



**Gypsy and Traveller Plan  
Supplementary Site Options Consultation Document**

**October 2014**

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## **1. Introduction**

- 1.1 The Gypsy and Traveller Plan is being prepared as part of the Local Plan for Sevenoaks District. The Plan, once adopted, will allocate sites for future Gypsy and Traveller pitches up to 2026. The Gypsy and Traveller Plan should be read in conjunction with the Core Strategy and the Allocations and Development Management Plan.
- 1.2 Local Planning Authorities are required to identify the local accommodation needs of their gypsy and traveller community and allocate suitable and deliverable sites through their Local Plan. (Planning Policy for Traveller Sites 2012)
- 1.3 In September 2014 the Government published a consultation on Planning and Travellers. The Government states that it is keen to deliver a planning system that applies equally and fairly to all. If travellers have given up travelling permanently, it is proposed that they are to be treated in the same way as the settled community. The Government also wants to clarify the level of protection afforded by national policy to the Green Belt and other sensitive areas (Sites of Special Scientific Interest/Area of Outstanding Natural Beauty/National Parks).
- 1.4 As the proposed changes are still in draft and subject to consultation the Council has decided to continue with the production of the Gypsy and Traveller Plan, through this supplementary site options consultation. Any changes to adopted national planning policy, following the government consultation, will be taken into account before the Council decides on the number and location of pitches to be included in the version of the plan that it will submit for independent examination.
- 1.5 In May 2014, Sevenoaks District Council consulted on potential site options for Gypsy and Traveller pitches across the District. Inclusion in the Site Options Consultation document did not necessarily mean that the sites would be taken forward to examination. This remains the case.
- 1.6 In September 2014 the Council ruled out the sites at Fort Halstead and Land South of Mesne Way, Shoreham from further consideration to 2026.
- 1.7 This Gypsy and Traveller Supplementary Site Options document seeks views on sites which have not previously been subject to consultation or where additional pitches are now being proposed on previously identified sites.
- 1.8 As with the previous consultation, inclusion within this document does not mean that the site will be carried forward through examination into the final adopted version of the plan. The inclusion of a site in this document has no weight in the

determination of applications on the land.

- 1.9 Section 5 outlines the Supplementary Site Options and Appendix 1 provides maps for each of the sites.

## **How to comment**

We wish to hear from you regarding the set of site options put forward in this document to meet the identified need for providing Gypsy and Traveller accommodation across the District.

The consultation period runs from \*\* to \*\* 2014 and all comments should be received by \*\* on \*\* 2014.

How to comment:

You can make representations using several methods:

By completing the form online (hyperlink)

Email your response to [ldf.consultation@sevenoaks.gov.uk](mailto:ldf.consultation@sevenoaks.gov.uk)

By completing and returning the response form.

Additional copies of the response form can be downloaded at: (hyperlink)

## **2. Background**

- 2.1 Local Planning Authorities are required by National Planning Policy for Travellers (2012) to assess and plan for (including through the Duty to Cooperate) the accommodation needs of the Gypsy, Traveller and Travelling Showpeople populations within the District.
- 2.2 The Council undertook a Gypsy and Traveller and Travelling Showpeople Accommodation Assessment in March 2012 which identified the accommodation need in the District up until 2026. The Study identified a need for 40 pitches to be delivered within the District between 2012 and 2016 and a further 32 pitches from 2017-2026 giving a total of 72 up to 2026. One permanent pitch has since been permitted, therefore reducing the total need to 71 pitches.
- 2.3 Subject to the outcome of the Government's current consultation on national planning policy, unless agreement can be reached with neighbouring authorities to share responsibility for meeting requirements and provide Gypsies and Travellers with opportunities to settle in different areas, the Sevenoaks District Gypsy and Traveller Plan will allocate sites to meet this identified need.
- 2.4 This Gypsy and Traveller Plan Supplementary Site Options Consultation Document identifies sites for pitches in addition to those which were consulted upon in May 2014. Each site has been assessed according to the criteria adopted in the Core Strategy policy SP6 and that in Planning Policy for Traveller Sites for their potential suitability. The criteria have been outlined in Section 4 of this document.

## Core Strategy Policy SP6

### Provision for Gypsies and Travellers and Travelling Showpeople

Sites will be provided by means of allocations in the Allocations and Development Management DPD for gypsies and travellers and, if required, for travelling showpeople. The identification of sites in the Allocations and Development Management DPD will take account of the following criteria:

- a. The site should be located within or close to existing settlements with a range of services and facilities and access to public transport
- b. The site is of a scale appropriate to accommodate the facilities required and will offer an acceptable living environment for future occupants in terms of noise and air quality
- c. Safe and convenient vehicular and pedestrian access can be provided to the site
- d. The site is not located within an area liable to flood
- e. The development will have no significant adverse landscape or biodiversity impact. In the AONBs, sites should only be allocated where it can be demonstrated that the objectives of the designation will not be compromised.
- f. Alternatives should be explored before Green Belt locations are considered.

Land allocated for gypsies and travellers and travelling showpeople will be safeguarded for this purpose so long as a need exists in the District for accommodation for gypsies and travellers and travelling showpeople.

Proposals for sites for gypsies and travellers and travelling showpeople on other land outside existing settlement confines will only be permitted where it is first demonstrated that the development is for occupation by gypsies and travellers or travelling showpeople and that the proposed occupant has a need for accommodation that cannot be met on lawful existing or allocated sites in the region. In addition development proposals will need to comply with criteria a – e above.

For the purposes of this policy gypsies and travellers are people who meet the definition in Circular 01/06, as set out in the Core Strategy glossary.

## **Sustainability Appraisal**

- 2.5 All potential sites have been subject to Sustainability Appraisal. The outcomes of the Sustainability Appraisal process will assist in determining which sites will be taken forward into the Council's submission document.

