

**Consultation on
Gypsy and Traveller Issues and Options
8th December 2014 – 2nd February 2015**

**Report of Representations, Officer Comments and
Recommendations**

Introduction

Consultation on the Gypsy and Traveller Issues and Options took place between 8th December 2014 and 2nd February 2015, a total of 8 weeks.

2589 comments were received from 689 people. Of the 2589 comments 6% were on question 1 on the vision and objectives; 5% on question 2 Travelling Showpeople; 6 % on question 3 transit sites; 6 % question 4 need for pitches; 4% question 5 meeting needs within District boundary; 7% question 6 methodology; 8% question 7 size of sites; 6% question 8 location of sites; 7% question 9 access to services; 4% question 10 planning beyond first five years; 5% question 11 delivering sites; 25% question 12 potential sites beyond the Green Belt, 0.7% question 13 potential site within the Green Belt; 0.6% question 14 rejected sites; 3% question 15 unable to identify need; 0.5% question 16 any other sites and 4% question 17 any other comments.

The document summarises the representations received and sets out officers' views and recommendations. To read all the representations in full please go to <http://uttlesford-consult.limehouse.co.uk/portal/gandt>

Do you agree with the suggested vision and objectives for Gypsy and Traveller sites? If no, how would you like the Vision/Objectives to be changed?

157 comments were received on this question. The following is a summary of the key points raised in the representations.

English Heritage recommended some changes to the text and recommends that the historic environment should be integrated into the vision and objectives and supported by specific explanation within the text. They suggest the following textual changes:

- District Vision: 'Whilst protecting the natural, built and historic environment' this would align with the National Planning Policy Framework (NPPF) wording in para 157 bullet point 7
- Objectives: include a reference in one of objectives c,d or e referring to environmental considerations, as required by para 4, bullet 11 in Planning Policy for Traveller Sites 2012
- Include an explanation within the text following the objectives that the environmental considerations relate to the natural, built and historic environment

Essex County Council Environment, Sustainability and Highways recommends that the overarching vision for the Local Plan consultation acknowledges the importance of proximity to local services, in ensuring that Gypsy and Traveller communities within Essex are located in close proximity to local services and facilities. They wish to see this reflected in the objectives. They also recommend that the Council uses the evidence and information received from respondents following this consultation to develop a vision that reflects issues and needs of the Uttlesford local community.

Natural England, Chelmsford City Council, Debden and Flich Green Parish Councils agree with the vision and objectives

National Federation of Gypsy Liaison Group wish to include an objective regarding the consideration of planning applications in accordance with clear and fair criteria, as required by the Planning Policy for Traveller Sites.

Epping Forest District Council wish to see paragraph 3.18 include a statement confirming the intention to work collaboratively with neighbouring authorities on cross-boundary issues. They raise concerns regarding the high number of pitches they are required to find and the Green Belt constraints they face.

Great Canfield Parish Council disagrees with the vision and objectives as they consider the overall need for 26 pitches is too high.

Felsted Parish Council wishes to see the vision/objectives include a statement regarding engagement with Gypsy and Traveller community to ascertain their needs.

Arkesden Parish Council wishes the process to start again and be integrated in the Local Plan process. They consider that the likely change in the definition of Travellers could reduce the requirement for pitches. Access to services should be included in the objectives.

Littlebury Parish Council feels that large sites close to major sustainable locations should be considered

A number of **individuals** made the following points:

- Will not provide sustainable sites in sustainable locations
- Concerns regarding the protection and preservation of the rural environment
- The objectives do not ensure that the needs of the Gypsy and Traveller community and settled communities are properly considered
- No consideration given to the already overstretched infrastructure.
- Not enough consideration given to the impact on the existing communities.
- Gypsy and Traveller sites should conform to the same planning considerations and standards as is placed on the settled community
- The objectives should state that brownfield sites should be given priority
- This issue should be dealt with alongside the Local Plan process
- No proper consultation has taken place with the local communities
- Current sites should be occupied appropriately before the vision and objectives are considered
- Questions why, if the Gypsy and Traveller community are becoming more settled, the document needs to be written

Officer Comments and Recommendations

Comments on the vision and objectives are noted. As the Gypsy and Traveller issues will now be dealt with within the new Local Plan the vision and objectives will be revised during this process and the comments taken into account.

Question 2: Do you agree there is no need for Travelling Showpeople households up to the year 2033?

130 comments were received on this question, 123 of which answered 'Yes' and 7 answered 'No'.

The following **Parish Council's** answered Yes – Arkesden, Clavering, Debden, Felsted, Great Canfield, Great Hallingbury, Little Hallingbury, Littlebury, Takeley and Wicken Bonhunt.

Chelmsford City Council agreed that there was no need for travelling showpeople households up to the year 2033.

The National Federation of Gypsy Liaison Group state that this should refer to pitches not households.

Officer Comments and Recommendations

Comments on this question are noted. As the Gypsy and Traveller issues will now be dealt with within the new Local Plan this question will be considered again during this process and the comments taken into account.

Question 3: There are no key traveller routes in the Uttlesford District. Do you agree that it is more appropriate to provide transit sites on key traveller routes?

143 comments were received on this question.

135 respondents, including the following **parish councils** – Arkesden, Clavering, Debden, Felsted, Great Canfield, Great Hallingbury, Little Hallingbury, Littlebury, Takeley, Wendens Ambo and Wicken Bonhunt agreed that it is more appropriate to provide transit sites on key traveller routes.

8 respondents, including the **National Federation of Gypsy Liaison Groups** and **Chelmsford City Council** did not agree with the statement.

Chelmsford City Council asks for clarification on the evidence used to determine that there are no key Traveller routes in the District given its proximity to the A120 and M11 they find this surprising.

Officer Comments and Recommendations

Comments on this question are noted. As the Gypsy and Traveller issues will now be dealt with within the new Local Plan this question will be considered again during this process and the comments taken into account.

Question 4: The Council has identified a need for 26 pitches for Gypsies and Travellers. If you don't agree with this what evidence can you provide to justify your view?

148 comments were received on this question. The following is a summary of the key points raised by the representations.

The need for 26 pitches was agreed by 2 individuals and **Great Hallingbury** and **Little Hallingbury Parish Councils**.

National Federation of Gypsy Liaison Groups considers that 26 pitches should be recognised as the minimum level of provision and needs to be subject to regular review.

An **individual** considered that the Gypsy and Traveller and Travelling Show People Accommodation Assessment (GTAA) is unlikely to be comprehensive and therefore in the region of 30 pitches would be a preferable base of policy. The timespan is too long and the phased delivery of sites could be used as a reason for refusal. It would be better to have a more flexible approach and a GTAA and its equivalent every 5 years.

Chelmsford City Council is satisfied that the plan should provide 26 additional pitches in accordance with the GTAA. However the position could need revisiting if there are any changes in the Government policy.

Arkesden Parish Council and **Wicken Bonhunt Parish Council** consider that the ongoing Government consultation on the definition of Travellers will lead to a reduced need and therefore to plan for 26 additional pitches would result in an over-supply of pitches, which would inevitably lead to unauthorised settlements.

Arkesden Parish Council consider that in any event, such a low level of numbers could be addressed by criteria based policies alone, since private sector provision would be likely on a windfall basis. This would avoid over provision. They comment that the need for 26 pitches as calculated in the Essex GTAA report was never questioned by UDC and yet the vast majority of this need derived from predictions of new household formation using a growth rate of 2%. The report states: 'Population modelling shows the true growth in the Gypsy and Traveller population may be as low as 1.25%'. Using this lower growth rate could reduce Uttlesford's proposed need by 9 pitches.

Felsted Parish Council question that with travellers becoming more settled and with the definition of traveller becoming more defined, whether there is still a need for a further 26 pitches. They also consider that to base need on inflationary needs set at 2% as a mid-point between 1.5% and 3% is an inexact process being presented as an accurate forecast of need to 20 years ahead, which has had no adjustment to take account of local feedback.

Arkesden, Clavering and Wicken Bonhunt Parish Council consider that in addition the report identified 20 pitches at Stansted that are occupied by non-travellers. If proper enforcement action was taken these could have a significant effect on the supply of pitches and therefore on the additional number of pitches required.

Clavering Parish Council say that post Essex GTAA final report a site for 8 pitches in Uttlesford has been granted.

Wendens Ambo Parish Council consider that as no key traveller routes exist in this area, a figure of 26 additional sites needed is likely to be an over-estimate of demand for residential gypsy and traveller sites.

A number of **Individuals** made the following points:

- Over reliance on future projections of gypsy household formation rates. Concern was raised to the use of a 2% increase which is a midway point between a low household growth rate of 1.5% and a high growth rate of 3%.
- That the figure does not recognise that the Government has consulted on a definition of Gypsy and Travellers for planning purposes which may result in a lower need for Uttlesford and the need to revisit the GTAA.
- That there is a site of 20 pitches at Stansted which is currently occupied by non gypsies and travellers.
- Little work opportunities for Gypsy and traveller communities within Uttlesford;
- The majority of existing family owned sites in Uttlesford do not want to expand;
- Number of pitches inflated to meet needs of adjoining Councils such as South Cambridgeshire

Officer Comments

Government policy for Gypsy and Traveller sites is contained within the adopted 'Planning policy for traveller sites' 2012. Until new legislation is adopted this is the planning policy for which decisions are made against. If new National policy is adopted then the Council will assess the need for a new Gypsy and Traveller Accommodation Assessment.

