granted (20 June 2013) for a single Traveller's family pitch at Sowerby, to the south of Bankside Close, reducing the requirement to 10 for the next 5 years and 25 overall.
- 1.3 There are no known vacant plots/pitches in the District and no current planning permissions outstanding or possible permissions pending for either type of site provision (other than an outstanding appeal for a pitch at Hailstones Moor, Northallerton). Furthermore there is no Council or other public land available for developing new pitches and plots and no plans for the Council to acquire and develop land for public sites, nor any interest from Registered Providers to develop sites. There is therefore a lack of a supply of specific deliverable sites for the next 5 years and broad locations for developable sites in the next 5-10 and 10-15 years (as required by national policy). This prompted a call for private sites during February-March 2013.
- 1.4 The list of sites submitted for Travellers' pitches and Showmen's plots is attached, together with site assessment notes and maps (See Annex A). This considers the Travellers' sites against our Travellers' Site Assessment Criteria (See Annex B) derived from national and local planning policy and our recent Needs Study guidance. It comprises six Travellers' sites (potentially capable of accommodating over 50 pitches collectively) and one Showmen's site to take about 10 plots/yards. Other Travellers' sites are also noted in the list for information, but have not been assessed as they are subject to previous and outstanding planning application decisions, ongoing appeals or enforcement action. Enforcement action is proceeding against several unauthorised sites and pitch provision for displaced households could be an issue.
- 1.5 The assessment of sites was considered by Members at a Workshop session on 23 May 2013. The public and stakeholders have not been consulted on site assessments and the site proponents have been informed that their submissions would be kept confidential, but this has been deemed no longer possible.

## **2.0 THE ISSUES:**

### Showmen's Sites

- 2.1 The suggested Showmen's site at the Applegarth, Northallerton is not considered suitable for several strong reasons as set out under the site assessment at Annex A. There are no other sites available to meet the identified need for the next 5 years, which leaves the Council vulnerable in this respect when faced with planning applications. There have been no applications or appeals to test this so far. Discussions should therefore be held with the local families in need to try and find suitable development sites to bring forward and proactively address their accommodation requirements.

### Travellers' Sites

- 2.2 Total Travellers' pitch needs could be met potentially by private owners on several sites as set out in the assessment of sites at Annex A, subject to Members' views on their suitability. It should be noted that our Travellers' Study recommended being flexible about the provision of small private sites, recommending broad locations within 1 mile of the market towns or Service Villages.
- 2.3 On the basis of the preliminary site assessments the only sites considered suitable for further evaluation through the planning application process comprise:
- three multiple pitch sites: west of Bankside Close public site at Sowerby/Thirsk; Tame Bridge, Stokesley and adjacent to Ponderosa caravan park, Sutton-on-the-Forest; and
  - a single family site at World's End, Sowerby.
- 2.4 This would provide a reasonable choice of site locations across a large part of our extensive District, rather than focus on one or two locations only. It would provide sufficient pitches to meet the identified needs up to 2026 (and potentially beyond then) but consideration needs to be given to site size, phasing and management.
- 2.5 The opportunity for providing a few temporary stopping places may also be considered on the land adjacent to Bankside Close, Sowerby site to accommodate unmet transit/visitor needs in the District, as identified in the Traveller Housing Needs Study.

### Site Size

- 2.6 Site capacity and phasing is a concern if several potentially large sites were taken forward for development immediately, as it would lead to over-provision in relation to meeting our current established needs. The three larger preferred sites all have the capacity to extend and provide well beyond meeting current needs and should probably therefore be limited in extent and/or phased so as to only meet current/projected needs. However early development of more pitches is not in itself necessarily harmful and the need figures could easily rise in future.
- 2.7 Each larger site would need to be of a viable size in terms of privately funding the provision of necessary infrastructure. This minimum size is not clear at this stage and will likely vary by site. The three owners have been made aware of this potential restriction and are generally agreeable to size controls, but are likely to all seek a minimum of 8 pitches.
- 2.8 If all three larger preferred sites were encouraged to come forward as planning applications soon this could mean a total of about 24 pitches to be provided and occupied in the next few years, which would more than meet the 10 pitches needed by 2017 - and together with the odd individual site, meet the overall requirement for 25 pitches well before 2027.

- 2.9 Consideration should therefore be given to prioritising and phasing sites, probably with two sites being pursued now and one put on hold until around 2020 to cater for longer term needs. In terms of satisfying the broad locational criteria alone, the site at Thirsk is the best fit, followed by that at Tame Bridge and thereafter Sutton-on-the-Forest. On this basis the Sutton-on-the-Forest site should be held back for now. However meeting local needs is also a very important factor and priority should also be given to those which can satisfy this requirement.

#### Meeting Needs/Management

- 2.10 All the site owners have indicated the new pitches would be developed and managed by them at their expense, with minimal Council involvement. The multiple pitches would be leased and the owners would wish to decide on their tenants, but they have indicated a general willingness to take local families in need.
- 2.11 Meeting the identified accommodation needs of local households is necessary, but difficult to control without any Council / Registered Provider's involvement and would rely on the private developers agreeing to and complying with a local connection occupancy condition. However a local connection condition runs contrary to national planning policy on determining planning applications for traveller sites. It would also be extremely difficult to enforce and monitor. As with private landlords of permanent construction housing this would be onerous on the developers, and they may well seek to take families from outside the District in order to maximise occupancy and run a viable business.
- 2.12 The options for ensuring sites meet local needs could include the Council getting involved in site purchase and management or negotiating with applicants for voluntary agreements/Unilateral Undertakings. The latter course of action is clearly preferred in terms of saving on Council expenditure. To encourage such voluntary controls and agreements the Council should give overall priority to the site owners who are willing to enter into voluntary agreements/Unilateral Undertakings ahead of the locational preferences set out in paragraph 2.9 above.

### **3.0 DECISION SOUGHT:**

- 3.1 Council needs to decide where it would support in principle discussions on planning applications for new sites for Travellers and Showmen in the District so as to meet established needs - and how suitable sites should be brought forward and developed quickly.