## **Defining Gypsy and Travellers, and Sites and Pitches**

- 2.6 For the purposes of this document, the definition of Gypsy and Travellers is taken from the national Planning Policy for Traveller Sites (2012):

### Gypsies and Travellers -

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

- 2.7 The Government released a consultation on Planning and Travellers in September 2014. The consultation includes proposed changes to the definition of Gypsies and Travellers, through the deletion of the word “permanently”. As this proposal is still at the consultation stage it has not been taken into account in this Supplementary Site Options document. Should this change be adopted by Government the emerging Gypsy and Traveller Plan will be altered accordingly.
- 2.8 The terms ‘site’ and ‘pitch’ are often used to describe Gypsy and Traveller accommodation, and are commonly confused. It is important therefore to note what is meant by each term to ensure they are not mis-used.

#### What do we mean by ‘site’ and ‘pitch?’

- 2.9 A Gypsy and Traveller site is an area of land on which Gypsies and Travellers are accommodated. Sites contain one or several units of accommodation. These units are known as a pitch. A pitch is generally home to one household. For example, a public site will almost certainly be home to several families, each occupying their own pitch within that site.
- 2.10 There is no set definition of what should be contained within a pitch, but it is generally accepted that an average family pitch must be capable of accommodating a large trailer and touring caravan, an amenity building, parking space for two vehicles, and a small garden area (DCLG Designing Gypsy and Traveller Sites – Good Practice Guide para.7.12). Taking into account the available guidance, it is generally accepted that an average pitch size is approximately 500sqm.

### **3. Preparing the Gypsy and Traveller Supplementary Plan Site Options**

3.1 This Plan has been prepared in accordance with:

*National and local policies:*

- The National Planning Policy Framework 2012
- Planning Policy for Traveller Sites 2012
- Sevenoaks District Core Strategy 2011
- The Community Plan for Sevenoaks 2013
- Statement of Community Involvement 2006

*Evidence base:*

- Gypsy, Traveller and Travelling Showpeople Accommodation Assessment for Sevenoaks (2012)

*Key Assessments and Appraisals:*

- Sustainability Appraisal of the potential site allocations highlighting any potential conflicts and measures to mitigate these, and ensuring the Plan is aligned with the principles of sustainable development.
- Equalities Impact Assessment to ensure the document has been prepared in an inclusive manner, and to identify any impacts on specific groups of race, gender, disability, age or religion.

*Engagement with key stakeholders including consultation on:*

- Core Strategy criteria-based Policy SP6 (2011)
- Call for Sites 2010, 2011, 2012, 2014
- Gypsy and Traveller Plan Site Options Consultation Document May 2014

#### **Call for Sites and Previous Consultations**

3.2 Calls for gypsy and traveller sites to be put forward to the Council were included in the Allocations (Options) consultation in 2010 and the Development Management: Draft Policies for Consultation in 2011. Following this, the Council formally decided to allocate sites for Gypsies and Travellers through a Gypsy and Traveller Plan rather than in the Allocations and Development Management Plan.



- 3.3 A third Call for Sites was undertaken in August 2012. This involved contacting Gypsies and Travellers living in the District, Gypsy and Traveller organisations and all those who registered an interest in the issue through consultations as part of the Local Plan. Parish and Town Councils were also contacted for their views on any potential sites within their areas.
- 3.4 Discussions have also been held in-house with Housing, Property, Development management and Enforcement Teams to suggest potential sites in SDC ownership or others than may come forward through the planning system. Discussions have also taken place in a similar manner with Kent County Council regarding the potential for any new sites, or existing sites to be put forward to assist with meeting the identified need for Sevenoaks District.
- 3.5 In May 2014 the Council undertook public consultation on potential site options for Gypsy and Traveller pitches across the District. The sites included in the Site Options Consultation Document May 2014 had been considered the most suitable from those which had been submitted to the Council through the previous Call for Sites.
- 3.6 The consultation also included a further 'call for sites', requesting landowners and other interested parties to suggest land that might be suitable for Gypsy and Traveller pitches. This consultation ran for an additional two weeks beyond the main consultation, in order to provide the maximum opportunity for sites to be suggested. It was also hoped that this 'call' would help to provide the Council with the opportunity to address the uneven distribution of sites across the District (existing sites focused in the northern half of the District and around Edenbridge), as the 'call' sought site suggestions in any location in the District.
- 3.7 The sites submitted to the Council were subject to a desktop constraints assessment and site visits and these potential supplementary site options are set out in this consultation document. Many of the sites that were put forward through the call for sites are for additional pitches on existing sites, that have been promoted by the Gypsy and Traveller community to provide additional pitches for their growing families.
- 3.8 Many sites suggested during the recent call for sites (and before and after it) were suggested by individuals and organisations that did not own the land. The Council contacted the owners of those sites where the planning constraints that applied to them were not so significant as to indicate that there was little possibility of an allocation being found sound. As the deliverability / availability of a site is a critical factor in whether it can be included in a plan (see section 4), where the allocation of a site has not been supported by a landowner, it has not been included in this consultation document.

## **4. Site Assessment Criteria**

- 4.1 Adopted Core Strategy Policy SP6 (Provision for Gypsies and Travellers and Travelling Showpeople) and CLG's Planning Policy for Traveller Sites sets out a number of criteria against which potential sites are assessed. It is the Council's preference that all potential sites meet all the criteria, however Sevenoaks District has significant planning and landscape constraints including 93% Greenbelt and 61% Areas of Outstanding Natural Beauty; therefore it is unlikely that potential sites will satisfy all the criteria.
- 4.2 Site availability is the key factor in considering the deliverability of a site, and this should be considered before any other criteria are assessed, as a site that is not available can not be taken forward.
- 4.3 The following sequential approach is recommended in terms of site assessment and weighting of the criteria:
- Is the site available?
  - Is the site subject to any constraints that impact upon human health (e.g. flood zone and, in extreme cases, noise or air quality impacts)?
  - Does the site impact upon any designated biodiversity, landscape or heritage assets?
  - Assessment of the site against other constraints such as access and sustainability (see Core Strategy Policy SP6 and CLG's Planning Policy for Traveller Sites)
- 4.4 The sites presented in the May 2014 Site Options document (with the exception of the Fort Halstead and Land South of Mesne Way, Shoreham, sites) and in this Supplementary Site Options document represent the sites which have been assessed as the most suitable for allocation of those proposed to date. The individual site assessments of the sites included in this Supplementary Site Options consultation have been included in Appendix 2 to this document.