Since the GTAA was published in 2014 there have not been any new approved Gypsy and Traveller sites in the District.

The 26 pitches is the need for Uttlesford District alone. This figure does not meet the needs of any adjoining local authority.

Comments regarding the site at Stansted are dealt with under question 17.

The calculation used in the GTAA 2014 is based on a sound and tested assessment of need.

All residents on existing Gypsy and Traveller sites were contacted by the consultants and asked whether or not they had a need to expand the number of pitches on their site.

Officer Recommendation

Comments on this question are noted. As the Gypsy and Traveller issues will now be dealt with within the new Local Plan this question will be considered again during this process and the comments taken into account.

Question 5: Do you agree that the Council should identify sites to meet its own needs within the District boundary? If no, what evidence can you provide to justify your view.

104 comments were received on this question. The following is a summary of the key points raised in the representations.

41 respondents agreed that the Council should identify sites to meet its own need within the District Boundary. This included **Felsted, Debden, Little Hallingbury, Great Hallingbury, Great Canfield, Flitch Green, Wicken Bonhunt and Clavering Parish Council and Chelmsford City Council.**

63 respondents did not agree, including **Littlebury and Arkesden Parish Council, The National Farmers Union, the Federations of Gypsy Liaison Group, Essex County Council and Epping Forest District Council.**

The following key points were made:

The National Farmers Union believe that local authorities should coordinate the development of site needs and allocations with neighbouring authorities to ensure suitable sites are developed

The National Federation of Gypsy Liaison Group state that Councils are required to co-operate with neighbouring authorities so it may be that some provision may need to be made to meet any difficulty faced by neighbouring Councils.

Essex County Council stresses the importance of providing sites that are consistent with the NPPF and Planning for Traveller Sites

Epping Forest District Council objects on the grounds that it takes no account of the constraints faced by neighbouring authorities and ignores paragraph 9 c of Planning Policy for Traveller sites which advises local authorities to consider joint development plans.

Arkesden Parish Council request the Council adopts a criteria based policy to be applied when sites come forward.

Littlebury Parish Council states that the Council provides 40% affordable housing across the district.

A number of **individuals** made the following points:

- The Council should explore the possibility of using sites beyond their boundary to meet need
- Questions why any sites are needed in the District
- Council should cooperate at regional level to ensure their needs are properly calculated
- This should be done at County Council level
- Sites should be located near established traveller routes
- There is no robust evidence of need

Officer Comments

Neighbouring authorities are consulted with as statutory consultees throughout the plan preparation. Duty to co-operate meetings regularly take place and discussions regarding Gypsy and Traveller allocations can form part of these discussions along with housing allocations and other cross boundary issues.

Gypsy and Traveller needs are a separate issue to affordable housing requirements.

The need for 26 pitches in the District is evidenced in the GTAA 2014. The calculation used in the GTAA 2014 is based on a sound and tested assessment of need.

As stated in the NPPF and Planning policy for traveller sites it is a requirement for local authorities to identify the need for Gypsies and Travellers in their District.

Officer Recommendation

Comments on this question are noted. As the Gypsy and Traveller issues will now be dealt with within the new Local Plan this question will be considered again during this process and the comments taken into account.

Question 6: Do you support the methodology the consultants have used to assess the sites in order to include them in this consultation? If no what different methodology would you suggest for selecting sites?

175 comments were received on this question.

21 respondents supported the methodology used. This included **Chelmsford City Council, Debden, Great Canfield, Little Hallingbury and Great Hallingbury Parish Council and Natural England.**

154 respondents did not support the methodology, including **Clavering, Arkesden, Wicken Bonhunt, Littlebury and Felsted Parish Council, National Farmers Union and English Heritage.**

The following is a summary of the key points raised in the representations:

English Heritage support the methodology in broad terms, however they suggest minor textual changes and state their wish for the historic landscape characterisation work carried out by Essex County Council to be taken into account and suggest advice is sought from County Council Historic Environment Services.

The National Farmers Union are concerned that the availability of local services has not been considered. They suggest a scoring matrix could be used to assess the appropriateness of each site. They suggest a new methodology is drawn up and consulted on.

Clavering Parish Council wishes the methodology to take into account access to services

Arkesden Parish Council supports the methodology in general but feels that weighting should be attached to each criterion. They feel that if the proposed sites had been assessed correctly against UDC's criteria a different result for site suitability may have been achieved.

Felsted Parish Council feels that it is inappropriate to apply equal weight to the criteria.

Wicken Bonhunt Parish Council feels that the methodology has not been applied fairly

A number of **Individuals** made the following points:

- The sites should be accessible to local services
- Sites which have fallen in the red column have still then been taken forward as potential sites.
- Does not go into enough detail – should use Cambridge County Council as a good example
- More consideration needs to be given to the needs of the settled community
- No account of spatial distribution
- Assumptions regarding mitigation have been made on some sites
- Support for the methodology if it had been adhered to correctly
- Proper consideration on environmental impact have not been given
- The methodology ignores advice in the NPPF regarding sustainable development
- There should be a relationship between the number of pitches to the surrounding populations size and density
- The methodology does not use Policy HO11 rigorously enough
- Question if the consultants ever visited the sites

Officer Comments

Essex County Council Archaeological and Environment Officer was consulted with during the preparation of the document and their views will continue to be sought throughout the plan preparation.

The consultants visited every existing Gypsy and Traveller site and all those sites put forward to the Council for Gypsy and Traveller use.

With regards to spatial distribution, the Council can only allocate sites which are available, suitable and deliverable. As some existing sites have been assessed as suitable it is possible the spatial distribution may not change.

It is recognised that access to services was not a criteria in the methodology; however, Due to the rural nature of the district and the dispersed settlement pattern within it and due to the sites put forward to the Council as available, it is unrealistic to find sites which are in the main settlements. The balance between sustainability of sites and availability of sites is one that is common place in rural districts. It is considered that due to the potential number of total pitches on sites the impact on local services could be managed effectively. The Clinical Commissioning Group, Essex County Council Education and other infrastructure providers are all consulted with throughout plan preparation.

The Planning Policy for traveller sites (CLG 2012) paragraph 12 recognises that there will be a need for sites to rural areas.

Policy HO11 has informed the methodology criteria. Point a. of the policy is covered by criteria: Environmental Designation and Ecology, Landscape and Green Belt and Historic Environment.

Point b. of the policy is covered by criteria: Site access and safety

Point c. of the policy is covered by criteria: Flood Zone

Point d. of the policy is covered by criteria: Developability

And point e. of the policy is covered by criteria: Site size and layout

Advice was taken from professionals on each site; including the Environment Agency, Highways, Landscape Officer, Development Management Officers, Conservation Officers and Historic Environment Officers.

Assumptions regarding mitigation measures on sites have been made, however, during the next stage of the process more details regarding mitigation can be requested. If mitigation measures are required this can be specified in an allocations policy and detailed at planning application stage.

Officer Recommendations

Officers maintain that the site methodology used is appropriate and does take into account the NPPF, Planning Policy for Traveller Sites and Designing Gypsy and Traveller Sites. It is considered that the criteria used will help lead to well informed decisions regarding the suitability of individual sites.

Question 7: Gypsy and Traveller sites should be small with up to 5 pitches

or

Gypsy and Traveller sites should be between 6-15 pitches

or

Gypsy and Traveller sites containing more than 15 pitches could be appropriate

or

**Do you have alternative suggestions on the site of sites the Council should be considering?
(please specify)**

210 comments were received on this question.

150 respondents stated that Gypsy and Traveller sites should be small with up to 5 pitches. This included **Clavering, Arkesden, Little Hallingbury, Great Hallingbury and Flitch Green Parish Council** and **Hertfordshire County Council**.

3 respondents stated that Gypsy and Traveller sites should be between 6-15 pitches.

1 individual states that Gypsy and Traveller sites containing more than 15 pitches could be appropriate.

56 respondents suggested an alternative. This included **Takeley, Wicken Bonhunt, Littlebury, Debden, Wendens Ambo, Great Canfield and Felsted Parish Council, the National Farmers Union, the National Federation of Gypsy Liaison Groups, Essex County Council and Chelmsford City Council**.

The following is a summary of the key points raised in the representations:

Essex County Council considers that it is unreasonable to adopt a one size fits all approach as size may depend on the individual requirements of the Gypsies and Travellers,

Chelmsford City Council recommend a flexible approach in line with paragraph 4.7 of the Designing Gypsy and Traveller sites good practice guide which states that no one ideal site size but suggests a maximum of 15 pitches. Proposals should be considered on a case by case basis.