### **4.0 LINK TO CORPORATE PRIORITIES:**

- 4.1 Inviting planning applications for more Travellers' pitches and entering into discussions with local Showmen families to find suitable sites should assist in delivering more housing and affordable housing to meet the needs of all sections of the local community, which is a Council Plan priority. It may also help in preventing homelessness, arising from enforcement action and displaced households on unauthorised sites.

### **5.0 RISK ASSESSMENT:**

- 5.1 There are no significant risks in approving the recommendations. The recommendations are intended to reduce the risk of losing appeals against unauthorised sites due to the lack of pitches and plots to meet needs and to deal with illegal encampments. It should reduce the risk of costs being awarded against the Council at appeal if applications are refused on other sites.

5.2 There is a risk that sites could be occupied by non-local residents and this should be addressed through site prioritisation following discussions with the owners to secure voluntary agreements to try and ensure local needs are fully met.

## **6.0 LEGAL IMPLICATIONS:**

6.1 If the Council fails to determine or refuses applications to make adequate provision they are likely to be subject to appeals and there is also potential for decisions to be subject to legal challenge. A shortage of pitch and plot provision would be a key consideration in determining appeals and could lead to temporary permissions at least being upheld under national policy.

## **7.0 FINANCIAL IMPLICATIONS AND EFFICIENCIES:**

7.1 There are no financial implications for the Council at this stage associated with the promotion of private sites as applicants would have to meet the costs of making the planning application and full site development, including infrastructure provision. Indeed the Council would benefit from the application fees received and additional Council Tax and New Homes Bonus payments.

## **8.0 RECOMMENDATIONS:**

8.1 It is recommended that Council supports in principle a strategy to promote the private provision of sites as set out in the report (ie subject to controls on site size, prioritisation/phasing and meeting local needs/management) by:

- 1) encouraging pre-planning application discussions as soon as possible on the submitted Travellers' sites at:
  - Bankside Close, Sowerby
  - Tame Bridge
  - Sutton-on-the-Forest
  - World's End, Sowerby
- 2) holding proactive discussions with local Showmen in housing need to find suitable private sites for yards, with a view to bringing them forward quickly as planning applications.

MICK JEWITT

**Background papers:** National Planning Policy Framework (March 2012)  
Planning Policy for Traveller Sites (March 2012)  
LDF Core Strategy (April 2007)  
LDF Development Policies (February 2008)  
N Yorks Accommodation Requirements of Showmen (December 2009)  
HDC Traveller Housing Needs Study (September 2012)