### **Site Assessment Consultation Question**

Do you agree with the Council's sequential approach to site assessments?

## **Green Belt**

- 4.5 The Metropolitan Green Belt covers 93% of Sevenoaks District. Core Strategy Policy SP6 'Provision for Gypsies and Travellers and Travelling Showpeople' states that "alternatives should be explored before Green Belt locations are considered". This therefore presents a large constraint to meeting the identified need.
- 4.6 National Policy dictates that Gypsy and Traveller pitches are inappropriate development within the Green Belt. However, as with other forms of inappropriate development in the Green Belt, if very special circumstances exist then development may be acceptable. The lack of suitable sites outside of Green Belt land to meet identified needs could contribute to the justification of exceptional circumstances to allocate land that is currently Green Belt. All the existing sites in the District are in the Green Belt. It is therefore reasonable, and in accordance with existing national policy, to explore Green Belt land if all other alternatives have been fully explored and exhausted (including through the Duty to Cooperate) before such sites are considered.
- 4.7 Previously the council has lost appeal decisions due to the weight Planning Inspectors have given to the issue of identified need for pitches that has not been met. National Planning Policy (PPTS para.27) makes it clear that opportunities can arise for the granting of permanent or temporary pitches if an up-to-date five year supply of deliverable sites can not be demonstrated.

## **Areas of Outstanding Natural Beauty**

- 4.8 Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty. Gypsy and Traveller sites are not precluded from being located within Areas of Outstanding Natural Beauty (AONB). The consideration of development in AONBs must take account of the need for the development, alternatives that exist to meet the need elsewhere and the impact on the environment, landscape and recreational opportunities, once opportunities to moderate this impact has been taken into account (NPPF, para 116). In some circumstances it will be possible to overcome an impact through screening that is consistent with the local character. However, in other circumstances sites will be so visible in the landscape that no amount of mitigation will be able to overcome the impact. As the most suitable sites are selected going forward in subsequent stages of the Gypsy and Traveller Plan

preparation, any design and layout guidance will need to consider how any impacts can be suitably mitigated, if possible.

## **Sustainable Locations**

- 4.9 In terms of sustainability, sites for Gypsy and Traveller pitches would ideally be located within or close to existing settlements with a range of services (i.e. those defined as service villages or higher in the Settlement Hierarchy). The distribution of new Gypsy and Traveller pitches throughout the district should be considered. Concentrations in particular parts of the district (with sparse populations) could put a strain on infrastructure and public services and this factor should be taken into consideration.
- 4.10 All sites have been assessed for their relative accessibility to local settlements. This is primarily because there are no agreed distance thresholds contained within national or local policy which can be used to reject sites purely on these grounds. Local authorities are also advised in national policy and guidance to be realistic about the availability of alternatives to the car in accessing local services.

## 5. Supplementary Site Options

- 5.1 The Supplementary Site Options have been put forward to the Council through the Call for Sites carried out as part of the previous Site Options consultation in May – July 2014.
- 5.2 Each site has been visited and assessed and has been deemed suitable for consideration as a potential site option. This is no guarantee that the Council will consider these sites appropriate allocation as the plan progresses. Site Assessments can be found in Appendix 2 to this document.
- 5.3 The previous consultation included sites which have pitches with temporary planning permission to be allocated for permanent permission. Some of these sites have since come forward to be allocated for further pitches in addition to those already on site. Where this has been assessed as a suitable option the additional pitches are now part of this supplementary sites consultation.

Table 1: Supplementary Site Options

Site details	Current Status	How identified	Proposed no. of additional permanent pitches	Total number of pitches on site (including existing permanent)
Land West of Button Street, Swanley (Existing Site)	Temporary Permission for 2 pitches.	Not included in previous consultation as planning application was under consideration	2 pitches	2 pitches
Land West of Button Street, Swanley (Extension)	Vacant Site	Put forward for pitches through the May 2014 consultation.	4 pitches	4 pitches (+2 pitches on the adjacent existing site)
Holly Mobile Home Park, Hockenden Lane, Swanley	Temporary permission for 3 pitches	Additional pitches put forward through the May 2014 consultation	2 pitches	5 pitches
Land North of Pembroke House, Leydenhatch Lane, Swanley	Permanent permission for 1 pitch	Additional pitch put forward in September 2014.	1 pitch	2 pitches
Bournewood Brickworks, Stones Cross Road, Crockenhill	Permanent permission for 1 pitch.	Additional pitches put forward through the May 2014 consultation	7 pitches	8 pitches

Fairhavens, Mussenden Lane, Horton Kirby	Non-gypsy and traveller permission for mobile homes.	Pitches put forward through the May 2014 consultation	5 pitches	5 pitches (+ existing mobile homes not restricted to Gypsy and Traveller use)
Fordwood Farm, New Street Road, Hodsoll Street	Temporary permission for 1 pitch.	Additional pitches put forward through the May 2014 consultation	3 pitches	4 pitches
Two Barns, Knatts Valley, West Kingsdown	Permanent permission for 1 pitch.	Additional pitches put forward through the May 2014 consultation	4 pitches	5 pitches
Seven Acres Farm, Hever Road, Edenbridge	Temporary permission for 7 pitches	Additional pitches put forward through the May 2014 consultation	5 pitches	12 pitches
<b>TOTAL</b>			<b>33 pitches</b>	

5.4 The Council is now consulting the public on these Supplementary Site Options. Maps showing each site have been included in Appendix 1 to this document.

### **Sites with Live Planning Applications**

5.5 As at October 2014 the Council is currently considering three sites for planning permission.

Table 2: Sites with Live Planning Applications

Site	Potential pitches
Hilltop Farm, London Road, Farningham	5 pitches
Malt House Farm, Lower Road, Hextable	2 pitches
Bluebell Paddock, Gravesend Road, Ash-cum-Ridley	1 pitches
<b>TOTAL</b>	<b>8 pitches</b>

5.6 These sites have not been included as part of the Supplementary Site Options Consultation document as this would pre-empt the Development Management process. However, if these sites are considered suitable for temporary permission

then there may be opportunities to consider allocating the sites for permanent pitches through the preparation of this plan in the future.