National Federation of Gypsy Liaison Groups state that small sites of up to 5 pitches work best and sites over 15 pitches should be discouraged. They ask that flexibility be maintained and a full range of sites between 1 and 15 pitches should be considered.

The National Farmers Union feel that 5 pitches or less is most appropriate, however, they feel that if sites are near larger settlements with access to services sites of up to 12 pitches could be appropriate. Isolated rural sites should be avoided altogether.

Felsted Parish Council are concerned that smaller sites will result in more sites. The size of site should reflect the Gypsy and Travellers need for space.

Takeley Parish Council feels that there needs to be a mix of small and medium sites.

Wicken Bonhunt Parish Council small sites of 5 pitches is recommended, however large sites should not be allocated as this would lead to unauthorised movement on to the site.

Littlebury Parish Council considers no sites are needed.

Debden Parish Council favour small sites

Wendens Ambo Parish Council favour small sites stating that the current average size of sites in the district is 2 pitches.

Great Canfield Parish Council feel that it is difficult to have a one size fits all approach. Each site should be considered on its merits and its proximity to larger settled communities.

A number of **Individuals** made the following points:

- Small sites are preferred, therefore large sites should not be allocated as this will encourage unauthorised additions
- Size of sites should reflect the local community they are near too
- Size of sites should be determined by the availability of local services
- No sites
- Larger sites appropriate in urban areas and small sites appropriate in rural areas

Officer Comments

Officers note the importance of a flexible approach to policy. However, as Uttlesford is a rural district, with no sites being promoted near the three main settlements, it is considered appropriate to recommend a policy of up to 5 pitches on rural sites. It is also considered appropriate that a maximum of 15 pitches per site be taken forward for sites in general. This policy approach would ensure that rural settlements have development which is of an appropriate size given the availability of infrastructure and the size of the existing community.

The Council has a duty to allocate sites. The need for 26 pitches has been identified and it is National policy that we plan for the needs of the Gypsy and Traveller communities.

Officer Recommendation

It is recommended that a policy is considered for sites to have a maximum of 5 pitches in rural areas and a maximum of 15 pitches on sites elsewhere.

Question 8: If the Council identify more than enough suitable and available sites to need needs, how should the Council give priority in choosing which sites to allocate? (Please list in order of priority)

Sites within and adjacent to existing settlement's

Sites within those areas where the travelling communities currently live and travel through

Sites which are close to or which have easy access to local services

Sites which have some other reason to be chosen rather than others

164 comments were received on this question. The following is a summary of the key points raised by the representations.

33 people stated that they felt sites within and adjacent to existing settlements should be given priority. This included **Littlebury, Great Canfield and Great Hallingbury Parish Council**.

93 people stated that they felt sites within those areas where the travelling communities currently live and travel through should be given priority. This included **Clarvering and Arkesden Parish Council**.

11 people stated that they felt sites which are close to or which have easy access to local services should be given priority. This included **Debden Parish Council**

27 people stated other reasons sites should be chosen. Below is a summary of the key points raised in the representations:

Chelmsford City Council recognises that there are a number of options to consider. They suggest a flexible approach to allow proposals to be considered on a case by case basis.

Essex County Council recommends that a key principle in determining the suitability of sites is access to community and social facilities including but not exclusively – early years and child care, primary and secondary education and libraries. Ideally sites should be located within 2 miles of a primary school and no more than 3 miles from a secondary school.

English Heritage wishes the historic sensitivity of the site to be given appropriate weight

National Federation of Gypsy Liaison Groups suggests that even if more sites than needed are shown to be suitable and available they should be accepted, even if this results in over provision.

Wendens Ambo Parish Council state that sites should be located where there is sustainable and suitable infrastructure and services

Little Hallingbury Parish Council feels that this should be decided on suitability of the area and needs relative to assessment criteria.

Great Hallingbury Parish Council state that it should depend on agreement of the local community

Fritch Green Parish Council state that sites should not be developed adjacent to existing settlements

Felsted Parish Council consider that sites should meet the agreement of both the travelling community and local community

A number of **individuals** made the following points:

- Sites should be assessed against National policy and policy HO11
- Sites should be identified through the Local Plan process
- Sites should be sustainable, close to services
- Avoid sites near small communities
- Sites which the settled community support
- Brownfield sites should be given priority
- Sites should be located well away from settled communities
- Wherever the demand is
- Access to public transport
- No sites at all
- Close to employment opportunities

Officer Comments

The Council has to allocate sites. The need for 26 pitches has been identified and it is National policy that we plan for the needs of the Gypsy and Traveller community.

Due to the rural nature of the district and the dispersed settlement pattern within it and due to the sites put forward to the Council as available, it is unrealistic to find sites which are in the main settlements and that are within 2 – 3 miles of primary and secondary schools. The balance between sustainability of sites and availability of sites is one that is common place in rural districts. It is considered that due to the potential number of total pitches the impact on local services could be managed effectively. The Clinical Commissioning Group, Essex County Council Education and other infrastructure providers are all consulted with throughout plan preparation.

The Planning Policy for traveller sites (CLG 2012) paragraph 12 recognises that there will be sites in rural areas.

All sites are assessed against national planning policy, including the NPPF, Planning Policy for Traveller Sites and Designing Gypsy and Traveller Sites.

It is officer's recommendation that the allocation of Gypsy and Traveller sites forms part of the new Local Plan.

Officer Recommendations

It is unclear at this stage whether the Council's need for Gypsy and Traveller sites can be met. As the Gypsy and Traveller issues will be dealt with within the new Local Plan this question will be considered during this process and the comments taken into account.

**Question 9: Which local facility is the most important to be close to when identifying sites?
(please list in order of priority)**

Health care

Shop

Primary school

Other (please specify)

187 comments were received on this question. The following is a summary of the key points raised by the representations.

28 people stated health care as their first priority. This included **Debden Parish Council**

16 people states shop as their first priority

41 people stated primary school as their first priority. This included **Great Canfield Parish Council and the National Federation of Gypsy Liaison Groups.**

102 people stated 'other' as their first priority. This included **Clavering, Arkesden, Wicken Bonhunt, Little Hallingbury, Great Hallingbury and Felsted Parish Council and Chelmsford City Council, Essex County Council, National Farmers Union**

The following is a summary of the key points raised in the representations:

Chelmsford City Council recognises that there are a number of factors to consider and a flexible approach is suggested to allow proposals to be considered on a case by case basis.

Essex County Council considers that it is difficult to prioritise and such facilities should be ranked equally. Other factors should be considered, such as early years and child care, secondary school, libraries and other social facilities.

National Federation of Gypsy Liaison Groups feel that proximity to a primary school is important and convenient access to public transport should be a second priority.

Clavering Parish Council feels that all three have equal weight and transport links are an important consideration.

Arkesden and Littlebury Parish Council state that access to employment opportunities are vital

Great Canfield Parish Council consider transport links are important

Little Hallingbury and Great Hallingbury Parish Council feel that it is unrealistic to suppose that sites will be near to such facilities. Residents in villages and hamlets have to use nearest available facilities in neighbouring villages and towns.

Felsted Parish Council feel that the question is irrelevant as members of both communities recognise that it is possible and necessary to drive to reach amenities. They feel, however that access to a primary school is important.

National Farmers Union feel that sites should be placed where the full range of services are available.

A number of **Individuals** made the following points:

- Access to public transport
- Access for large vehicles
- Access to a town
- Safe pedestrian access including street lighting and pavements
- Access to employment opportunities
- Access to the main road network
- Emergency services
- All three are equally important
- Access to services and utilities

Officer Comments

It is recognised that there is a desire to have access to local services, however, due to the rural nature of the district and the dispersed settlement pattern within it and due to the sites put forward to the Council as available, it is unrealistic to find sites which are in the main settlements. The balance between sustainability of sites and availability of sites is one that is common place in rural districts. It is considered that due to the potential number of total pitches the impact on local services could be managed effectively. The Clinical Commissioning Group, Essex Police, Essex Fire and Rescue, Essex County Council Education and other infrastructure providers are all consulted with throughout plan preparation.

The Planning Policy for traveller sites (CLG 2012) paragraph 12 recognises that there will be sites in rural areas.

All sites are assessed against national planning policy, including the NPPF, Planning Policy for Traveller Sites and Designing Gypsy and Traveller Sites.

Officer Recommendations

Comments on this question are noted. As the Gypsy and Traveller issues will now be dealt with within the new Local Plan this question will be considered during this process and the comments taken into account.

Question 10: How should the Council plan for sites beyond the first five years?

- 1) Identify specific developable sites**
- 2) identify broad locations for growth across the district**

99 comments were received on this question.

52 people felt that the council should identify specific developable sites. This included **Felsted, Little Hallingbury, Great Hallingbury, Flitch Green, Debden, Wicken Bonhunt and Clavering Parish Council and Chelmsford City Council.**

48 people felt that the Council should identify broad locations for growth.

Officer Comments and Recommendations

Views on this question are noted. It is recommended that this question is assessed at the later stages of plan preparation. If enough suitable sites come forward then it may be possible to identify specific developable sites over the whole plan period, however, if there are not enough suitable sites then the Council will have to identify broad locations for growth.