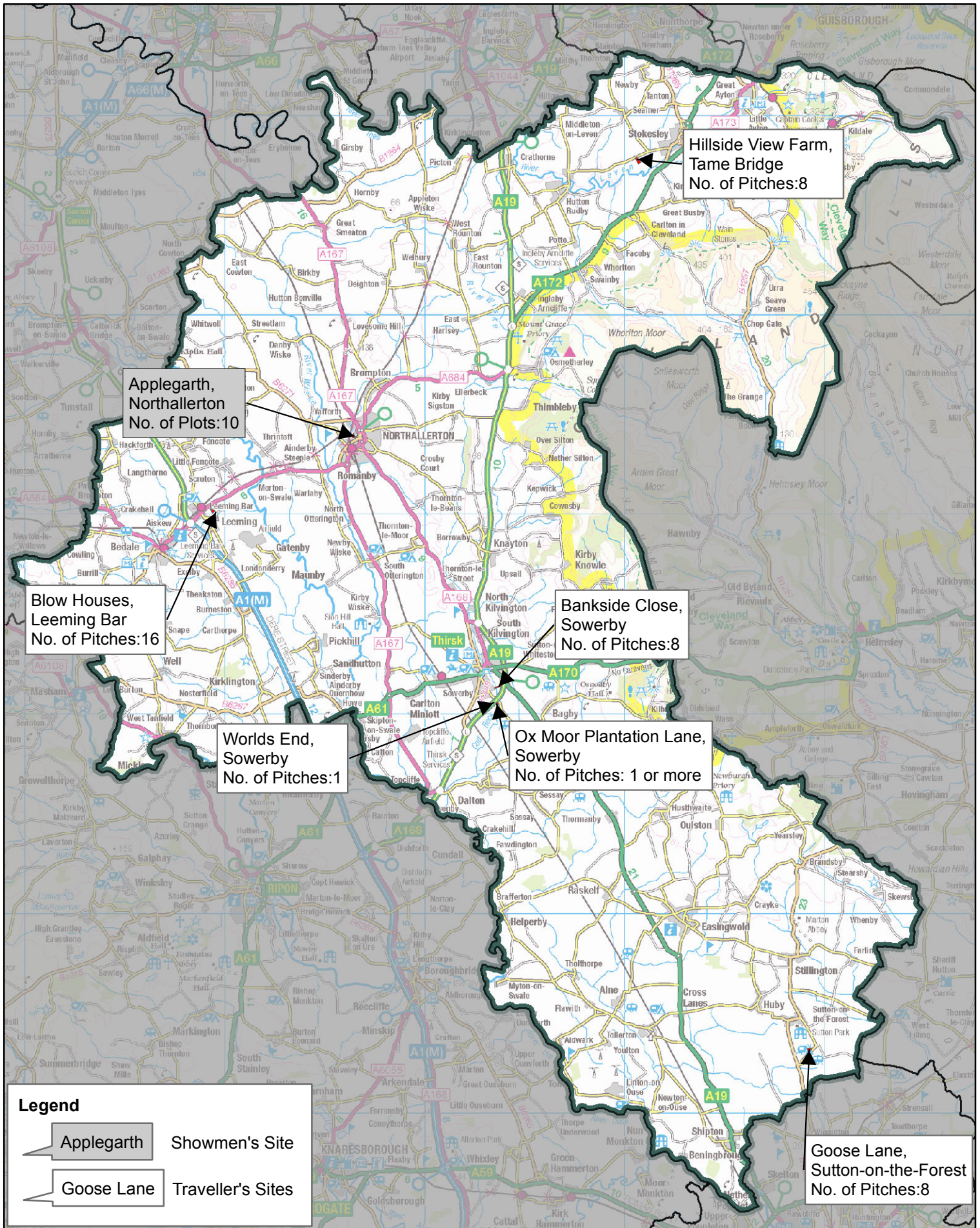
**Author ref:** GB

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Site	Owner/Agent	Capacity/Users	Site Description/ Status / History	Close to a Service Centre / Service Village	Accessibility	Constraints	Recommendation
<b>SHOWMEN'S SITE:</b>							
Applegarth, Northallerton	The Crow family - Mrs T Crow	10 plots (all for family members)	Grass field - c 6 acres. Adjoins town cemetery to north, separated by moat with substantial tree planting edge; Sun Beck to south with public car/lorry park and housing at Bailey Court beyond; Showmens' house/yards to north-east.	Yes - central Northallerton	Through existing yard or off Applegarth public car park subject to agreement (as exists with gateway to east). Large trailer vehicles would need access.	Unacceptable Flood Risk (Zone 3 in west, Zone 2 in east) for highly vulnerable use; adverse impact on character and appearance of Conservation Area, archaeological interest (part of Scheduled Ancient Monument - Bishop's Palace, motte and bailey) and adjacent cemetery users; loss of key open space defined in Conservation Area Appraisal and allocated for recreation use in LDF Policy NC1 as part of wider town park proposal.	Reject - but seek early discussion re alternative site(s) and uses for this land
<b>TRAVELLERS' SITES:</b>							
Goose Lane, Sutton-on-the-Forest	Mr E Whatnell	At least 6 - with scope for more. On-site owner management proposed	Grass field - 6.6 acres with development proposed on c 1 acre in SE corner adjacent to access road. Owner's chalet and family house to immediate north. Ponderosa caravan park to west (in wider family ownership). Fields to north/south/east. Relatively well screened by field boundary tree/hedge planting and not prominent in views.	Marginal as Sutton-on-the-Forest (designated Secondary Village only) is 1.2 miles away. Has primary school and some other services. Also a general store at Goosewood Holiday Park on Carr Lane and farm shop approx 0.7 miles distant.	Short private tarmac road with passing places, from Goose Lane serves adjacent properties. Potential to provide link to public footpath to west from Ponderosa caravan site directly to village centre. Bus stop close by on Goose Lane with regular services between York-Crayke.	Open countryside location, but adjacent to existing Traveller's pitch and Ponderosa caravan park. Just over 1 mile from Secondary Village only and unattractive/unsafe walking on roadside, but direct public footpath nearby (with good prospect for linkage to site across adjacent Ponderosa caravan park) and good bus service.	<b>Encourage proposal to be worked up - 8 pitches limit</b>
Sandholmes Lane, World's End, Sowerby	Mr B Hall (John Pollitt-agent)	1 (for grandson employed at painting workshop on site)	Part of existing Traveller's site for one family with chalet and workshop to east. To replace frontage storage building on site. A168 dual carriageway runs directly to south on high embankment with tree planting. Allotments/sheds to west and houses to north. East side of lane has built-up appearance, but lies outside Development Limits. Lane is also a public footpath.	Yes - Sowerby/Thirsk	Lane serves property with separate access point provided.	Some noise/air pollution from road traffic (as with existing neighbouring residential uses).	<b>Encourage proposal to be worked up - 1 pitch</b>

Site	Owner/Agent	Capacity/Users	Site Description/ Status / History	Close to a Service Centre / Service Village	Accessibility	Constraints	Recommendation
Hillside View Farm, Tame Bridge, Stokesley	Mr McEivanev (Andy Harkin-agent)	8 (with amenity/play area and screen planting proposed) - with scope for more. On-site owner management proposed.	Part of larger pony paddock and land holding - c 1.5 acres in NE corner. Planning permission granted in 2011 for private gypsy site and implemented in NW corner. Enforcement action pending (breach of condition notice served Apr 2013) re mobile home (colour) and 2 touring caravans and adjacent hay barn to south is under investigation re positioning. Wide mature coniferous tree belts to north (supplemented by close boarded timber fencing) and east - screen site from road and in wider landscape setting. Fields to immediate west/east/south. Four bungalows opposite to north of road, away from site access and large house further away to SW.	Yes - Stokesley (1 mile away)	Existing highway access point and concrete private drive of single vehicle width serves site. Roadside footway with lighting provides for safe and attractive walking to Stokesley. Nearby bus stop with reasonable bus services to Stokesley/Hutton Ruddy.	Open countryside location, but well screened and adjacent to existing Travellers site and buildings; settled community may fear predominance of Travellers around Tame Bridge with Seamer public site (16 pitches) just over 1 mile away, but little risk of community contact or conflict as no facilities in Tame Bridge and on-site play area provision. Main impact would be on services in Stokesley town, where infrastructure would cope.	<b>Encourage proposal to be worked up - 8 pitches limit</b>
Ox Moor Plantation Lane, Sowerby	Mr G Bird	1 - with scope for more. Planning application submitted for agricultural (cattle/fodder storage) shed on frontage - pending decision. On-site owner management proposed.	Grass field - c 3 acres. South of A168 dual carriageway with well treed embankment. Large sewage works and commercial shed to immediate SW and lane serves civic amenity site further along. Cod Beck to east with public footpath alongside to east and open fields beyond, with major overhead electricity transmission line. Lane is also a	Yes - Sowerby/Thirsk	Direct access from narrow lane via field gateway at present. May not be acceptable for this use in terms of highway safety due to highway alignment and width and needs NYCC view.	Open countryside location lacking natural screen planting; landscape intrusion; unacceptable Flood Risk (Zone 3); odours from sewage treatment works to SW; noise/air pollution from A168 road traffic; unsuitable site access?	Reject
W of Bankside Close, Sowerby	Mr D Imeson & Mr M Miller	Multiple or min 2 (for family members). On-site owner management proposed.	Grass field - c 7 acres extending westwards to Cod Beck (with public footpaths and Conservation Area alongside). Eastern boundary abuts NYCC Travellers' site with high earth mounding around. Open fields to north/south/west. Relatively well screened by field boundary mounding and tree/hedge planting and not prominent in views in eastern part. Western part is highly sensitive in public views.	Yes - Sowerby/Thirsk	Good site access exists from A168/A170 roundabout. Separate unmade single track runs alongside northern boundary of caravan site - in need of surfacing and passing places. Lit footways to town.	Need to restrict to area adjoining existing site only (c 2.5 acres) excluding more open and sensitive land to west. May be potential for neighbour disharmony if had to extend existing large public site creating new access through. Some road traffic noise/air pollution, but no worse than for existing site residents. Infrastructure provision may mean a small site is unviable, depending on costs involved.	<b>Encourage proposal to be worked up - 8 pitches limit</b>

