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Copeland Local Plan 2021-2038: Publication Draft Addendum

Gypsy and Traveller Site Allocation

Regulation 19 Consultation Paper

March 2022

1. Introduction

- 1.1 This document is to complete the *Copeland Local Plan 2021-2038* by updating Policy H9PU and its supporting text in the Publication Draft and allocating a identifying a Gypsy and Traveller Site Allocation.
- 1.2 The Council has carried out an assessment to identify potentially suitable sites and, to date, this process has identified two sites that could be taken forward as a Gypsy and Traveller Site allocation. The two options, along with proposed new policy wording for each, can be found in Appendices A and B.
- 1.3 The new policy wording and the two potential sites under consideration will be subject to a 6 week public consultation under Regulation 19 of the *Town and Country Planning (Local Planning) (England) Regulations 2012*, which will run from Monday 21st March to Tuesday 3rd May 2022.
- 1.4 After this, and taking into consideration additional evidence such as the Habitats Regulation Assessment and Sustainability Appraisal, the Council will select one of the two sites to include within the policy as an allocated site. This will be submitted to the Secretary of State, alongside the Local Plan Publication Draft, for public Examination.
- 1.5 If you wish to make any comments on the updated Policy H9PU, supporting text or the site allocations under consideration (as identified in Appendices A and B) please do so using the accompanying Representation Form **no later than 4.30pm on Tuesday 3rd May 2022**.

2. Background

- 2.1 The Council has a responsibility to meet the housing needs of all its residents including those who identify as Gypsies, Travellers and Travelling Showpeople under the Housing and Planning Act 2016.
- 2.2 At the time the *Copeland Local Plan 2021-2038 Publication Draft* was produced, the evidence identifying the need for Gypsy and Traveller pitches was incomplete. The draft Cumbria Gypsy and Traveller Assessment (GTAA), which identifies needs across the full county, did however indicate that the need in Copeland would be between 1 and 12 pitches.
- 2.3 In order to be proactive, Council Officers included the following policy and text within the Local Plan Publication Draft. The intention was that the gaps within the policy could then be filled in, and a site specified, once the evidence was available. This would be subject to public consultation and submitted alongside the Local Plan as a modification to make the Plan sound.
- 2.4 The existing text as shown in the Publication Draft is shown below.

13.12 Gypsy and Traveller Accommodation

- 13.12.1 The Council has a responsibility to meet the housing needs of all its residents including those who identify as Gypsies, Travellers and Travelling Showpeople under the Housing and Planning Act 2016. We also have a duty under the Planning Policy for Traveller Sites 2015 to ensure a rolling five-year supply of deliverable sites for travellers.
- 13.12.2 A Cumbria wide Gypsy and Traveller Study is currently being produced. The initial findings indicate a need for between 1 and 12 pitches in the borough to accommodate a Copeland resident currently living in bricks and mortar housing and their extended family.
- 13.12.3 A call for sites was carried out in 2021, however no sites were put forward for consideration. The Council will therefore review its own land assets against the criteria in Policy H10PU below.
- 13.12.4 The Council is currently assessing a number of its own sites against the criteria in Policy H10PU below and is seeking views from the Lead Local Flood Authority and Highways Authority. Potential suitable sites will be subject to a 6-week public consultation in early 2022. The site taken forward will then be identified in Policy H9PU below.
- 13.12.5 Should a need for any additional or short term/transient pitches arise following the Plan's adoption, applications will be dealt with in accordance with Policy H10PU below.

Strategic Policy H9PU: Allocated Site for Gypsies, Traveller and Travelling Showpeople



The following site is allocated for x pitches for gypsy, traveller or travelling show-people mobile homes:

Site to be identified through a separate consultation in early 2022 once the need for pitches has been confirmed

The site must be retained for this purpose and the site must be designed in accordance with criteria b-g of Policy H10PU.