Question 11: Please indicate the best ways of delivering Gypsy and Traveller sites

Granting permission to existing sites which currently do not have permission

Extending or putting more pitches on existing sites

Identify new sites for Gypsy and Travellers

Other

139 comments were received on this question.

39 people felt that granting permission to existing Gypsy and Traveller sites which currently don't have permission is the best option. This includes **Felsted, Wicken Bonhunt, Wendens Ambo and Arkesden Parish Council and the National Federation of Gypsy Liaison Groups**

58 people felt that extending or putting more pitches on existing sites is the best option. This included **Great Hallingbury and Littlebury Parish Council and the National Farmers Union.**

17 people felt that identifying new sites for Gypsies and Travellers is the best way of delivering sites. This included **Debden, Little Hallingbury and Flitch Green Parish Council.**

26 people suggested 'other' ways to deliver Gypsy and Traveller sites. This included **Clavering and Great Canfield Parish Council, Essex County Council and Chelmsford City Council.**

The following is a summary of the key points raised by the representations:

Chelmsford City Council suggests that a combination of all 3 delivery models is required.

Clavering Parish Council feels that unauthorised sites should not be given automatic permission. They want to see existing permitted sites safeguarded.

Essex County Council considers that a one size fits all policy is not appropriate.

A number of **individuals** made the following points:

- The existing sites at Stansted should be brought back into proper use
- Granting permission to existing sites which don't have permission should never happen
- Incorporate Gypsy and Traveller provision in a revised Local Plan
- The usual planning application process should be followed

- No need for sites

Officer Comments

Officer comments regarding the situation on the Stansted sites are under question 17.

Automatic permission would not be granted for unauthorised sites. Sites would still have to be assessed for their suitability, availability and developability and then normal planning application processes would be followed.

It is officer’s recommendation that the allocation of Gypsy and Traveller sites forms part of the new Local Plan, within which existing Gypsy and Traveller sites will be safeguarded.

The Council has a duty to allocate sites. The need for 26 pitches has been identified and it is National policy that we plan for the needs of the Gypsy and Traveller communities.

Officer Recommendations

Comments on this question are noted. It is recommended that this question is assessed again at the later stages of plan preparation. It is likely that a mix of delivery methods will be used to deliver the Gypsy and Traveller provision needed.

Question 12. The Council need to determine whether these sites are available, suitable and achievable for Gypsy and Traveller provision. Do you have any evidence or information to justify your view?

644 comments were received on this question. The following is a summary of key points raised by the representations.

UTT009 – Tandans Great Canfield

Site Name	Existing Authorised Pitches	Extant Permission for Pitches	Additional Pitches
Tandans	1	2	2

5 comments were received regarding this site. The following key points were made:

English Heritage highlights the potential archaeological interest and state that further consideration may be required.

Anglian Water mark the site as ‘red’ for Surface Water Network Capacity’ in their assessment.

Takeley Parish Council questions the availability of sites.

Great Canfield Parish Council questions whether the site is large enough to accommodate an additional 2 pitches. Increased numbers will mean an increased need for management and liaison team.

The **Site owner** supports the inclusion of the site in the document.

Individuals

- Question the need for additional pitches on this site.
- Asks why additional pitches are allowed when permission was refused for housing.
- Concerns regarding the degraded private road leading to the site.

Officer Comments

The landowner/occupier of the site was contacted by the consultants to ensure the site is available. The landowner/occupier has responded to this consultation and supports the inclusion of the site. The Council therefore considers the site to be available.

The consultation document highlights the potential issue regarding medieval finds. This does not exclude the possibility of this site being allocated but that an evaluation of the site would be required, and mitigation measures considered at planning application stage.

The consultants carried out a site survey and assessed the site in terms of its size and shape, Gypsy and Traveller design guidance and design templates for pitches. It is considered that an additional 2 pitches can be accommodated on the site.

Management of the site does and will not be the Council's responsibility as this is a privately owned site.

The 2014 GTAA identified the District need for additional Gypsy and Traveller pitches. The availability and need in relation to this site was identified through discussions with the owner/occupier.

Officer Recommendations

This site is available, deliverable and suitable. It is therefore recommended that this site is taken forward and included in the new Local Plan consultation as a potential site for allocation.

It is considered that detailed policy considerations should be included in the Plan to ensure certainty for both the Gypsy and Traveller and the settled community as to what will be required from the development.

UTT014 – Star Green Radwinter End

Site Name	Existing Authorised Pitches	Extant Permission for Pitches	Additional Pitches
Star Green	1	0	2

14 comments were received regarding this site. The following key points were made:

English Heritage state that the effect on landscape character and the setting of the listed buildings to the north of the site are key sensitivities.

Radwinter Parish Council raised concerns regarding traffic and junction layout and services e.g. septic tank and electricity. They request that a condition is placed on any further planning applications ensuring that this is not used as a transient site.

Anglian Water point out that this site would require significant off site foul sewerage to connect to the public sewerage system and mark the site as 'red' for Surface Water Network Capacity' in their assessment.

A number of **individuals** raised the following points:

- question why Gypsy and Travellers have different planning rules to the settled community
- questions why Gypsy and Travellers do not have to pay council tax
- lack of local facilities – unsustainable location
- dangerous narrow road
- protected lane – allocating this site would be contrary to policy
- contrary to Council Policy HO11
- no pedestrian pavements
- the site is not near traveller routes and other Traveller sites
- Support for the site
- The site is not an official Gypsy and Traveller site and the residents are not Gypsy's or Travellers
- Requests that details regarding landownership is made public
- There are currently no play areas or amenity blocks on site which has a negative effect on their quality of life
- Negative impact on the landscape and environment
- Local school is at capacity
- Negative impact on social cohesion and good relations currently in the village
- The site is not large enough to take two more pitches
- The local residents were not consulted and did not receive notification of this consultation
- Unacceptable noise levels on occupants due to the use of agricultural vehicles passing the site
- Questions why the occupiers of the site have been contacted but not the settled community

Officer Comments

County Highways were consulted during the preparation of the document, their comments and views were sought on every site. They have concluded that the access will need to be widened and visibility is not an issue as long as some vegetation clearance is undertaken. A condition on any planning application can deal with these issues. They did not raise concerns regarding any other aspect of road safety.

English Heritage comments regarding impact to listed buildings is noted. As a statutory consultee on-going consultation will take place during the plan making process. During the preparation of this document the Council's Conservation Officer's views and comments were sought on every site and they raised no concerns given the distance between the site and the listed buildings. Landscape

Officers views were sought and subject to landscaping mitigation it is considered they would not be a negative impact on the surrounding area.

The site would not necessarily have to connect to the public sewerage system; there could be a septic tank on the site which serves all the pitches.

The comments regarding impact on the surrounding landscape are noted. However, during the preparation of this document the Council's landscape Officer was asked to comment on all sites and a landscape officer at PBA visited all the sites, both concluded that any expansion would not have a negative impact on the local landscape. The site is well contained within existing landscaping and it is recommended that trees on the site should be maintained. This can be dealt with as a condition on a planning application.

Due to the rural nature of the district and the dispersed settlement pattern within it and due to the sites put forward to the Council as available, it is unrealistic to find sites which are in the main settlements. The balance between sustainability of sites and availability of sites is one that is common place in rural districts. It is considered that due to the potential number of total pitches the impact on local services could be managed effectively. The Clinical Commissioning Group, Essex County Council Education and other infrastructure providers are all consulted with throughout plan preparation.

The Planning Policy for traveller sites (CLG 2012) paragraph 12 recognises that there will be sites in rural areas and states that sites should not be of a scale that they will dominate the nearest settled community. As the recommendation for all sites is to be no more than 5 pitches it is considered that this site is in a suitable location.

It is recognised that the main concerns with this site are around its accessibility to local services and facilities. However, on balance the site performs well against other criteria and overall is considered appropriate.

The consultants carried out a site survey and assessed the site in terms of its size and shape, Gypsy and Traveller design guidance and design templates for pitches. It is considered that an additional 2 pitches can be accommodated on the site.

The site is occupied by a Gypsy and Traveller family, the site is therefore classed as a Gypsy and Traveller site in planning terms.

It is recognised that the site abuts a protected lane, Essex County Council Archaeology department were consulted with during the preparation of the document and they did not raise any concerns in relation to this. If specific concerns are raised later on in the process then mitigation measures will be looked at to overcome any issues. They will continue to be consulted with as a statutory consultee throughout the plan making process.

The design of the site and placement of any additional pitches would be decided at planning application stage. The Governments good practice guide "Designing Gypsy and Traveller Sites" will be used in refining details.

Planning Decisions regarding Gypsy and Traveller sites are decided in relation to the adopted Local Plan, Planning policy for traveller sites and the National Planning Policy Framework.

Consultation with landowners/occupiers of sites was carried out in producing the Issues and Options consultation document. This needed to be done to ensure any sites that were deemed suitable were available. All consultees on the Council’s database, all statutory consultees, including Parish and Town Councils were notified. There was a notice in the local press and all properties falling within 450 metres of the site were sent letters. This consultation has followed the regulations in the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council’s Statement of Community Involvement.