Site	Owner/Agent	Capacity/Users	Site Description/ Status / History	Close to a Service Centre / Service Village	Accessibility	Constraints	Recommendation
Blow Houses, Leeming Bar	Mr Stephenson	Multiple (16?). On-site owner management proposed.	Disused land (filled ground and former scrap yard) - c 4.5 acres. Some fly tipping of building materials and tyres on site and has untidy appearance. Scrap yard to immediate north. Fields to west and east and two houses to far south. Boundary tree/hedge planting and earth mounding within site help screen site and make not prominent in wider landscape/views.	Yes - Leeming Bar (Service Village)	Access exists from lane off A684 Northallerton Road, but deteriorates to rough single width unmade track towards site. No footway to Leeming Bar and unattractive for walking on verge alongside busy road. Hard surfaced public bridleway link to Leeming Lane past Terry House is suitable for walking/cycling. Regular bus services run along A684 but no bus stop currently.	Open countryside location, but relatively well screened and is unused and untidy land. Likely unacceptable contamination from previous landfill tip and other uses (comprehensive site risk assessment needed with remediation measures to make safe and suitable for human use); unacceptable noise pollution for noise sensitive mobile home/caravan living - within RAF Leeming Noise Restriction Area. Poor highway access.	Reject
<b>Planning applications outstanding:</b>							
Halstones Moor, Northallerton		1	Appeal lodged against non-determination and Hearing to be held on 4.9.2013. Planning Committee minded to refuse on 31.1.2013.				
Goulton Lane, Potto		1 (retrospective)					
Millie's paddock, Thirsk Road, Stokesley		1 (retrospective)	Refused at Planning Committee on 23.5.2013				
Carolina Farm, Stokesley		1					
<b>Unauthorised sites - under investigation:</b>							
Crankley Lane, Easingwold		1					
Stockton Road, Thirsk		1					
<b>Other sites - subject to enforcement action:</b>							
Ingls Lane, Great Broughton		multiple					
Stokesley Road, Brompton		1					



**Legend**

-  Applegarth Showmen's Site
-  Goose Lane Traveller's Sites

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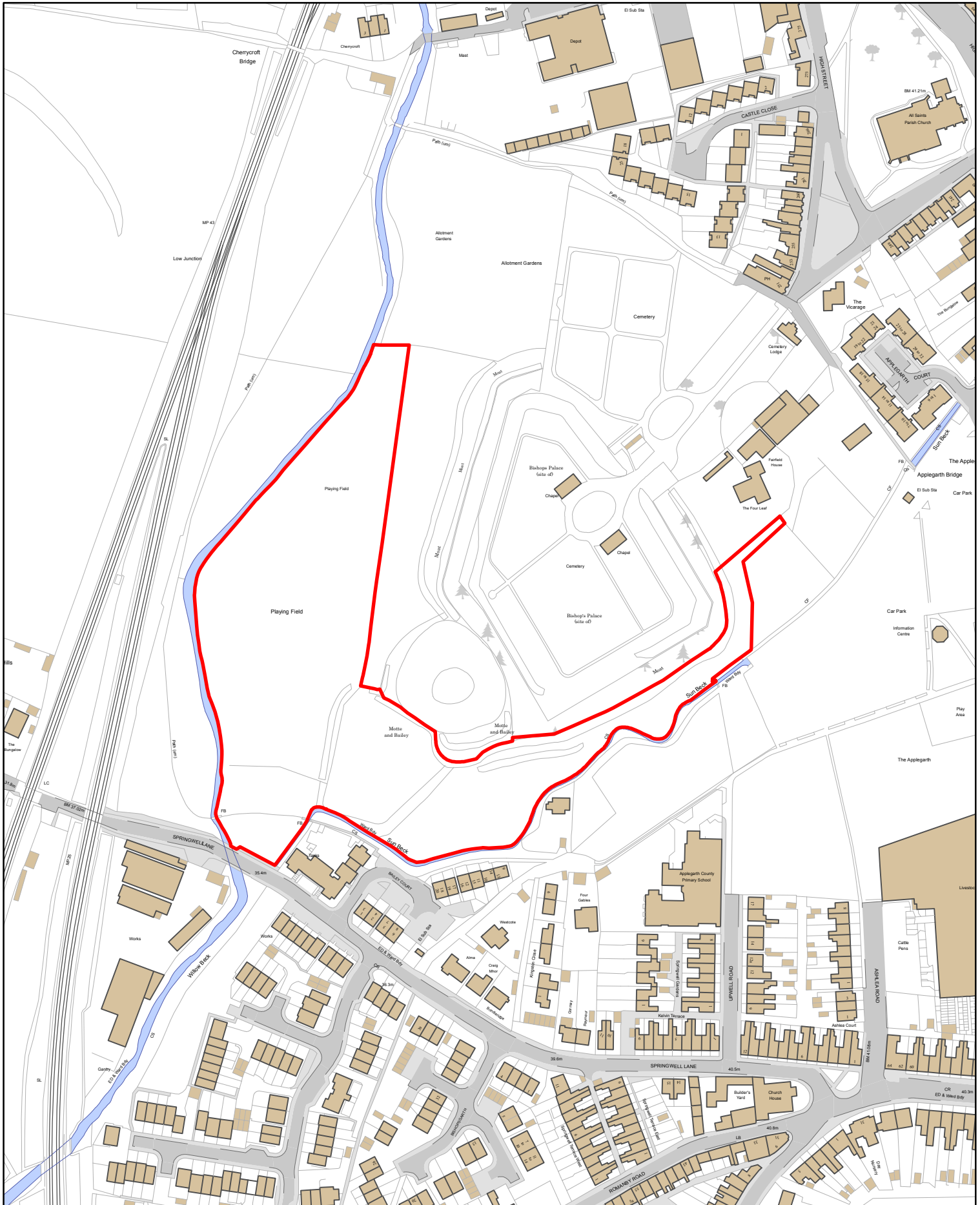
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# Suggested Showmen's Site Applegarth, Northallerton