Policy H10PU: Gypsies, Travellers and Travelling Showpeople Sites



Planning applications for the development of new or extension of existing Gypsy and Traveller sites will be supported where it accords with the Development Plan and meets the following criteria:

- a) There is a demonstrated need;
- b) The site would not lead to the unacceptable loss, or significant adverse impact upon landscape character and value, heritage assets and their settings, nature conservation or biodiversity sites;
- c) The site is well related to an existing sustainable settlement, with safe and convenient access to the main highway network, and a range of basic and everyday community services and facilities including education, health, shopping facilities and transport provision;
- d) The site would offer a suitable level of residential amenity to any proposed occupiers, and will not have an unacceptable adverse impact on the amenity of nearby residents;
- e) The site is capable of being designed to ensure that appropriate landscaping and planting would provide and maintain visual amenity in perpetuity;
- f) Pitch size, type and parking will be designed in accordance with national guidance; and
- g) The site can be adequately drained.

3. What the Evidence Shows

- 3.1 In January 2022, the Council received the final Cumbria Gypsy and Traveller Assessment. This identified a need for 12 Gypsy and Traveller¹ pitches based on a single household currently living in bricks and mortar housing in the borough and their extended family.
- 3.2 As can be seen from Table 1 below, taken from the GTAA, the majority of that need is within years 0-5 of the Local Plan period.

Table 1: Number of Gypsy and Traveller Pitches Required from 2021 Onwards

| Years | 0-5 | 6-10 | 11-15 | 16-20 | Total |
|-------|---------|---------|---------|---------|-------|
| | 2021-25 | 2026-30 | 2031-35 | 2036-30 | |
| | 10 | 1 | 1 | 0 | 12 |

4. Meeting the Identified Need

- 4.1 Calls for Sites were carried out at Issues and Options and Preferred Options stages of the Local Plan process. A specific call for Gypsy and Traveller Sites was also carried out in 2021. Unfortunately, no sites were put forward for consideration.
- 4.2 As no sites were submitted the Council then carried out a review of its own landholdings in late 2021 and identified a number of potential sites for consideration: 6 sites in Whitehaven, 1 in Egremont, 2 in Cleator Moor and 2 in Distington.
- 4.3 Four of the sites were excluded from further assessment as they were too small to accommodate 12 pitches. The remaining sites were then assessed by Council officers against the criteria set out in Policy H10PU above to determine constraints and suitability. The views of Cumbria County Council, as Lead Local Flood Authority and Highways Authority were also sought and their comments also informed the assessment of suitability.
- 4.4 The findings of the assessments, and maps of all the sites considered, are included in the accompanying *Potential Gypsy and Traveller Site Assessment*.
- 4.5 The least constrained and most suitable sites are considered to be:
- **Land north of Greenbank in Whitehaven** (see Appendix A)
 - **Land at Sneckyeat Industrial Estate in Whitehaven** (see Appendix B)
- 4.6 The decision regarding which of the two sites to allocate will be informed by a Habitats Regulations Assessment, Sustainability Appraisal, other assessments such as Ecology and Heritage Impact Assessments, as well as feedback from this consultation.

¹ No need was identified for Traveling Showpeople in the borough.

- 4.7 At this stage, it is unknown whether the Council will manage the site or whether this will be carried out by an external organisation. Such details are not required as part of the Local Plan process and would be for a future meeting of the Council, if an approach is made to develop the site.
- 4.8 It should be noted that an allocation does not guarantee that planning permission would be granted for gypsy and traveller pitches on the site. Approval would be subject to conformity with the Development Plan and the merits of the proposal. An allocation does however demonstrate that the *principle* of gypsy and traveller pitches on the site is acceptable.

5. Proposed Changes to Policy H9PU and its supporting text

- 5.1 The Council is proposing to make some amendments to Section 13.12 and Policy H9PU of the Copeland Local Plan Publication Draft now that the level of need has been identified. The proposed changes are set out in the box below; for ease of reference:
- text proposed for deletion is shown as strikethrough
 - text to be added is shown in bold blue text.
- 5.2 The two site allocation options for inclusion within Policy H9PU are shown in Appendices A and B.
- 5.3 No changes are proposed to Policy H10PU.