Officer Recommendation

This site is considered available, suitable and deliverable and should therefore be taken forward to the next stage of the plan making process as an allocation.

It is considered that detailed policy considerations should be included in the Plan to ensure certainty for both the Gypsy and Traveller and the settled community as to what will be required from the development.

UTT021 – The Yard Bartholomew Green

Site Name	Existing Authorised Pitches	Extant Permission for Pitches	Additional Pitches
The Yard	1	0	2

8 comments were received regarding this site. The following key points were made:

Anglian Water point out that this site would require significant off site foul sewerage to connect to the public sewerage system, and mark the site as ‘red’ for Surface Water Network Capacity’ in their assessment.

Felsted Parish Council feels that it is an inappropriate location, being in the middle of a settled community.

A number of **individuals** raised the following points:

- Question why Gypsy and Travellers have different planning rules to the settled community
- Concerns regarding the impact on the countryside and surrounding area
- It is inappropriate to decide without a full planning application following the normal planning process
- Negative impact on settled community
- Poor access
- The Council should take the opportunity to prepare one single Local Plan
- Failed to consider the recent consultation on revised national planning policy for Gypsies and Travellers. Decisions should wait until this policy is adopted.
- Gypsy and Traveller sites should be considered in conjunction with other housing provision
- Contrary to Policy S7 and GEN2 of the adopted Local Plan

- Gypsies and Travellers prefer to be on the edge of towns
- Unsustainable location – no school, shop or public transport
- Concerns regarding pedestrian safety
- Unsuitable roads
- Inadequate utilities
- It has been assumed that because the site has planning permission for 1 pitch it is suitable for more
- The planning permission states that only one pitch should be allowed in order to protect the interests of visual and residential amenity

Officer Comments

The site would not necessarily have to connect to the public sewerage system; there could be a septic tank on the site which serves all the pitches.

All utility companies are consulted on throughout the plan preparation process.

Planning Decisions regarding Gypsy and Traveller sites are decided in relation to the adopted Local Plan, Communities and Local Government Planning policy for traveller sites and the National Planning Policy Framework.

Once a site is allocated in a Local Plan, a planning application would still need to be submitted to the Council setting out details of design etc. At this stage normal planning application consultation will take place.

It is considered that detailed policy considerations should be included in the Plan to ensure certainty for both the Gypsy and Traveller and the settled community as to what will be required from the development.

Due to the rural nature of the district and the dispersed settlement pattern within it and due to the sites put forward to the Council as available, it is unrealistic to find sites which are in the main settlements. The balance between sustainability of sites and availability of sites is one that is common place in rural districts. It is considered that due to the potential number of total pitches the impact on local services could be managed effectively. The Clinical Commissioning Group, Essex County Council Education and other infrastructure providers are all consulted with throughout plan preparation.

The Planning Policy for traveller sites (CLG 2012) paragraph 12 recognises that there will be sites in rural areas and states that sites should not be of a scale that they will dominate the nearest settled community. As the recommendation for all sites is to be no more than 5 pitches it is considered that this site is in a suitable location.

It is recognised that the main concerns with this site are around its accessibility to local services and facilities. However, on balance the site performs well against other criteria and overall is considered appropriate.

The Council is proposing to include Gypsy and Traveller site allocations in the new local plan.

The initial assessment on landscape and visual impacts deemed that with mitigation measures the additional pitches would not have a negative impact on the surroundings. A more detailed landscape and visual impact assessment will be required at the planning application stage.

Government policy for Gypsy and Traveller sites is contained within the adopted 'Planning policy for traveller sites' 2012. Until new legislation is adopted this is the planning policy for which decisions are made against. If new National policy is adopted then the Council will assess the need for a new Gypsy and Traveller Accommodation Assessment.

County Highways were consulted on during the preparation of the document, their comments and views were sought on every site. They have concluded that a speed survey will need to be undertaken and access may need to be widened. A condition on any planning application can deal with widening the access. They did not raise concerns regarding any other aspect of road safety.

Every existing Gypsy and Traveller site and all those that were put forward as potential new sites were assessed using the methodology. It was not assumed that just because it is an existing authorised site it would be suitable for further pitches.

Officer Recommendation

This site is considered available, suitable and deliverable and should therefore be taken forward to the next stage of the plan making process as an allocation.

It is considered that detailed policy considerations should be included in the Plan to ensure certainty for both the Gypsy and Traveller and the settled community as to what will be required from the development.

UTT022 – Five Acres Arkesden

Site Name	Existing Authorised Pitches	Extant Permission for Pitches	Additional Pitches
5 Acres	0	0	12

608 comments were received regarding this site. The following key points were made:

English Heritage requests that advice from Essex historic environment service be sought to assess whether or not there is a need for archaeological investigation for any potential site.

Anglian Water mark the site as 'red' for 'Surface Water Network Capacity' in their assessment.

Arkesden Parish Council questions the need for a gypsy and traveller site in this location. Ask why no consultation was undertaken with the local community. The note that the site is outside the development limits of Arkesden. They are concerned that the site is too large and would encourage unauthorised caravans and the enforcement process is difficult. They raise concerns reading road and pedestrian safety as there are no pavements and the road is very narrow.

Langley Parish Council feel that the site is unsustainable as it is on Flood Plain 3 – caravans are vulnerable to flooding. No safe pedestrian access, the narrow road and the impact on the protected lane are of concern.

The **National Farmers Union** state that whilst they did not have time to assess the other sites they feel Five Acres is unacceptable due to flooding issues, the protected lane and lack of available local services.

Strutt and Parker on behalf of **Arkesden Parish Council, Wicken Bonhunt Parish Meeting and Five Acres Local Community Action Group**

- Contrary to the NPPF (para 11) and Planning Policy for Traveller Sites
- Failed to consider recent consultation – planning and travellers September 2014
- Concerns regarding access to services, including primary and secondary school and health care facilities
- failed to consider the serious constraints arising from flooding
- the methodology and site selection process do not take account of the location of the site in the open countryside
- The SEA and SA have identified constraints of the site in terms of utilities. It has incorrectly assessed the distance of the site from public transport nodes. The SEA/SA has identified deficit at Clavering Primary School and SWCH. It also noted that the site has an ‘uncertain’ effect on reducing flooding.

Journey transport planning on behalf of **Arkesden Parish Council, Wicken Bonhunt Parish Meeting and Five Acres Local Community Action Group**

- Concerns regarding the lack of sustainable transport modes – contrary to NPPF.
- Contrary to the 2011 Essex Local Transport Plan’s aims and objectives
- Contrary to Essex County Council’s Development Management policies 2011 regarding road safety, accessibility and transport sustainability
- Contrary to Uttlesford Local Plan 2005, specifically ENV9
- Protected Lane status
- Contrary to the Pre-submission Local Plan 2014 policy HO11
- Narrow rural road network – visibility is below the recommended distance for the road speed
- No footpaths or street lighting – concerns regarding pedestrian safety
- Weight limited bridge – 7.5 tonne
- Unsustainable location – lack of appropriate level of access to essential facilities and services
- Vehicular trip rates – 12 pitches on this site would generate an additional 110 movements a day
- The site has not been properly assessed in detail
- Contrary to advice in Designing Gypsy and Traveller Sites Good Practice Guide 2008 and Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites

ARDENT Consulting Engineers – Flood Risk Appraisal on behalf of **Arkesden Parish Council, Wicken Bonhunt Parish Meeting and Five Acres Local Community Action Group**

- The access and a significant part of the site is located within Flood Zone 3a
- Planning guidance states that gypsy and traveller sites are not an appropriate form of development where the lane is at high risk of flooding

- Site is situated within Groundwater Source Protection Zone
- Recent flooding extends a significant distance into the site, placing any occupants in danger
- Contrary to advice given in the Planning Practice Guidance (para 66, 67) regarding caravans being vulnerable in terms of flood risk
- The site is not covered by The Environment Agency's Flood Warning Areas and will therefore put residents in danger
- UDC should apply the sequential test to identify alternative sites

A number of **individuals and Arkesden Parish Council** made the following points:

- Dangerous narrow roads with blind bends and weight restricted bridge
- Protected lane – concerns regarding impact on the lane and allocating the site is contrary to UDC policy to protect these lanes
- Lack of local facilities including shop, school, medical, employment and public transport
- Unsustainable location
- Site is within Flood Zone 3 and has flooded recently. Any hard standing on the site will increase the risk of flooding.
- The site is too large and if allocated will attract unauthorised encampments
- The consultants have not correctly documented the site history – have just taken the owners word for it
- Previous enforcement has been undertaken by the Council regarding caravans on this site
- No footpaths or street lighting, residents would be put at danger
- Local primary schools at capacity
- Concerns regarding the impact on the surrounding countryside, wildlife and the settled community
- 12 pitches would increase the traffic and have a detrimental impact on the area
- Designated area of Outstanding Natural Beauty
- Special Landscape Area
- Flooding of the site will impact septic tank provision on the site
- Negative impact on Arkesden conservation area
- The site is outside the development limits
- Overhead high voltage cables will be detrimental to the lives of the residents
- 5 pitches is preferred by the Gypsy and Traveller community, 12 pitches is too many
- No consultation with the local community has taken place
- Questions regarding viability of the site once mitigation measures have been taken into account
- Negative impact on historic environment
- Impact on the environment and natural habitat
- Contrary to the NPPF and national guidance
- Methodology has not been applied consistently – the site scored red and yet was listed as a potential site
- Question why photographic evidence has been ignored in relation to flooding
- Question why there are different planning rules for travellers and the settled community

- Question why the Council have not taken into account the recent consultation by Government regarding planning for travellers
- Impact on listed buildings

Land owner is in support of the site being allocated. The landowner states that the photos submitted regarding the flooding of the site was taken in the wettest year in record and is a worst case scenario. They suggest that instillation of drainage pipes would resolve any possible issues. They state that the pressure on the protected lane will not be increased due to the development of this site. They stress that there is a need for this site as it has been used in the past (1970s onward) for unauthorised caravans.