05/06/2013



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# Suggested Traveller's Site

## Goose Lane, Sutton-on-the-Forest

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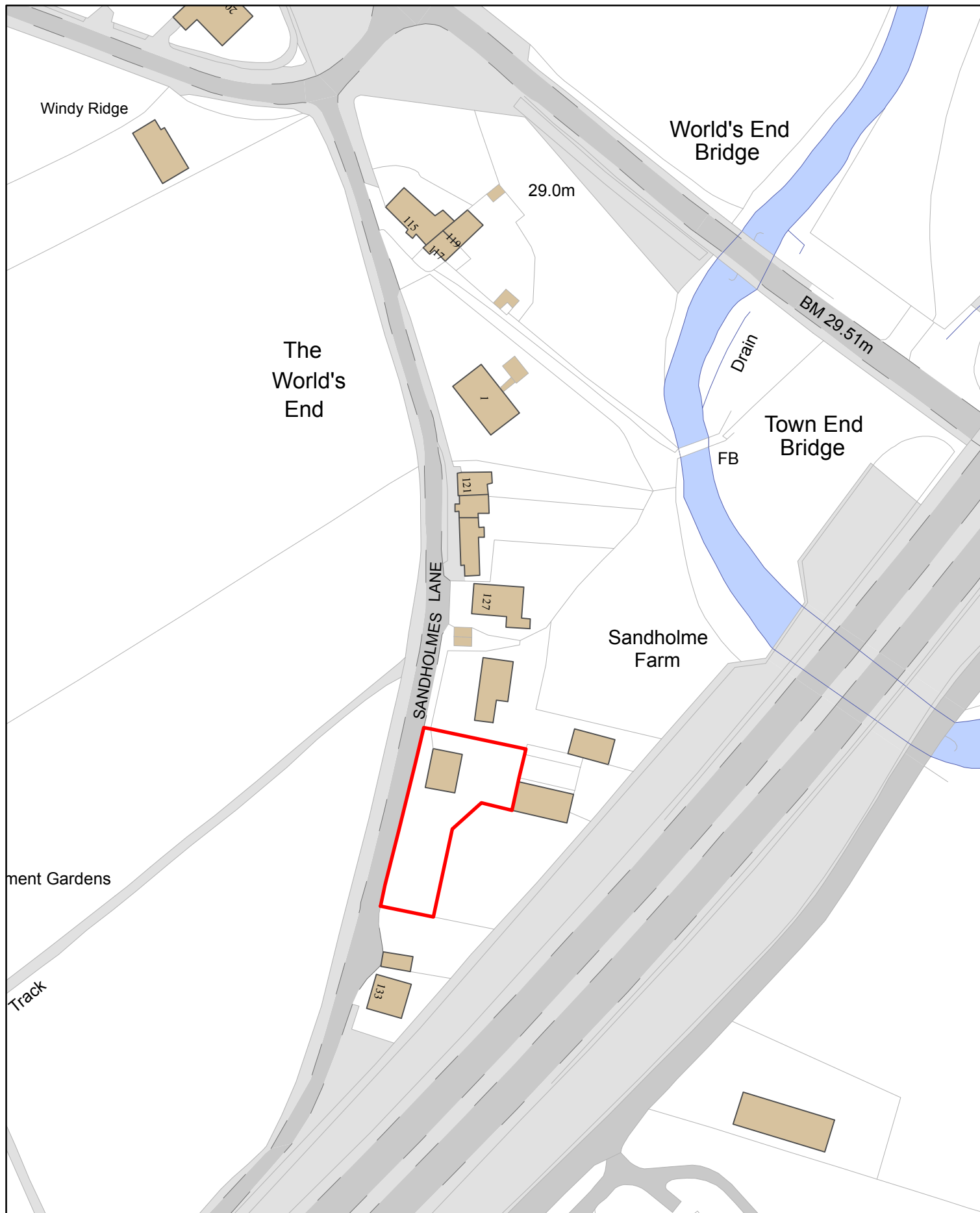
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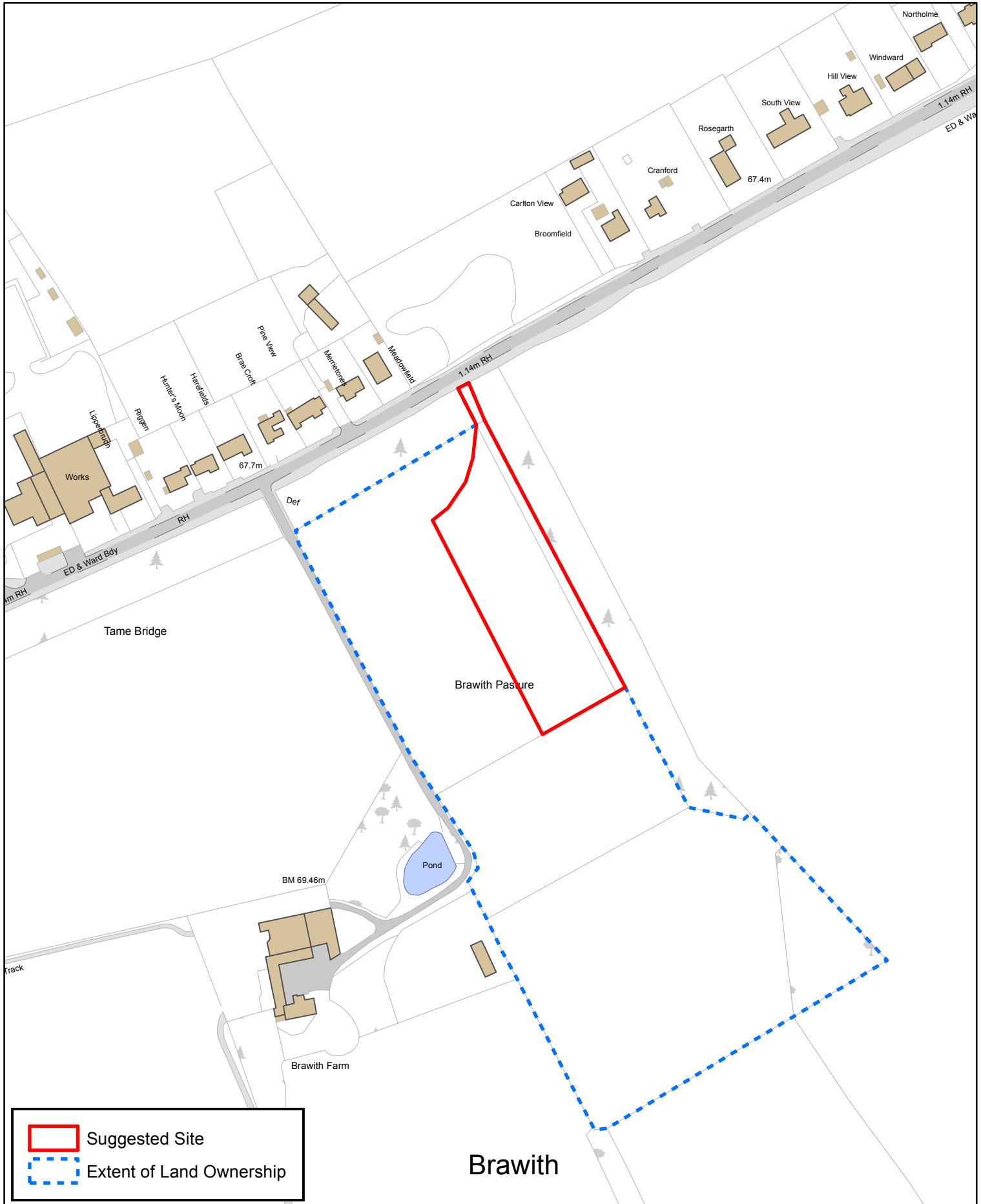
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# Suggested Traveller's Site