**Supplementary Sites Consultation Question**

Do you think the number of pitches proposed for each potential site option is acceptable? If not, why not?

**Additional Sites (Call for Sites)**

Can you suggest any additional sites that you consider suitable for use as Gypsy and Traveller sites. Please include a site address and map.

- 5.7 The total number of pitches included in this supplementary sites consultation and the site options consultation (excluding those previously ruled out) is as follows:

Potential additional pitches included in Site Options Consultation (May 2014)	71 pitches
Pitches on sites ruled out of further consideration in the preparation of the Gypsy and Traveller Plan	- 30 pitches
Potential additional pitches included in Supplementary Site Options Consultation	33 pitches
Potential additional pitches on sites with live planning applications	8 pitches
<b>Total</b>	<b>82 pitches</b>

The identified level of potential Gypsy and Traveller pitches provides the Council with a ‘buffer’ to continue with the preparation of the plan in the event that the circumstances on some sites change or if further sites are ruled out by the Council following the close of the consultation.

## 6. Sites Considered Unsuitable for Allocation

6.1 The following sites have been put forward to the Council by landowners but have been assessed as unsuitable for allocation. Site assessments for these sites can be found in Appendix 2 of this document.


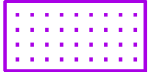











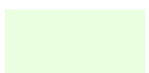

Table 3: Sites Considered Unsuitable for Allocation

Site	Key Reasons
Footpath Nursery Bungalow, New Barn Road, Swanley	Allocation of this land for Gypsy and Traveller pitches has not been taken forward. This part of the Green Belt is strategically important to maintain the separation between Swanley and Hextable. It is exactly the type of 'green wedge' space that was designed to be protected by the designation of the Green Belt.
Land at Park Lane, Swanley	Allocation of this land for Gypsy and Traveller pitches has not been taken forward as it is inconsistent with the Council's understanding of the personal circumstances of the current occupiers and the planning reason recently put forward to vary conditions relating to the current permission SE/07/02075/FUL)
Land North of Pilgrim's Oast, Otford	This site was promoted by the landowner to the Council in Spring 2014. The site is currently allocated for protected open space under Local Plan Policy EN9 and this allocation is carried forward into the Allocations and Development Management Plan under Policy GI2. Past applications for development on this site have been refused by the Council and by Planning Inspectors at Appeal.
Little Foxes Farm, Marsh Green	Taking account of the advice of Kent Highways and the potential access issues from Hartfield Road and Roman Road, this site is not considered suitable for Gypsy and Traveller pitches.

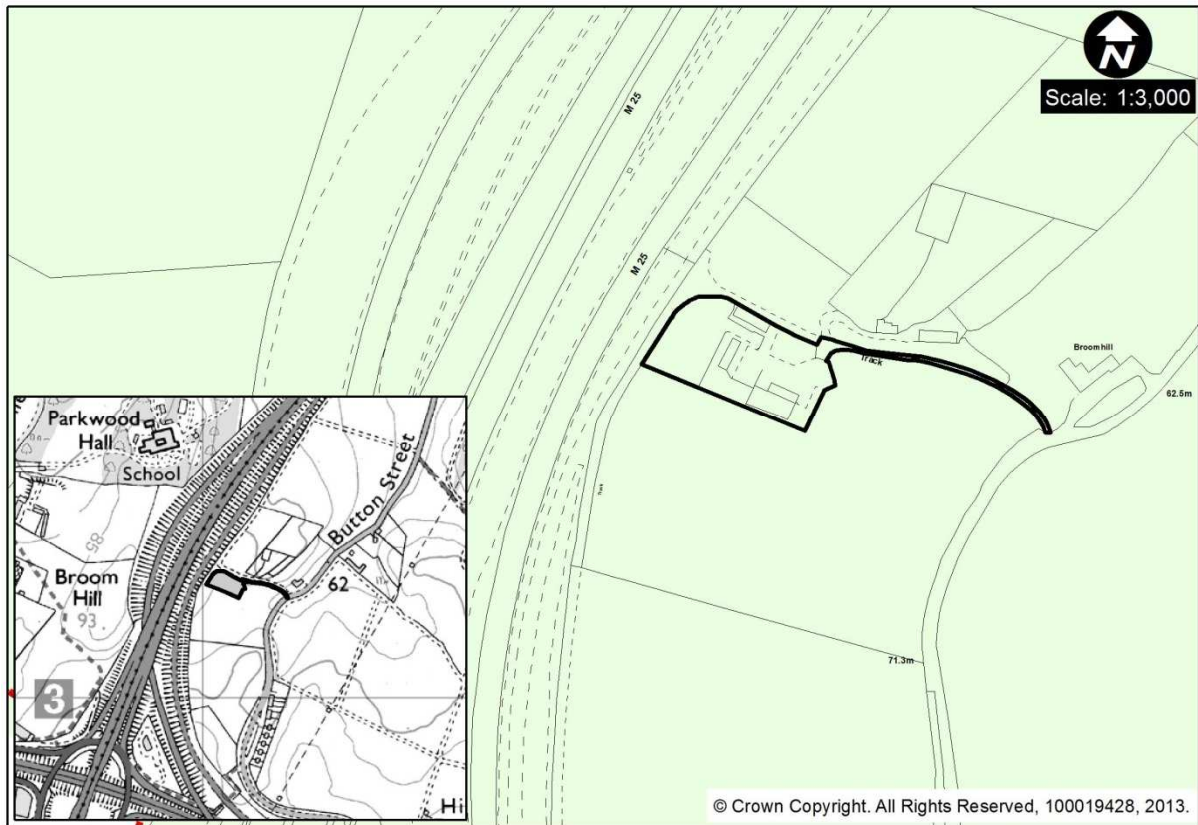


## Appendix 1 – Site Details for Potential Site Options

### Key

	Potential Gypsy & Traveller Plan Supplementary Site Options November 2014
	Flood Zone 3a
	Flood Zone 3b
	Flood Zone 2
	TPO's
	Listed Building
	Public Right of Way
	Ancient Woodland
	Sites of Special Scientific Interest
	Scheduled Monuments
	Conservation Areas
	Local Wildlife Sites
	Area of Outstanding Natural Beauty
	Metropolitan Green Belt
	Policy EN9 Protected Open Space