Officer Comments

The archaeological officer at Essex County Council was consulted with during the preparation of the document regarding all sites and their views will continue to be sought throughout the plan preparation. They have not raised any concerns regarding archaeological investigations.

Government policy for Gypsy and Traveller sites is contained within the adopted 'Planning policy for traveller sites' 2012. Until new legislation is adopted this is the planning policy for which decisions are made against. If new National policy is adopted then the Council will assess the need for a new Gypsy and Traveller Accommodation Assessment.

County Highways were consulted with during the preparation of the document, their comments and views were sought on every site. They have concluded that a speed survey will need to be undertaken and access may need to be widened. They also stated that highway boundary work should be carried out to identify the extent of the Highway verge. A condition on any planning application can deal with the issue regarding access. They did not raise concerns regarding any other aspect of road safety.

The Planning Policy for traveller sites (CLG 2012) paragraph 12 recognises that there will be sites in rural areas and states that sites should not be of a scale that they will dominate the nearest settled community. As the recommendation for all sites in rural areas is to be no more than 5 pitches it is considered that this site is in a suitable location.

The initial assessment on landscape and visual impacts deemed that with mitigation measures the additional pitches would not have a negative impact on the surroundings. A more detailed landscape and visual impact assessment will be required at the planning application stage.

During the preparation of this document the Council's Conservation Officer's views and comments were sought on every site and they raised no concerns given the distance between the site and the listed buildings and conservation area. English Heritage was also consulted with and they raised no specific concerns.

It is recognised that the site abuts a protected lane, Essex County Council Archaeology department were consulted with during the preparation of the document and they did not raise any concerns in relation to this. If specific concerns are raised later on in the process then mitigation measures will

be looked at to overcome any issues. They will continue to be consulted with as a statutory consultee throughout the plan making process.

Consultation with the landowner of the site was carried out in producing the Issues and Options consultation document. This needed to be done to ensure any sites that were deemed suitable were available. All consultees on the Council's database, all statutory consultees, including Parish and Town Councils were notified. There was a notice in the local press and all properties falling within 450 metres of the site were sent letters. This consultation has followed the regulations in the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement.

Due to the rural nature of the district and the dispersed settlement pattern within it and due to the sites put forward to the Council as available, it is unrealistic to find sites which are in the main settlements or within settlement boundaries. The balance between sustainability of sites and availability of sites is one that is common place in rural districts. It is considered that due to the potential number of total pitches the impact on local services could be managed effectively. The Clinical Commissioning Group, Essex County Council Education and other infrastructure providers are all consulted with throughout plan preparation.

There is an unmet need for Gypsy and Traveller sites within the District. Allocating sites to meet this need will decrease the likelihood of unauthorised encampments. It is not agreed that due to the size of the site it will encourage unauthorised pitches. Normal enforcement procedures will be carried out in any such event. Our ability to enforce is related to our proactivity in meeting the need for new provision.

Only the access to the site is within flood zone 3, the rest of the site is located in flood zone 1. The Environment Agency was consulted with during the preparation of this document. Concerns were raised regarding the access point being in flood zone 3 and they have suggested that any proposal gives consideration to safety of people and provision of an emergency plan. Officers are concerned that if mitigation measures are proposed these could potentially have a negative impact on the protected lane and possibly make the site unviable. It would be up to the landowner to provide the relevant information regarding these issues before the site can be recommended to be taken forward to the next stage of the Plan making process.

It is not agreed that the impact on the surrounding countryside has not been assessed. During the preparation of this document the Council's landscape Officer was asked to comment on all sites and a landscape officer at PBA visited all the sites, it was concluded that there is scope to accommodate a discreet development within the lower south eastern part of the site as this would relate well to the settled character of the lane without causing adverse visual or landscape effects.

There are no designated Areas of Outstanding Natural Beauty or Areas of Special Landscape Value in Uttlesford.

It is recognised that the use of a septic tank may not be appropriate due to the access being in flood zone 3. However, there are possible alternatives such as the provision of a Bio Unit; however, this would need to have mains electricity hook up. The landowner will need to provide more information regarding this issue.

Enforcement action has been taken on the site in 1993 for the construction of hard standing and the change of use of land from agricultural to a use which is partly agricultural and partly for the stationing of a caravan or caravans for residential purposes. This enforcement action however, has no bearing on the current situation as national and local planning policy has changed.

The SA independently assesses the site options for Gypsy and Traveller accommodation. It is important to note that the SA does not select sites. In addition, no site has been selected or allocated in the Plan at this stage of the plan-making process.

The 'open countryside' is not a designation within the District into which options can be categorised. A number of associated locational criteria do exist however to determine the suitability of the site options in relation to existing services. These are:

- Is the site within 800 metres walking and cycling distance of an existing public transport node?
- Will the site be located within 800 metres walking and cycling distance of a GP surgery?
- Is the site within 800 metres walking and cycling distance of convenience shopping?
- Is the site located in an area of highest deprivation nationally for Barriers to Housing and Services?
- Will the site be located within 800 metres of a primary school?
- Will the site be located within 4.8km of a secondary school?
- The SA methodology additionally considers the following site criteria regarding landscape designations:
 - Is the site located within the Greenbelt?
 - Is the site located within the Countryside Protection Zone?

The site assessment identifies that water supply, electricity and gas and sewerage are capable of being provided as per the site's suitability in line with Policy HO11.

A re-examination of the site indicates that there is a bus stop within 800m of the site. Further re-examinations of this will be undertaken in future iterations of the SA where required.

The frequency of the bus service operating from the nearest bus stop has not been included within the assessment due to the provision of such services being outside the scope of the Plan, and outside the remit of the local authority.

The SA/SEA ER highlighted an 'uncertain' impact as areas of the site are not within Flood Zones 2 and 3. It is possible that if allocated the site could utilise those areas that are developable only, and / or incorporate mitigation measures where viable elsewhere. This is compatible with the Environment Agency's assessment of the site, which states, 'The site is located in flood zone 1 but the access point to the highway lies in flood zone 3. Any proposal would need to consider the safety of people, including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements.' If allocated, the issue will be re-examined in future iterations of the SA to reflect more detailed site proposals should they be available.

The SA/SEA ER does not exist to independently eliminate sites for allocation. Similarly, the stage in the plan making process to which the SA/SEA ER applies does not allocate sites.

Officer Recommendation

Further assessments need to be undertaken in relation to the possible impact of flooding on safety and sewage disposal and the impact any mitigation measures may have on the protected lane and viability of the site. These assessments need to be undertaken and submitted by the landowner before a recommendation by officers can be made.

UTT026 – Land south of the B1256 opposite Taylors Farm Takeley

Site Name	Existing Authorised Pitches	Extant Permission for Pitches	Additional Pitches
Land opposite Taylors Farm	0	0	5

9 comments were received regarding this site. The following key points were made:

Anglian Water mark the site as ‘red’ for Surface Water Network Capacity’ in their assessment.

Takeley Parish Council questions the availability of this site

Three out of the four **owners** of the site wrote in requesting the site is removed from the consultation document as they do not wish their site to be used for Gypsy and Traveller provision.

A number of **individuals** raised the following points:

- Unsustainable locations
- Questions the point of the consultation process
- Concerns regarding the impact on Hatfield Forest
- The site is close to the settled community
- Inadequate utilities
- Questions why this site was not rejected due to landscape issues when other nearby sites were
- Concerns regarding the negative impact on the Flich Way
- Site is within the Countryside Protection Zone

Officer Comments and Recommendations

This site is not available and should therefore not be taken forward for further consideration.

Question 13: (existing site within the Green Belt)

The Council need to determine whether this site is available, suitable and achievable for Gypsy and Traveller provision, do you have any evidence or information to justify your view?

UTT010 –Oak Tree Close Little Hallingbury

Site Name	Existing Authorised Pitches	Extant Permission for Pitches	Additional Pitches
Oak Tree Close	5	0	6

19 comments were received regarding this site. The following is a summary of the key points made in the representations:

English Heritage are concerned regarding the potential impact on the setting of Hall Barn, grade II listed building to the west and on archaeological deposits.