## Hillside View Farm, Tame Bridge

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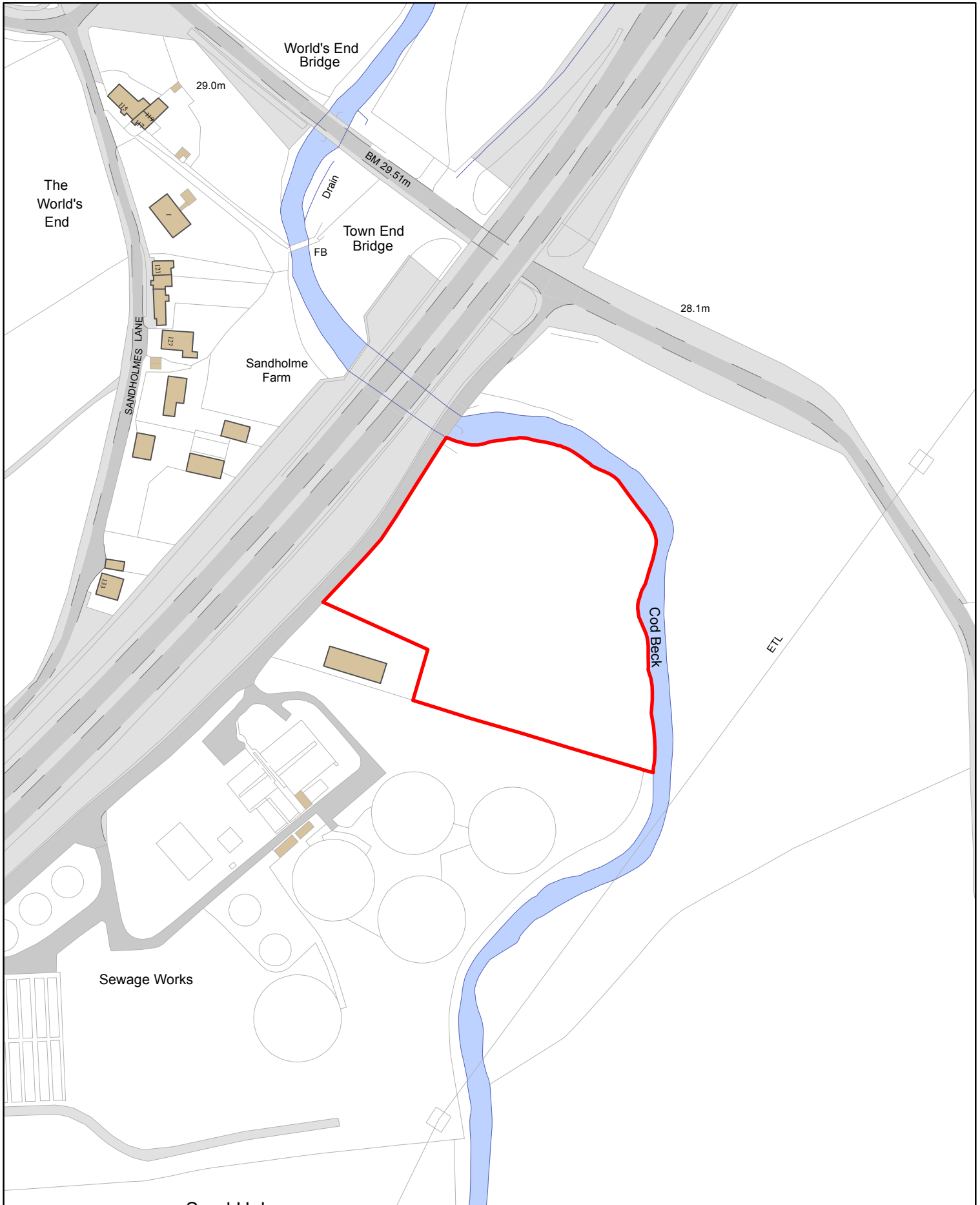
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# Suggested Traveller's Site