13.12 ~~Gypsy and Traveller Accommodation Sites~~

- 13.12.1 The Council has a responsibility to meet the housing needs of all its residents including those who identify as Gypsies, Travellers and Travelling Showpeople under the Housing and Planning Act 2016. We also have a duty under the Planning Policy for Traveller Sites 2015 to ensure a rolling five-year supply of deliverable sites for travellers.
- 13.12.2 A Cumbria wide Gypsy and Traveller Study ~~was~~ is currently being produced **in January 2022**. The ~~initial findings indicate~~ **identify** a need for ~~between 1 and 12~~ **Gypsy and Traveller** pitches in the borough to accommodate a Copeland resident currently living in bricks and mortar housing and their extended family.
- 13.12.3 A call for sites was carried out in 2021, however no sites were put forward for consideration. The Council ~~will~~ **has** therefore reviewed its own land assets against the criteria in Policy H10PU below. **Please see the Gypsy and Traveller Site Assessment Paper for further details regarding site selection.**
- 13.12.4 ~~The Council is currently assessing a number of its own sites against the criteria in Policy H10PU below and is seeking views from the Lead Local Flood Authority and Highways Authority. Potential suitable sites~~ **will be** ~~were~~ subject to a 6-week

public consultation in **April/May** early 2022. ~~The site taken forward will then be identified in Policy H9PU below.~~

- 13.12.5 Should a need for any additional or short term/transient pitches arise following the Plan's adoption, applications will be dealt with in accordance with Policy H10PU below.

Strategic Policy H9PU: Allocated Site for Gypsies, and Travellers and Travelling Showpeople



The following site is allocated for ~~12~~ pitches for gypsy, traveller or travelling show-people mobile homes:

Insert Site following consultation (see appendices A and B for options)

~~*Site to be identified through a separate consultation in early 2022 once the need for pitches has been confirmed*~~

The site must be retained for this purpose and the site must be designed in accordance with criteria b-g of Policy H10PU.

6. Focus of the Consultation and How to Respond

- 6.1 The Council wishes to seek the views of stakeholders and interested members of the public regarding the suitability of the sites in Appendices A and B as a Gypsy and Traveller Site allocation. Views are also sought on the wording of the policy and text as set out in the two appendices. This is the wording that would appear in the Submission Draft of the Local Plan depending on which site was taken forward.
- 6.2 The public consultation will run for a total of 6 weeks from **Monday 21st March** until **Tuesday 3rd May**. Any response received following this date will not be taken into consideration.
- 6.3 Responses must be made using the relevant submission form sent to localplanconsultation@copeland.gov.uk and must clearly set out reasons for support/objection. Any comments received will be made publicly available (personal details will be omitted) and will be reproduced in a future Consultation Responses document.

6.4 Responses can also be submitted by post to the following address:

Strategic Planning
Copeland Borough Council
Market Hall
Market Place
Whitehaven
Cumbria
CA28 7JG

6.5 Should you require any further information please contact the Strategic Planning Team on 01946 598300 or at the email address above.

7. Appendix A – Proposed new wording for Policy H9PU, its Supporting Text and the Gypsy and Traveller Site Allocation north of Greenbank, Whitehaven

13.12 Gypsy and Traveller Site

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13.12.4 Potential suitable sites were subject to a 6-week public consultation in April/May 2022.

13.12.5 Should a need for any additional or short term/transient pitches arise following the Plan's adoption, applications will be dealt with in accordance with Policy H10PU below.