Anglian Water mark the site as 'red' for Surface Water Network Capacity' in their assessment.

Great Canfield Parish Council question the size of the site in relation to the number of pitches

Great Hallingbury and Little Hallingbury Parish Council are concerned that the additional pitches could cause overcrowding on the site

Little Hallingbury Parish Council state that additional pitches would be detrimental impact on the Green Belt.

Radwinter Parish Council expresses concerns regarding traffic and junction layout. They feel the site is not appropriate for a transient gypsy and traveller site.

A number of **individuals** made the following points:

- Support for the additional pitches
- The site is Green Belt
- Low employment opportunities
- Unsustainable location in terms of services

Officer Comments

The site already has 5 pitches, which is the maximum number officers feel appropriate. It is considered that the current number of pitches is the maximum the site can accommodate and anymore would lead to overcrowding.

The site, although an existing authorised site, is within the Green Belt and the Council feel strongly about protecting the District's Green Belt. Planning policy for Gypsy and travellers, 2012, paragraph 14 states that development in the Green Belt should not take place except in very special circumstances. There are potentially enough sites within Uttlesford outside of the Green Belt which can meet the first 5 years need. It is therefore not considered appropriate to consider this site as suitable.

Officer Recommendation

Due to the high level of Green Belt protection and the fact that the site already has 5 pitches it is proposed that this site is not suitable for additional pitches and should therefore not be taken forward for further consideration.

Question 14: Do you have any evidence or information about the sites which have been rejected for Gypsy and Traveller provision?

16 comments were received on this question. The following is a summary of the key points raised by the representations:

Natural England show concern with the following sites in relation to the impact on statutory designated sites, UTT007, UTT011, UTT025 and UTT026.

Flitch Green Parish Council stress that site UTT020 is already over populated and consideration should be given to reducing the size of this site and better management of the site.

Felsted Parish Council have concerns regarding UTT020 and UTT029.

Takeley Parish Council support the rejection of sites UTT011, UTT023 and UTT025

Arkesden Parish Council questions why some sites have been rejected due to flooding issues when another site hasn't

Individuals make the following key points

- UTT020 is over crowded
- Government guidance on Gypsy and Traveller provision should be followed
- Question where the evidence is regarding reasons for the rejected sites
- Discrepancy in the document regarding UTT020 in table 4.2 and Appendix D

Officer Comments

Three of the sites Natural England has commented on are rejected sites and will therefore not be taken forward in the plan process; the other site has been withdrawn.

Site UTT020 is an Essex County Council site and all issues regarding management of the site should be directed to them. The site has planning permission for 17 pitches; this permission cannot be changed by the Council.

The reasons for rejecting sites are given in appendix D of the consultation document.

Site UTT020 has permission for 17 pitches. There is a typographical error in the consultation document in appendix D.

UTT016 and UTT027 have both been rejected as the sites are wholly within flood zone 3. UTT022 has been assessed as having potential as the access only is within flood zone 3.

All sites are assessed against the adopted Local Plan, national planning policy, including the NPPF, Planning Policy for Traveller Sites and Designing Gypsy and Traveller Sites.

Officer Recommendation

Officers recommend that the rejected sites should not be carried forward for further consideration, unless enough suitable sites are not found, there may then be a need to revisit and reassess the rejected sites.

Question 15: If the Council find that they are unable to identify, from those sites submitted, enough suitable, available and achievable sites to meet local needs for the future, what do you think they should do? (please tick one from the list)

Consider possible sites within the Green Belt

Consider other sites

Reconsider sites previously rejected in the exercise, provided development would avoid serious impact on the environment

68 comments were received on this question. The following is a summary of the key points raised by the representations:

7 people thought the Council should consider possible sites within the Green Belt

50 people suggested that other sites should be considered. This included **Great Canfield, Felsted and Clavering Parish Council and Chelmsford City Council.**

11 people suggested that the Council should reconsider sites previously rejected in the exercise, provided development would avoid serious impact on the environment. This included Debden, **Little Hallingbury and Great Hallingbury Parish Council and the National Federation of Gypsy Liaison Groups.**

Chelmsford City Council suggest that all three options should be considered and a further option is to integrate new sites through the emerging Local Plan e.g. as part of any new strategic growth allocations, new settlements or urban expansion.

Clavering Parish Council suggest that the Council carry out enforcement action on sites not occupied by Gypsy and Travellers

Arkesden Parish Council propose that gypsy and traveller provision in incorporated into a new Local Plan.

Felsted Parish Council recommends that long standing brownfield sites should be considered.

Great Canfield Parish Council feels that it is difficult to find sites which would not have a detrimental effect on the rural area.

A number of **Individuals** made the following points:

- Sites should be located where there is need
- Ensure that current sites are managed correctly
- Reassess the demand
- Carry out enforcement action on the Stansted sites
- The Council should adopt a criteria base policy and assess sites as and when they come forward
- Incorporate gypsy and traveller provision in a new revised local plan
- Await the new Government policy on Gypsies and Travellers

Officer Comments

Officer comments regarding enforcement action on the sites in Stansted can be found under question 17.

The need for 26 pitches in the District is evidenced in the GTAA 2014. The calculation used in the GTAA 2014 is based on a sound and tested assessment of need. Government policy for Gypsy and Traveller sites is contained within the adopted 'Planning policy for traveller sites' 2012. Until new legislation is adopted this is the planning policy for which decisions are made against. If new National policy is adopted then the Council will assess the need for a new Gypsy and Traveller Accommodation Assessment.

As stated in the NPPF and Planning policy for traveller sites it is a requirement for local authorities to identify the need for Gypsies and Travellers in their District.

The Council is not involved in the management of the sites. The potential sites are privately owned, the Council are not proposing to own and manage sites.

Officers are recommending that Gypsy and Traveller allocations form part of the new local plan. As part of this process the Council can assess whether or not it is possible to provide some pitches on strategic housing allocations.

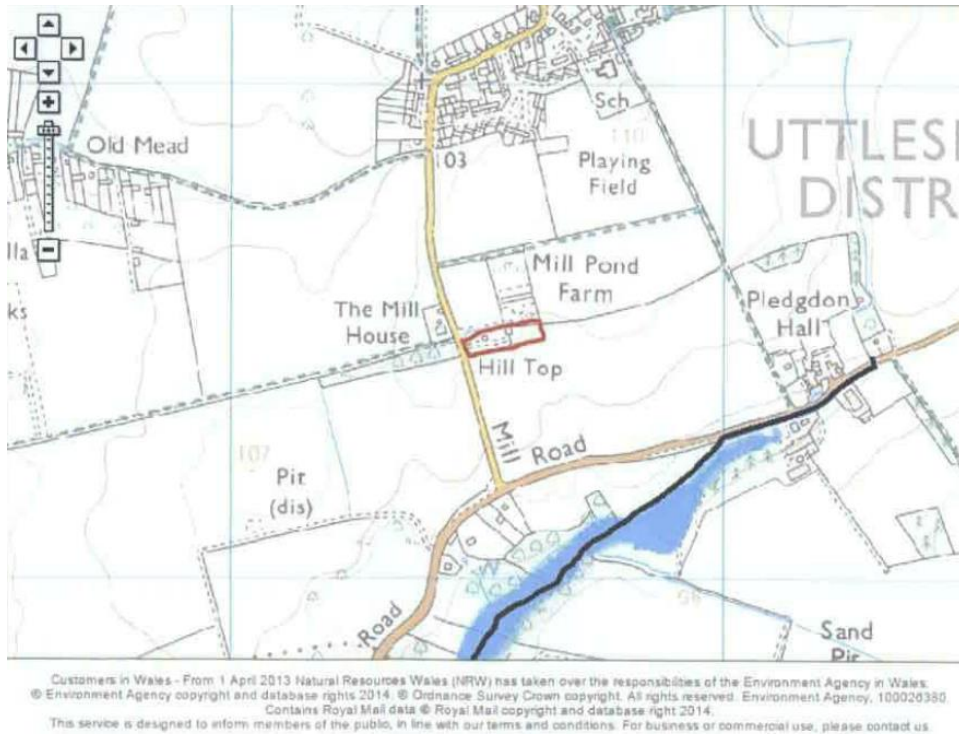
Officer Recommendation

Comments are noted. It is recommended that this question is considered at the next stage of the plan making process. A decision cannot be made until it is clear whether or not the Council have enough suitable sites to meet its need.