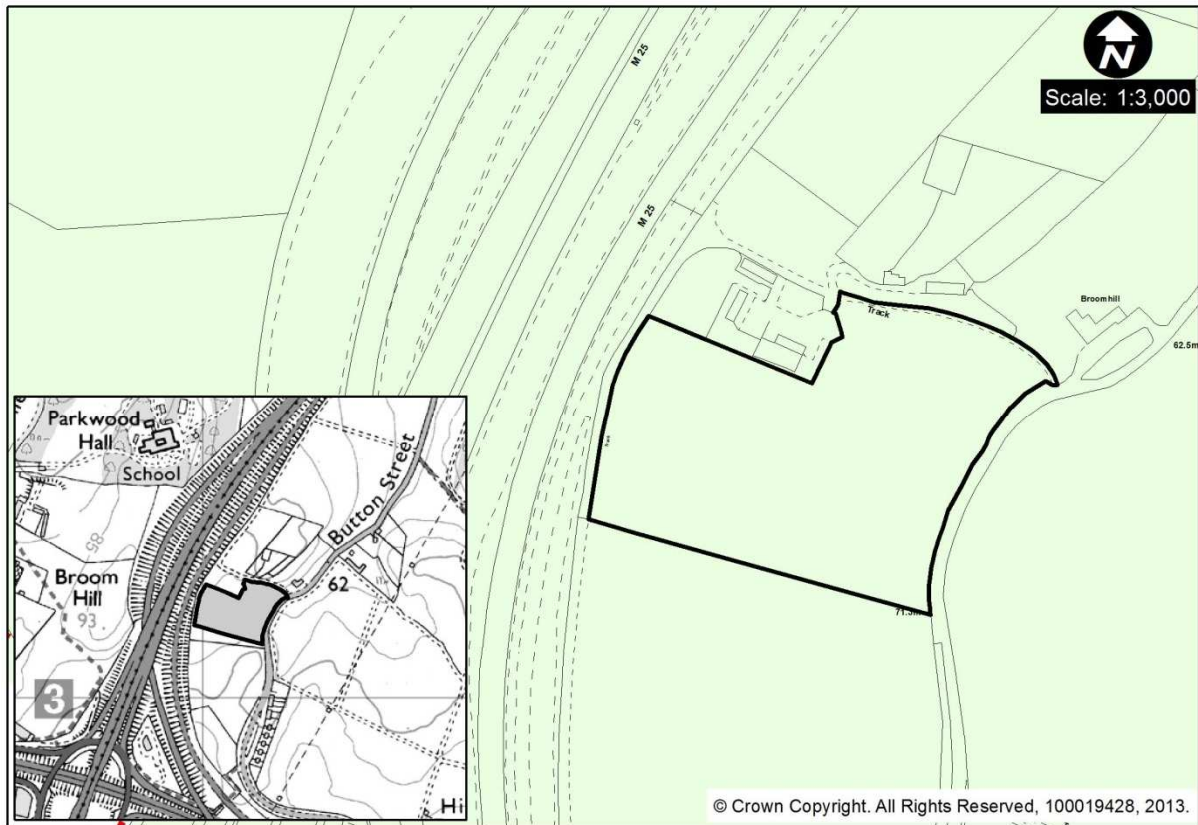
### Land West of Button Street, Swanley (Existing Site)



Current status of the site:	Temporary Permission for 2 pitches
Proposed Number of permanent pitches to allocate:	2

Consult on as a potential allocation?

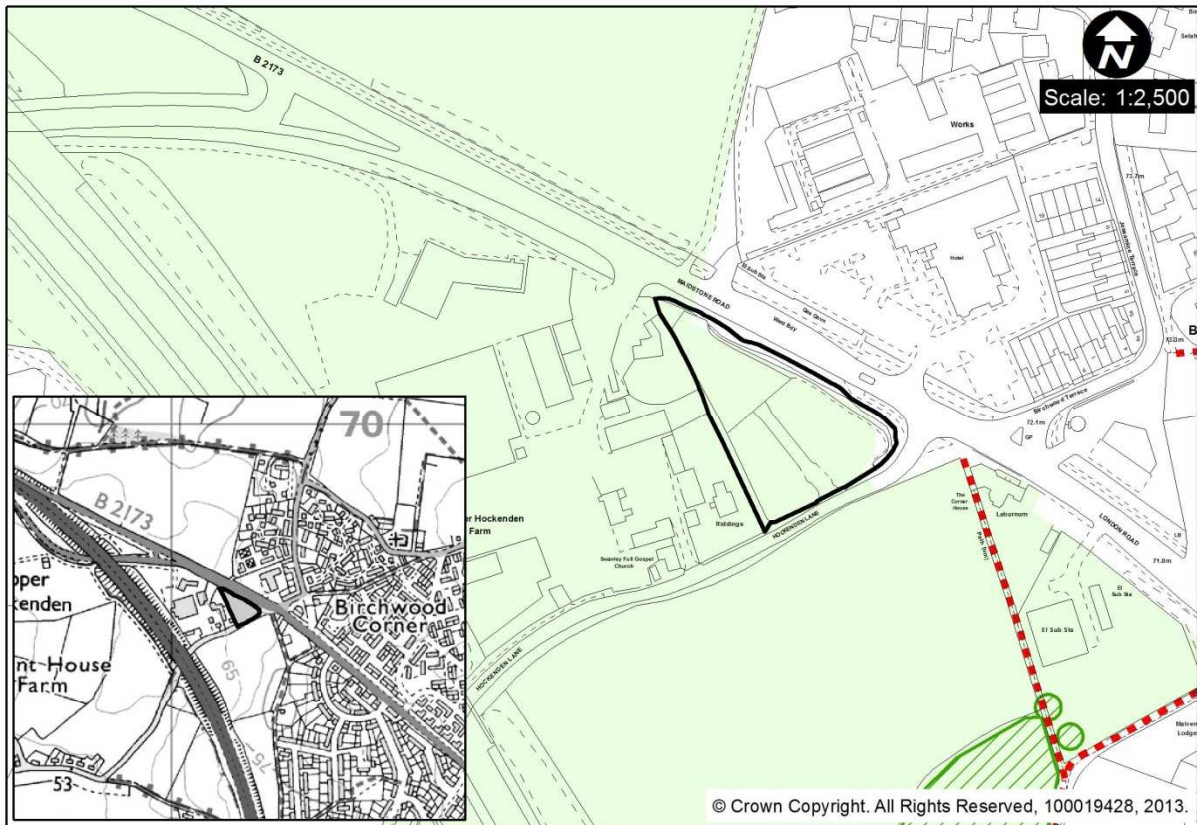
## Land West of Button Street, Swanley (Extension)



Current status of the site:	Vacant Site
Proposed Number of permanent pitches to allocate:	4

Consult on as a potential allocation?