## Ox Moor Plantation Lane, Sowerby

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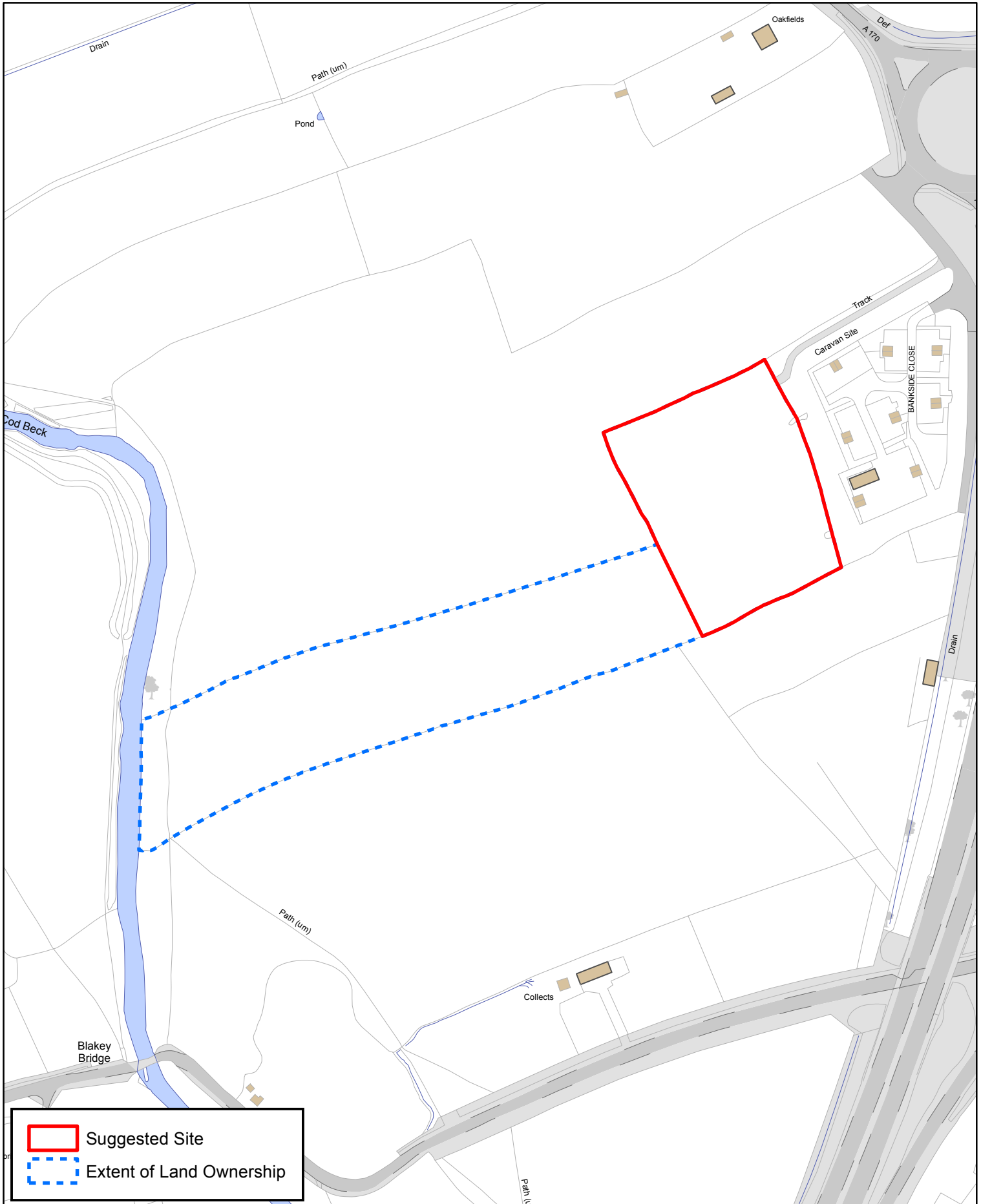
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# Suggested Traveller's Site

## Bankside Close, Sowerby

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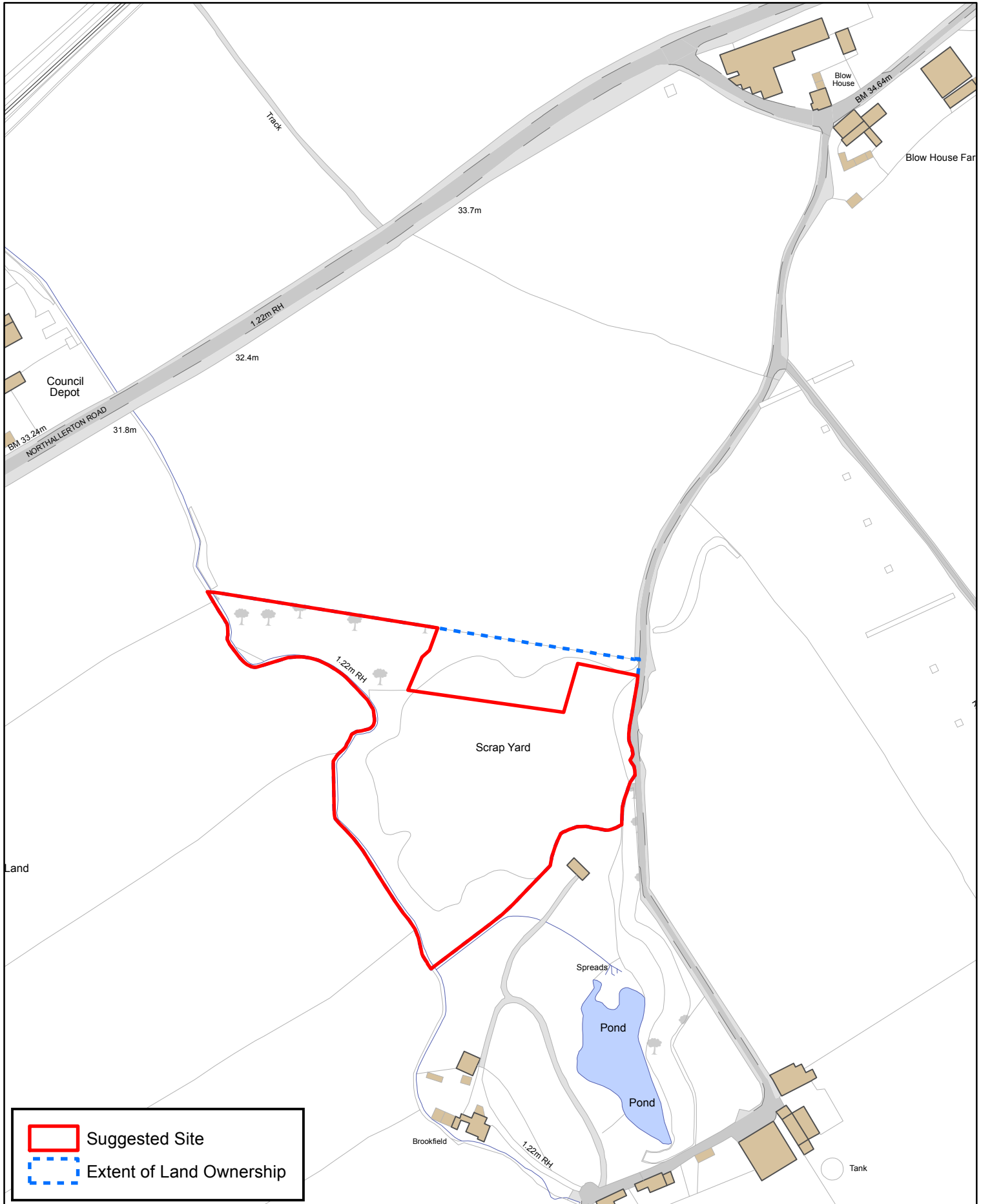
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# Suggested Traveller's Site