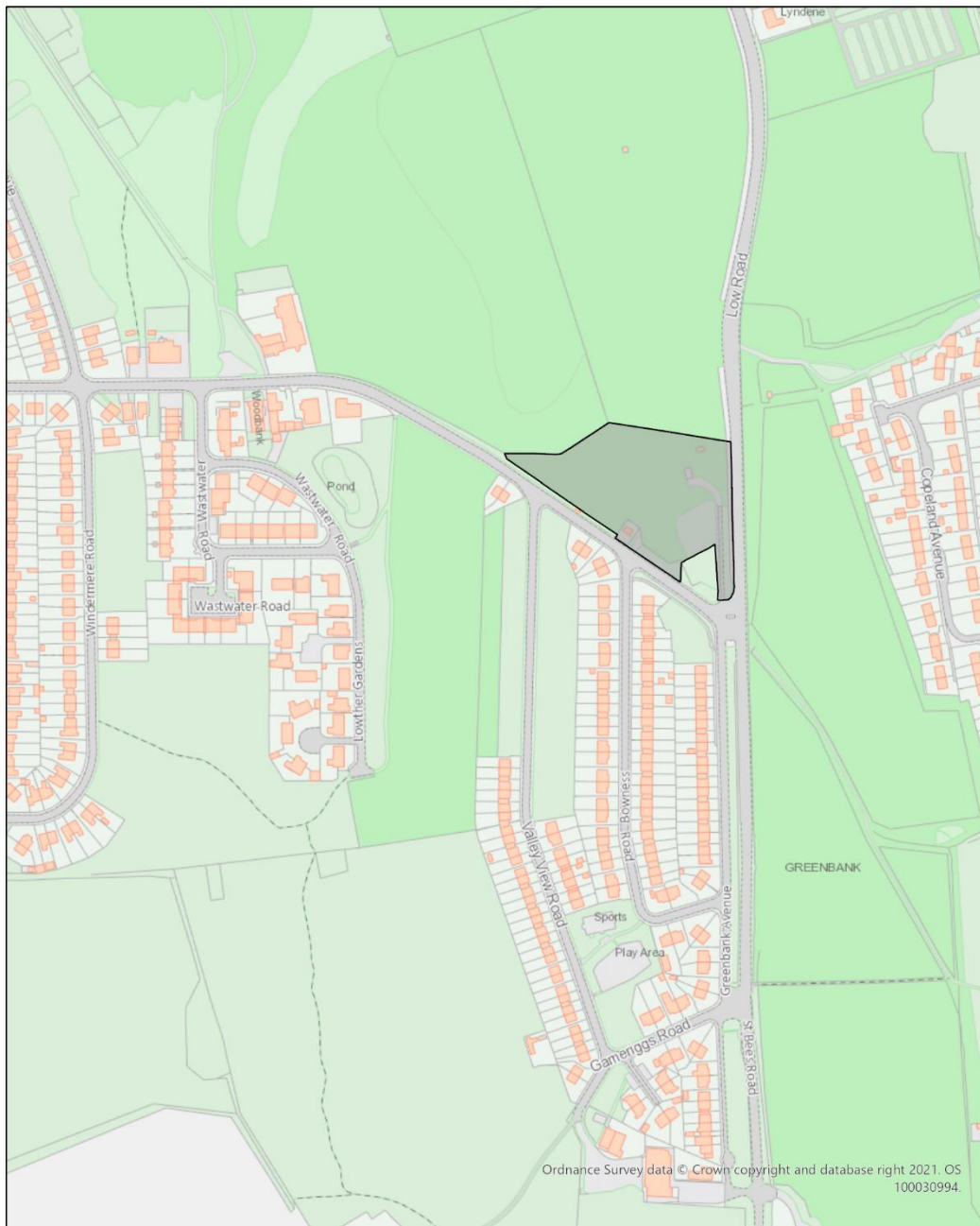
Strategic Policy H9PU: Allocated Site for Gypsies and Travellers



The following site is allocated for 12 pitches for Gypsy, Traveller or Travelling Showpeople mobile homes:

Land north of Greenbank, Whitehaven

The site must be retained for this purpose and the site must be designed in accordance with criteria b-g of Policy H10PU.



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|--|---|---|
| <p>Gypsy and Traveller - Considered Sites GTW3</p> | <p>Copeland Borough Council The Market Hall Market Place Whitehaven Cumbria, CA28 7JG</p> |  <p><i>Proud of our past. Energised for our future.</i></p> |
| | <p>Date of Issue: 16/02/2022</p> | <p>Scale: 1:3,000</p> |

8. Appendix B – Proposed new wording for Policy H9PU, its Supporting Text and the Gypsy and Traveller Site Allocation at Sneckyeat, Whitehaven