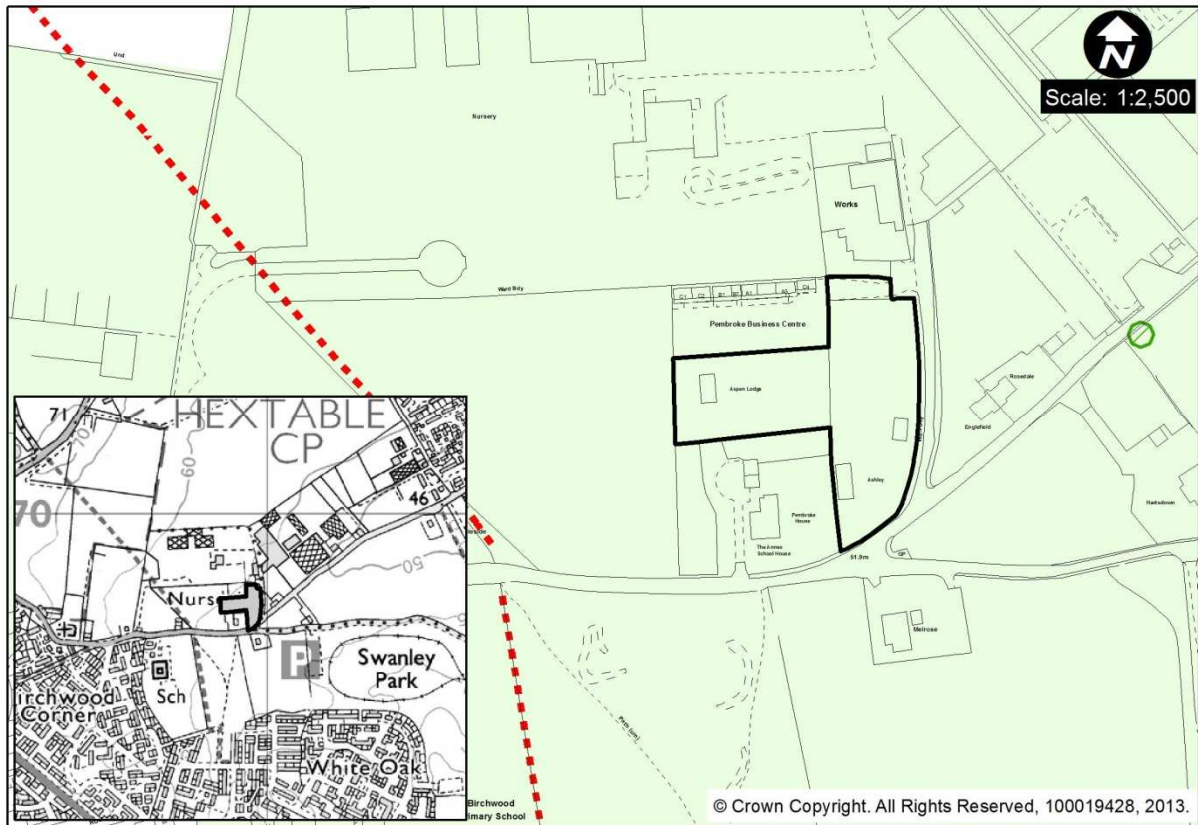
## Holly Mobile Home Park, Hockenden Lane, Swanley



Current status of the site:	Temporary permission for 3 pitches
Proposed Number of permanent pitches to allocate:	5 (2 additional pitches)

Consult on as a potential allocation?

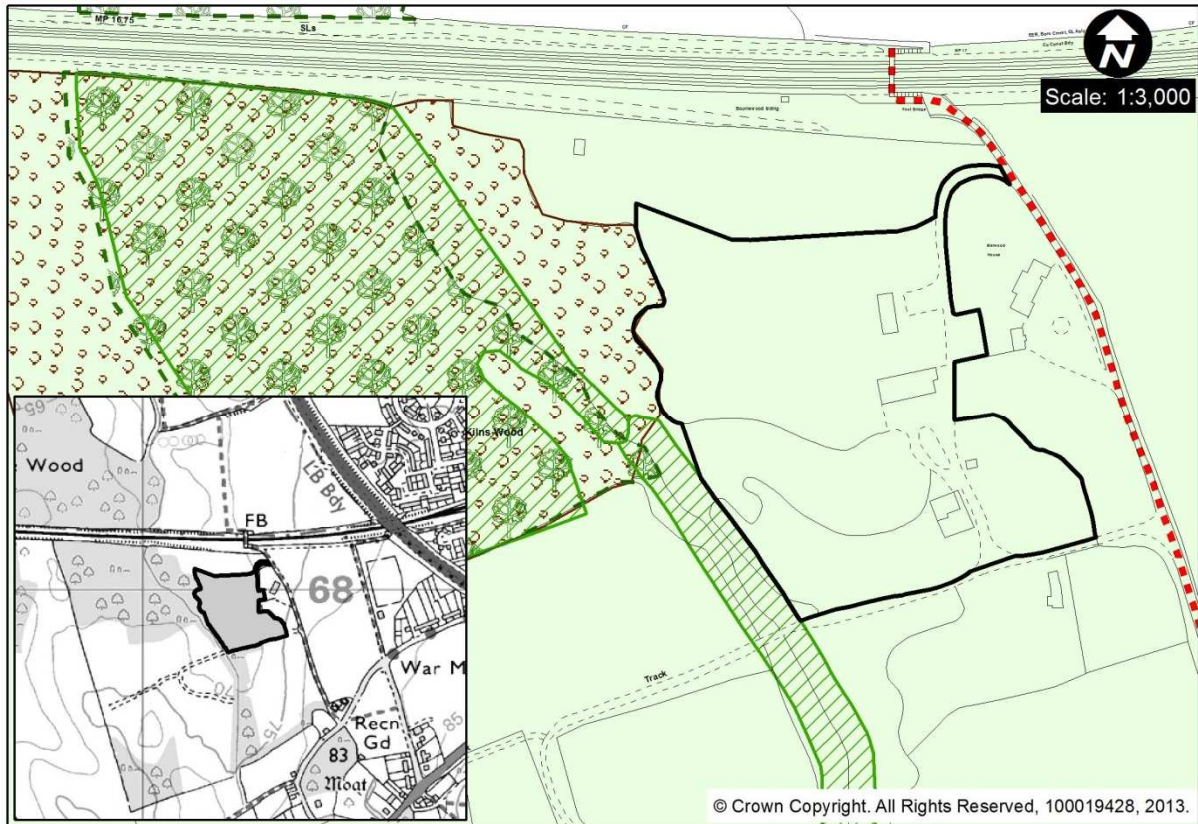
## Land North of Pembroke House, Leydenhatch Lane, Swanley



