

Rossendale Local Plan Examination

Proposed replacement gypsy transit site

INSPECTOR'S PRE-HEARING QUESTIONS

15 May 2020

Inspector – Katie Child BSc. (Hons) MA MRTPI
Programme Officer – Tony Blackburn, 15 Ottawa Close, Blackburn BB2 7EB
tel. 01254 260286 email: tonyblackburn@rossendalebc.gov.uk

This document sets out questions on the Council's proposal to allocate land for a gypsy and traveller transit site at Sharneyford. The site would replace the proposed transit allocation site at Futures Park in Bacup, as set out in the draft Rossendale Local Plan (2018).

Consultation took place on the proposed alternative site in January/February 2020. The consultation documents and responses, and other background evidence, can be viewed on the Council's examination website at:

https://www.rossendale.gov.uk/info/210148/local_plan/10629/emerging_local_plan/3

A hearing event on the proposed site is due to be held on Wednesday 17th June 2020 via teleconferencing (due to the current Covid-19 restrictions). Representors who have indicated they wish to speak at the event will be sent a detailed agenda and joining instructions in due course.

In order to ensure the event is focused, representors are invited to respond to the questions in this document, prior to the hearing event. **Written statements should be submitted to the Programme Officer by 1st June 2020 (5pm)**, via the above email address (or via the postal address if you do not have internet access). **Late responses and further documents received after 1st June 2020 will not be accepted.**

You may choose to respond to all or some of the questions (some are directed at the Council). Alternatively, you may wish to rely on your original responses made in January/February 2020.

If you wish to speak at the hearing event (and have not already notified the Programme Officer) you are requested to contact the Programme Officer by 1st June 2020. Standard telephone charges will apply during the event. The event will be fairly short and focused, and there may be options to reduce the amount of time you need to be present. Please note that the Inspector will take account of all written responses received, and involvement in the hearing event is not essential. The event will be recorded and placed on the Council's website afterwards for everyone to hear.

If you have any questions about this document or the event, please contact the Programme Officer.

Issue 1 - Need for a gypsy and traveller transit site

- a) The Council's assessment of transit needs (as set out in the Gypsy and Traveller Accommodation Assessment 2016 (GTAA) (EB014)) is based on an analysis of unauthorised encampment data between 2013 and 2016. Is this approach robust and fit for purpose? What unauthorised encampments have occurred since 2016?
- b) The GTAA identifies a need for four transit pitches in Rossendale accommodating up to 8 caravans in total. Does the evidence show this level is justified and that provision should be made within Rossendale borough (rather than being dealt with on a sub-regional basis)? Why are transit sites recommended instead of temporary stop over places?
- c) How has the issue of gypsy transit site accommodation been dealt with through the Duty to Cooperate process? What cross boundary working and engagement has taken place?

Issue 2 - Site selection process

- a) How did the Council identify potential site options for transit sites as part of Local Plan production? Was a call for sites undertaken? Was a thorough assessment undertaken of the Council's landholdings?
- b) The Council's Gypsy and Traveller Topic Paper (2018) (EB015) refers to 10 potential sites which were appraised as options for transit sites, as part of the formal stages of Local Plan production (on pages 6-8). How do these relate to the 'long list' of sites in the Appendix to the Paper? Why were some sites in the long list not taken forward as potential options?
- c) Were each of the 10 potential sites subject to a technical assessment and Sustainability Appraisal process? Where is this evidenced? [the Council is requested to identify specific document names and page numbers in their response] In the case of the nine options not being proposed, does the evidence set out clear reasons for rejection?
- d) What consultation was undertaken with the travelling community to identify locational and other requirements for a potential site, and to allow options to be assessed?
- e) The site at Sharneyford was previously rejected as a site for transit accommodation and not taken forward in the submitted Local Plan. What has changed in the interim?

Issue 3 - Deliverability of the original proposed allocation at Futures Park, Bacup

- a) What is the latest position regarding the delivery of the industrial building proposed on Futures Park (application reference 2019/0102) and the lease arrangements? Does the lease preclude the development of a transit site on Future Park? Is the lease agreement enforceable, insofar as it applies to land outside the lease site?

- b) Is the site at Futures Park suitable in all other regards for the provision of a gypsy transit site? Is this supported by the Council's evidence?

Issue 4 – Suitability of the proposed replacement allocation at Sharneyford

- a) Is the proposed site in a sustainable location which allows access to schools and services? What is the distance to Sharneyford, the local primary school and other key services? Where is the nearest bus stop?
- b) Would the proposal place undue pressure on local infrastructure and services? Are there available places at local schools?
- c) Does the site have access to a water supply, sewerage and other infrastructure services? What works would be necessary to facilitate connections?
- d) What construction works and buildings are likely to be required on the site in association with the proposed use?
- e) What effect does the site's elevation have on its suitability for use as a transit site? Would occupancy of the site be possible at all points during the year, and does the evidence show that this is likely to be required?
- f) Which part of the site lies within the area of high risk for surface water flooding? [The Council is requested to provide a map within its response] What flood risk assessment work has been undertaken and how would flood risks be mitigated?
- g) What effect would the proposal have on landscape character, including the adjoining Special Landscape Area within Calderdale, and in visual terms? How would any effects be mitigated? Is planting feasible taking account of the site's elevation?
- h) Is the scale of the proposal consistent with the character of the locality and nearby built development?
- i) Is the site capable of being safely accessed? Does the Local Highways Authority have any outstanding concerns?
- j) What are the nearby heritage assets and where are they located? What effect would the proposal have on the significance of these heritage assets? What mitigation measures would be necessary? How does the Council intend to overcome objections from Historic England? Would it be feasible to site pitches to the rear of the site, taking account of the area at risk of flooding?
- k) What effect would the proposal have on biodiversity on the site and in the local area? What ecological assessment work has been undertaken on the site? How would any impacts be mitigated? Which part of the site lies within the Wetland and Heath Ecological Stepping Stone Habitat? [the Council is requested to provide a map showing the location within the site]
- l) Are there any outstanding concerns from the Local Wildlife Trust?

Issue 5 – Deliverability of the proposed replacement allocation at Sharneyford

- a) Who owns the allocation site? Has the landowner confirmed that the site is available for use as a transit site? If not, is the Council looking to gain control of the site using a Compulsory Purchase Order?
- b) How would the site be developed and managed? Is the landowner looking to bring forward the site themselves with financial involvement from the Council or other parties? Or would the site be sold/leased to the Council? What management plans/measures would be put in place to ensure the site functions effectively?
- c) Have the potential costs of development, including the provision of services, construction of hardstanding and buildings and other mitigation measures been assessed? Has appropriate funding been identified to bring forward the site?
- d) What are the estimated timescales for delivery of the site?

Issue 6 – General matters

- a) Is the site likely to contain significant areas of undeveloped land which are not required for the provision of pitches or mitigation purposes? If so, should the size of the proposed allocation area be reduced accordingly?
- b) Should the allocation be supported by a site-specific policy which sets out key requirements and mitigation measures? What should this policy contain? [without prejudice to my determination of the matter, the Council is requested to submit potential policy wording in its response]
- c) How does the Council currently deal with unauthorised encampments of gypsies and travellers? Are the sites usually tolerated or is enforcement action applied? Is the Council planning to introduce a policy on negotiated stopping?
- d) If the proposed site does not come forward for development, what actions (planning and non-planning) would the Council consider taking to address the needs of gypsies and travellers for temporary stopping places?