## Blow Houses, Leeming Bar

05/06/2013



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## Hambleton Travellers' Sites Assessment Criteria

### 1. National criteria (Planning Policy for Traveller Sites; March 2012)

- Give proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development. (para 11e)
- Avoid placing undue pressure on local infrastructure and services. (para 11f)
- Avoid areas at high risk of flooding, including functional floodplains. (para 11g)
- The scale of a site should not dominate the nearest settled community (para 12)
- Development (temporary or permanent) is not appropriate in the Green Belt (para 14) but Green Belt boundaries could be altered through plan making to meet a specific need in exceptional circumstances (para 15)
- Wherever possible mixed use sites should be considered for residential and business use, having regard to the safety and amenity of occupants and neighbouring residents. If this is not possible separate sites in close proximity should be considered. (para 16). But mixed use should not be permitted on rural exception sites. (para 18)

### 2. Local criteria (as set out in Policy DP14 of the Development Policies DPD; February 2008 – supplemented by Hambleton Traveller Housing Needs Study (THNS); September 2012 advice on broad locations – *in italics*)

Sites should:

1. be located within reasonable distance of services and community facilities, within or close to a Service Centre or Service Village, in order that residents should have access on the same basis as other local residents to shops, social, educational and health facilities; *(THNS recommends within 1 mile of the edge of these settlements - para 8.65; and taking into account the safety and convenience of walking routes- para 8.43; and proximity to settlements is a key consideration and distance to health, education, welfare services and employment opportunities and access to public transport - para 8.67)*
2. provide an acceptable living environment, where there is potential for future improvements in accordance with the needs of the community;
3. be of an appropriate size, which reflects both:
  - a. the planned number of caravans and the need for separate space for commercial vehicles, a play area for children, access roads and space for the safe circulation of vehicles and construction of amenity blocks; and
  - b. the need to ensure a scale of development which allows integration with neighbouring local communities, taking into account the size and density of development in the locality, and availability of local infrastructure;
4. have safe and convenient access to the road network. Vehicle movements should not cause a hazard to other users, eg. onto a bridleway or footpath;
5. avoid creating demonstrable harm to the amenity of existing communities, or to the natural, archaeological and historic environment, including wildlife sites and any trees and woodland in the area, and provide mitigating measures (for example landscaping) where necessary; *(THNS recommends avoiding Sites of Special Scientific Interest, Local Nature Reserves and other sites of importance for nature conservation; Ancient Woodland, Areas at high risk of flooding, Historic Battlefields, Historic Parks and Gardens and Scheduled Ancient Monuments – para 8.66)*



6. not be located on contaminated land (unless appropriate remedial measures are undertaken first). This does not necessarily rule out all locations near or adjoining motorways, power lines, landfill sites or railways, any more than it would for conventional housing.

The Travellers Housing Needs Study established the following criteria for identifying broad locations for Travellers Sites (Figure 15) taking account of the national and local policies, engagement both with the travelling and settled communities and stakeholder discussions.

*Fit with spatial strategy*

Public residential sites should be close to Service Centres or Service Villages.

Private residential sites should, where possible, be located close to Service Centres, Service Villages or other settlements with a range of local services.

Public transit sites or temporary stopping places should be very close to main transport routes.

Local infrastructure should be capable of accommodating development.

*Fit with identified needs*

Public residential sites should have good access to local services.

New private residential sites should not be too close to existing private sites, although extensions to existing sites may be appropriate to accommodate future immediate family needs.

Public transit sites or temporary stopping places should be located along historic transit routes.

*Avoiding physical constraints and protected areas*

Sites should not be located within an international, national or local nature conservation designation.

Sites should not be located within areas at high risk of flooding which cannot be mitigated.

Sites should not be located within historic parks and gardens or scheduled ancient monuments.

Sites should avoid, where possible, being located within the Howardian Hills Area of Outstanding Natural Beauty.

*Relationship with other land uses*

Sites should not be located within the York Green Belt.

Sites, or a combination of sites, should respect the scale of the nearest settlement.

The location of sites should avoid adversely impacting upon neighbouring residential amenity.

Residential sites should not be located immediately adjacent to major transport corridors unless noise, safety and air quality impacts can be mitigated.

Sites should not be located within designated noise zones.

Sites with mixed residential and business uses can contribute to sustainability.

Sites should, where possible, make effective use of previously developed or derelict land.

Sites should not be located on unstable land or on contaminated land which cannot be mitigated.