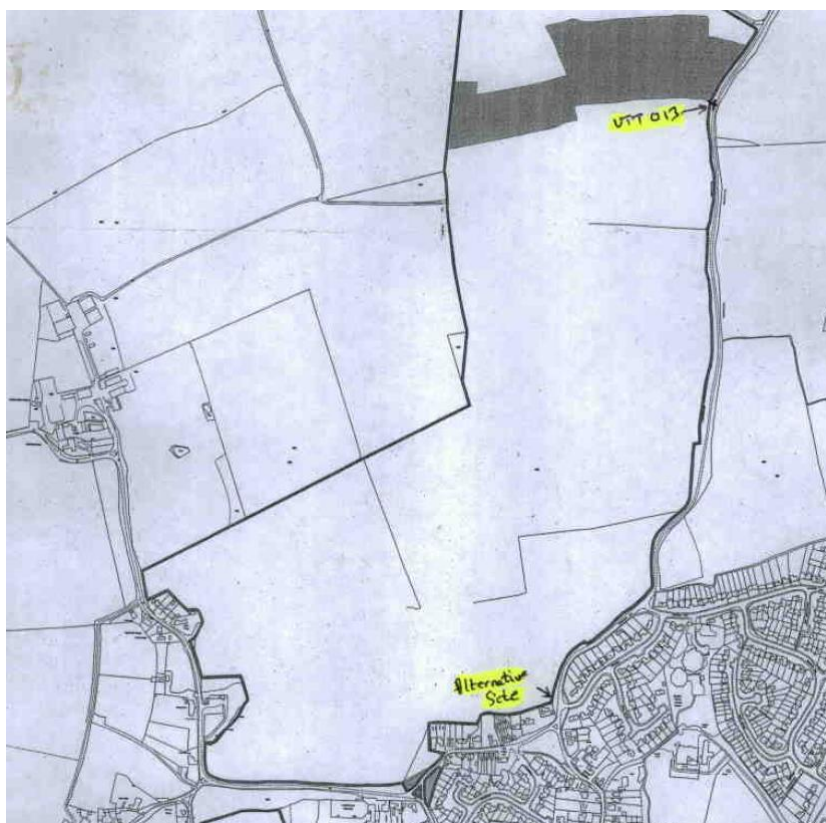
Question 16: Do you know of any other sites which the Council should be considering for future Gypsy, Traveller or Travelling Showpeople uses?

12 comments were received on this question. The following is a summary of the key points raised by the representations:

A **landowner** from the travelling community is promoting their site at Hill Top Yard in Henham as a potential Gypsy and Traveller site. The site currently has planning permission for haulage and plant hire use. See location map below, as submitted by landowner:



Landowners have suggested an alternative site in Pennington Lane Stansted for the occupiers of UUT013. See location map below, as submitted by landowner:



A number of **individuals** suggested that the Council should carry out enforcement action on the sites in Stansted to ensure they are used by gypsies and travellers.

Officer Comments

Recommendations cannot be made regarding the two proposed sites until site assessments have been undertaken and consultation with the Environment Agency, County Highways, Development Management, Landscape, Historic Environment and Conservation Officer has been carried out.

Officer comments regarding enforcement action on the sites in Stansted can be found under question 17.

Officer Recommendation

It is recommended that the proposed sites are assessed for their potential during the next stage of the plan preparation.

Question 17: Any other comments

110 comments were received on this question. The following is a summary of the key points raised by the representations:

Essex County Fire and Rescue Service want all allocated sites to take account of the fire issues raised within the guidance 'Designing Gypsy and Traveller Sites – A Good Practice Guide'. They request to be consulted with during the plan process.

English Heritage stress the importance of the historic environment in the District and request that due consideration is given on the impact of the historic environment when allocating sites.

Essex County Council recommend that the Council re-consider the strategic spatial approach to the allocation of future gypsy and traveller sites as an integral part of assessing the strategy for growth in the context of the overarching Local Plan for the district. They question whether there are routes that are considered a key traveller route, they consider that the key issue for consideration for transit sites are proximity to key communication links, optimum location to ensure accessibility from north and south of the country.

Essex County Council – Archaeology state that they are satisfied their views have been incorporated into the consultation document.

Police and Crime Commissioner for Essex suggest that Uttlesford should coordinate their approach to travellers with that of the County Council as county wide provision is an issue. Further, I would encourage you to give consideration to having one transit site in Uttlesford; particularly as such a site would help the Police respond more promptly to unauthorised encampments.

South Cambridgeshire District Council request further clarification as to how wider needs identified in the Essex GTAA, such as for transit provision, will be met in Essex if this is not in Uttlesford. South Cambridgeshire point out that inspectors have indicated that there remains an outstanding need in their district.

Braintree District Council are pleased that UDC is making provision for sites in accordance with the Essex GTTA

High Easter and Rayne Parish Council questions why the majority of sites are allocated in the South of the District

Arkesden Parish Council consultation process is flawed – no consultation with the settled community. Flawed process contrary to paragraph 6 in the Planning Policy for Travellers (March 2012) 5 pitches should not be allocated to large sites as this will lead to unauthorised expansion. The consultation document has failed to consider the consultation on national policy for gypsies and travels, the methodology fails to take account of Government policy.

Elmdon and Wendens Lofts Parish Council ask the Council to carry out enforcement action on the site in Stansted

Rayne Parish Council stresses the importance of design and asks for effective management of sites

A number of **individuals** made the following key points:

- No consultation with the settled community – contrary to government guidance on early and effective community engagement
- Incorrect information in the PBA report
- No sites are needed
- UTT020 is an example of an unsatisfactory site
- If large parcels of land are allocated for a small number of pitches unauthorised caravans will use the site as well
- Questions how the Council will ensure occupants are from the gypsy and traveller community
- Consider the provision of pitches when granting permission for other development
- Methodology is flawed – inconsistent approach
- There is no national requirement to meet the needs of Gypsies and Travellers – it should be done at a regional level
- Questions why there are different planning rules for the gypsy and traveller community
- The allocation of gypsy and traveller sites in rural settlements is contrary to the Councils spatial hierarchy in the submitted Local Plan.
- Decision making process flawed
- Transit site should be provided

Officer Comments

Consultation with landowners/occupiers of sites was carried out in producing the Issues and Options consultation document. This needed to be done to ensure any sites that were deemed suitable were available. All consultees on the Council's database, all statutory consultees, including Parish and Town Councils were notified. There was a notice in the local press and all properties falling within 450 metres of the site were sent letters. This consultation has followed the regulations in the Town and Country Planning (Local Planning) (England) Regulations 2012. Consultation will continue as the plan progresses in line with the regulations and our Statement of Community Involvement.

The Council has to allocate sites. The need for 26 pitches has been identified and it is national policy that we plan for the needs of the Gypsy and Traveller communities.

Government policy for Gypsy and Traveller sites is contained within the adopted 'Planning policy for traveller sites' 2012. Until new legislation is adopted this is the planning policy for which decision are made against. If new national policy is adopted then the Council will assess the need for a new Gypsy and Traveller Accommodation Assessment.

The hierarchy in the Council's submitted Local Plan 2014 purely dealt with housing, employment and education allocations. Consideration was not given to Gypsy and Traveller allocations within that Plan.

The GTAA recognises a need for transit sites within Essex as a whole. The location of such sites will be discussed as part of the duty to co-operate.

It is recommended to that Gypsy and Traveller issues are dealt with in the new Local Plan and, as part of this process, new sites may come forward.

There is an unmet need for Gypsy and Traveller sites within the District. Allocating sites to meet this need will decrease the likelihood of unauthorised encampments. It is not agreed that if large sites are allocated with a small number of pitches unauthorised encampments will arise. Normal enforcement procedures will be carried out in any such event. Our ability to enforce is related to our proactivity in meeting the need for new provision.

The situation regarding enforcement action of the Stansted Gypsy and Traveller sites:-

Talltrees, Stansted

There are 10 vans (granted permission in 1983 for Gypsy caravan site – 10 families and then in 1985 a personal permission for 5 caravans for the one family and 5 for general gypsies. Information provided indicates that they have not been occupied by Gypsies and Travellers for the past 28 years.

Enforcement action is therefore time barred.

Middleside, Stansted

Planning approval UTT/1540/11/FUL allowed the site to be used for 10 residential pitches to only be occupied by Gypsy and Travellers as defined in paragraph 15 of the ODPM Circular 01/2006. This is a variation of the 1983 conditional permission which was allowed on appeal.

The site currently has 6 porta cabins which are split into two units each and a further unit. Council tax is rating 13 units at the property which coincides with the situation on site.

The response to the Planning Contravention Notice (PCN) states that the occupants of the site are single males who are from the travelling community. There are 3 units which are confirmed to be occupied by a family who are confirmed travellers.

This site is used in accordance with the permission and there is no action to take.

Oak View, Stansted

The land was purchased in 1982 (after permission was granted for the stationing of one gypsy caravan (249/81)) along with two other people and the land was subdivided into three separate plots. Documentation on the old planning history shows that the owner had been a member of the Showman's Guild when he purchased the land but left the Showman's Guild in 1983.

Planning permission UTT/1108/89 was granted conditionally for 10 caravans. The condition was for 5 caravans for one family and the other five caravans for general gypsies.

The response to the PCN states that there are only 7 units on site, 5 occupied by the Greenway family.

The PCN states that the other two units are occupied by families who are not showman or gypsies. One unit has been occupied for the past 6 years and the other is has been occupied for a period of 12 years.

Enforcement action is therefore time barred. However, there are 3 pitches approved but not being occupied at this site.

Officer Recommendation

To note these comments and take them into account as the local plan process moves forwards.