Current status of the site:	Permanent permission for 1 pitch
Proposed Number of permanent pitches to allocate:	2 (1 additional pitch)

Consult on as a potential allocation?

## Bournewood Brickworks, Stones Cross Road, Crockenhill

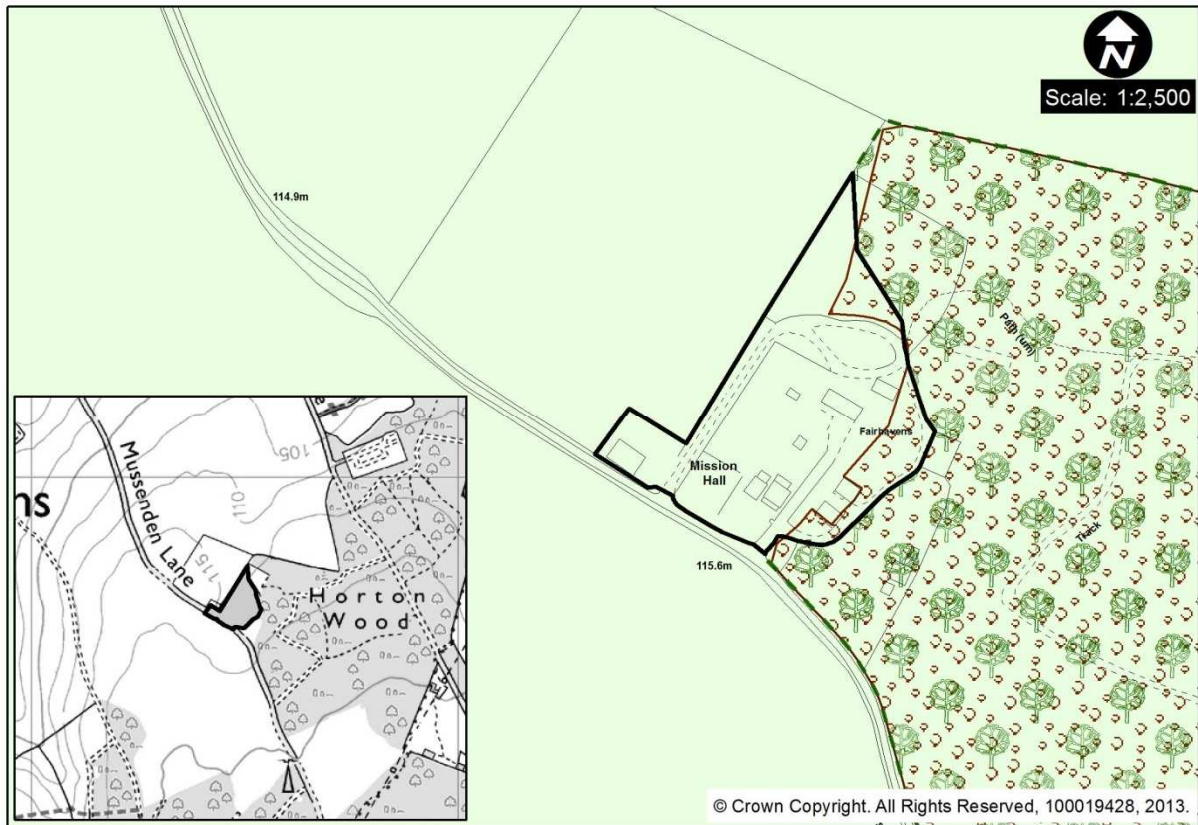


Current status of the site:	Permanent permission for 1 pitch
Proposed Number of permanent pitches to allocate:	8 (7 additional pitches)

Consult on as a potential allocation?