13.12 Gypsy and Traveller Site

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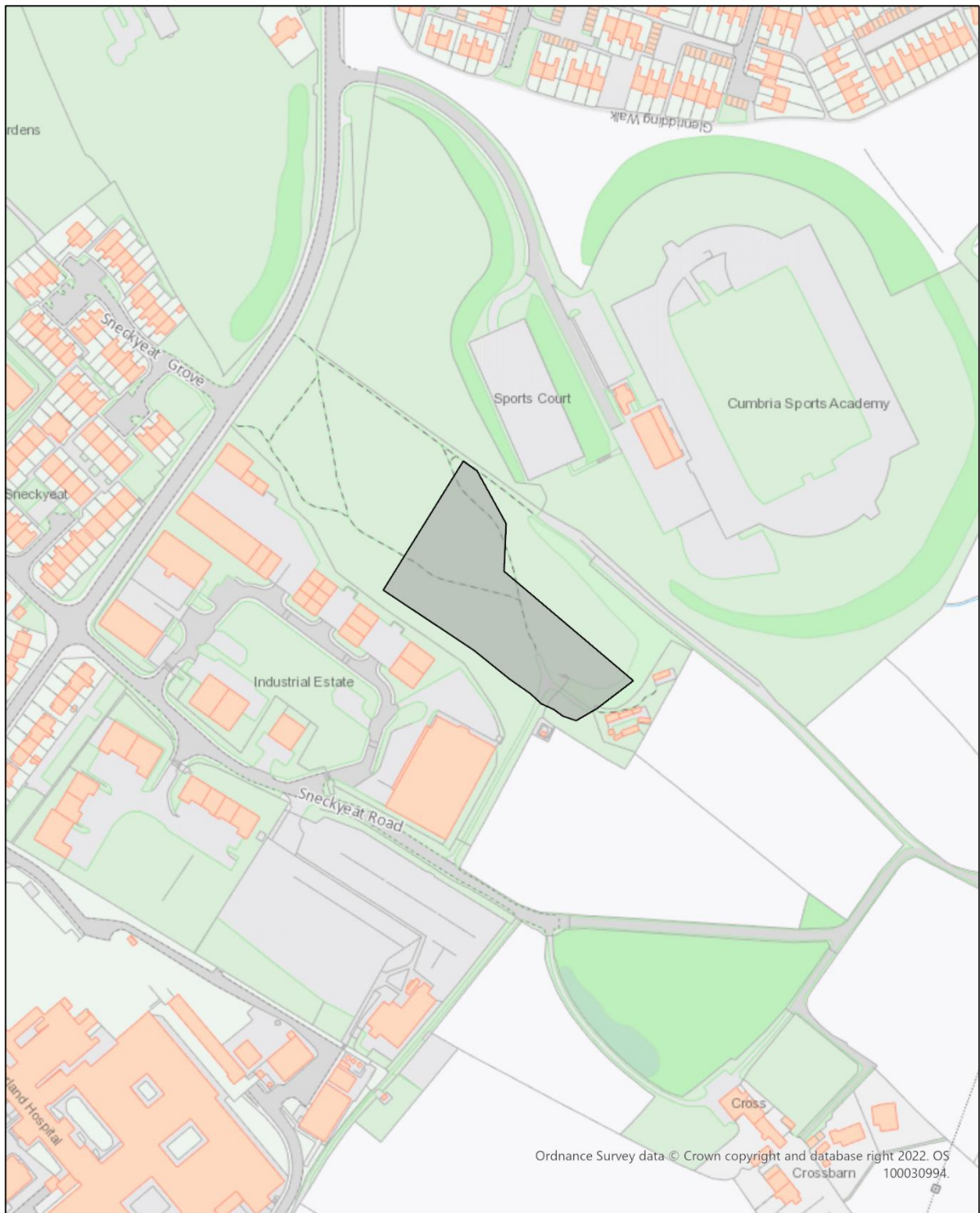
Strategic Policy H9PU: Allocated Site for Gypsies and Travellers




The following site is allocated for 12 pitches for Gypsy, Traveller or Travelling Showpeople mobile homes:

Land at Sneckyeat Industrial Estate, Whitehaven

The site must be retained for this purpose and the site must be designed in accordance with criteria b-g of Policy H10PU.



| | | |
|---|---|---|
| <p>Gypsy and Traveller - Considered Sites GTW5a</p> | <p>Copeland Borough Council The Market Hall Market Place Whitehaven Cumbria, CA28 7JG</p> |  <p><i>Proud of our past. Energised for our future.</i></p> |
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