## Fairhavens, Mussenden Lane, Horton Kirby

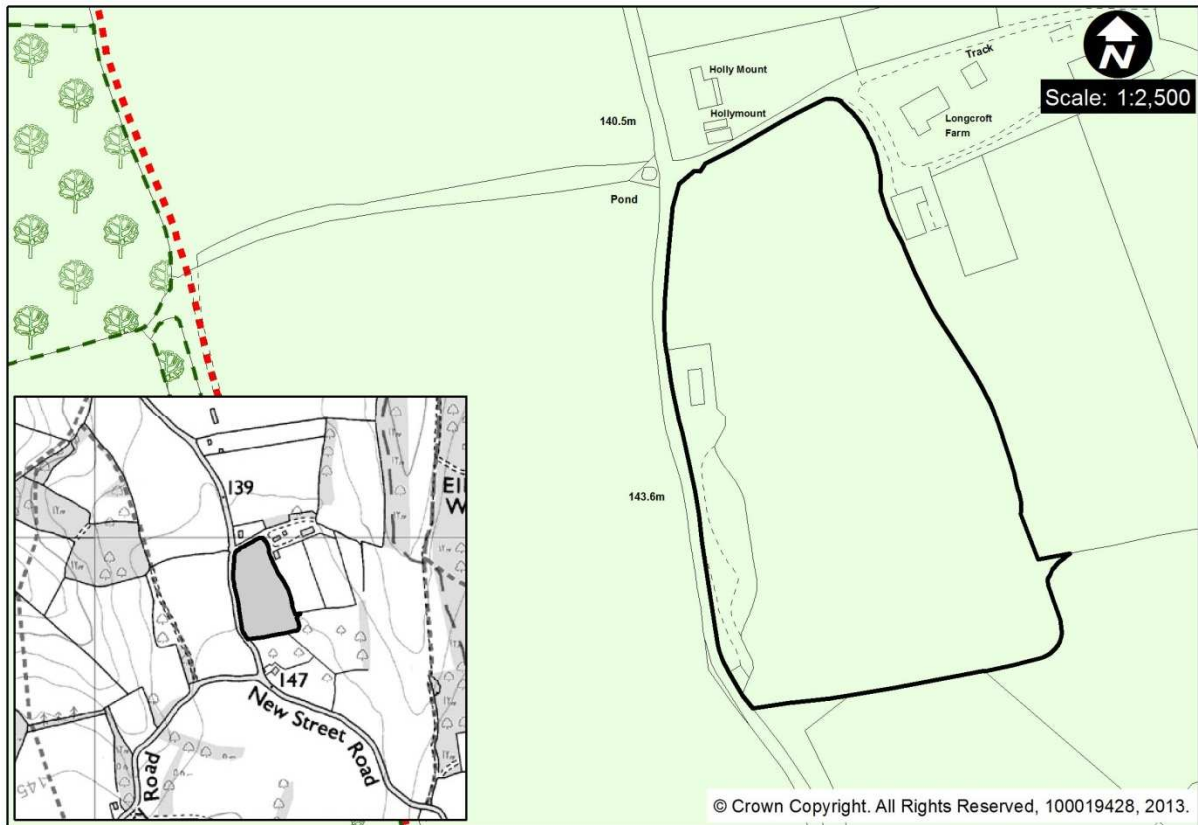


Current status of the site:	Non-Gypsy and Traveller permission for mobile homes
Proposed Number of permanent pitches to allocate:	5

Consult on as a potential allocation?



## Fordwood Farm, New Street Road, Hodsoil Street

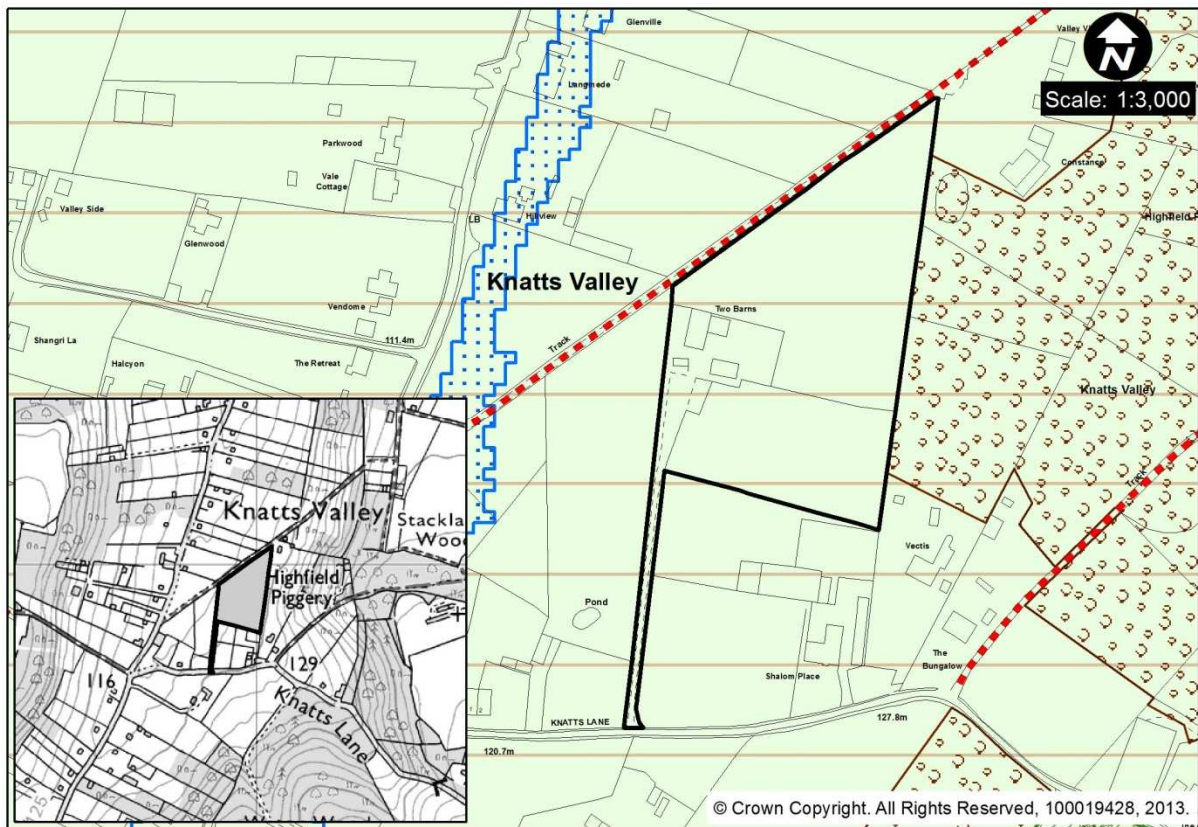


Current status of the site:	Temporary permission for 1 pitch
Proposed Number of permanent pitches to allocate:	4 (3 additional pitches)

Consult on as a potential allocation?



## Two Barns, Knatts Valley, West Kingsdown



Current status of the site:	Permanent permission for 1 pitch
Proposed Number of permanent pitches to allocate:	5 (4 additional pitches)

Consult on as a potential allocation?



## Seven Acres Farm, Hever Road, Edenbridge



Current status of the site:	Temporary permission for 7 pitches
Proposed Number of permanent pitches to allocate:	12 (5 additional pitches)

Consult on as a potential allocation?