
APPENDIX 2: POLICY H5 AND H6 INCLUDING ALL MODIFICATIONS (REVISED)

A2.1 The Policies are colour coded accordingly:

- Black text – As submitted in Local Plan (draft) May 2018
- Yellow Highlighted text – Main Modifications proposed and consulted on (2023)
- Green highlighted text – Further suggested amendments (February 2024)

Policy H5: Gypsies and Travellers

Safeguarding Existing Supply

Proposals which fail to protect existing Gypsy and Traveller sites or involve a loss of pitches/plots will not be permitted unless it can be demonstrated that they are no longer required or equivalent alternative provision can be made. Existing Gypsy and Traveller sites are shown on the proposals Policies Map, and are listed below:

- James Street, Layerthorpe;
- Water Lane, Clifton; and
- Outgang Lane, Osbaldwick;

Meeting Future Need

In order to meet the accommodation needs of Gypsies and Travellers, provision will be made in the following ways:

a) Within Existing Local Authority Sites

In order to meet the need of Gypsies and Travellers that meet the planning definition, 10 3 additional pitches will be provided-identified within the existing three Local Authority sites at:

- Water Lane, Clifton; and
- Outgang Lane, Osbaldwick.

b) Within Strategic Allocations

In order to meet the need of those 28 44 Gypsies and Traveller households that do and do not meet the planning definition:

Residential development proposals on strategic sites Applications for larger development sites of 5 ha or more will be required to: provide a number of pitches within the site or provide alternative land that meets the criteria set out in part c) of this policy to accommodate the required number of pitches.

Commuted sum payments to contribute to development of pitches elsewhere will only be considered where it is demonstrated that on site delivery is not achievable due to site constraints and that there are no suitable and available alternative sites for the required number of pitches that can be secured by the developer

- provide a number of pitches within the site; or
- provide alternative land that meets the criteria set out in part (c) of this policy to accommodate the required number of pitches; or
- provide commuted sum payments to contribute towards to development of pitches elsewhere.

The calculations for this policy will be based on the hierarchy below:

- 100 - 499 dwellings - 2 pitches should be provided
- 500 - 999 dwellings - 3 pitches should be provided
- 1000 - 1499 dwellings - 4 pitches should be provided
- 1500 - 1999 dwellings - 5 pitches should be provided
- 2000 or more dwellings - 6 pitches should be provided

c) Planning Applications

In addition to the above allocated sites, development for Gypsy and Traveller sites will be permitted where proposals:

- do not conflict with the objective of conserving and enhance York's historic and natural environment. This includes the city's character and setting and internationally, nationally and locally significant nature conservation sites, green corridors and areas with an important recreation function;
- ensure accessibility to public transport and services;
- are suitable in terms of vehicular access and road safety including internal space for adequate parking and turning;
- ensure that development does not have an undue impact on the residential amenity of current residents and future occupiers, including leading to unacceptable levels of congestion, pollution and air quality; and
- appropriately manage flood risk.

In addition, proposals will be expected to:

- provide adequate provision for storage, recreation space, amenity provision and utility services;
- ensure that the size and density of pitches/plots ~~are in accordance with~~ have regard to best practice guidance;
- incorporate appropriate landscape proposals to have a positive influence on the quality and amenity of the development;
- ensure that residents living nearby are not unduly affected by noise, disturbance or overlooking; and
- ensure future occupiers would not be subject to significant adverse environmental impacts.

Any permission granted for a Gypsy and Traveller development will be subject to a condition limiting occupation to Gypsies and Travellers, as appropriate.

Policy H6: Travelling Showpeople

Safeguarding Existing Supply

Proposals which fail to protect existing Travelling Showpeople yards or involve a loss of pitches/plots will not be permitted unless it can be demonstrated that they are no longer required or equivalent alternative provision can be made. Existing Travelling Showman yards are shown on the **proposals Policies** Map, namely The Stables, Elvington (temporary permission until 2020).

Meeting Future Need

There is a total need of **3-4** Showpeople plots over the plan period (this includes the plot with temporary planning permission at The Stables). **This is split into 2 plots in years 2016-21, and 1 plot in the period 2032.**

a) Allocated Sites

In order to meet the need of Travelling Showpeople that meet the planning definition, 3 plots will be allocated on the following site:

SP1: The Stables, Elvington: 3 plots

b) Travelling Showpeople Yards within Employment Sites

Travelling Showpeople yards will be permitted on existing and allocated employment sites provided development would not lead to the loss of land that that is necessary to meet both immediate and longer term requirements over the plan period in both quantitative and qualitative terms and unacceptable environmental problems exist.

c) Planning Applications

In addition to the above allocated sites, development for Showman sites will be permitted where proposals:

- i. do not conflict with the objective of conserving and enhance York's historic and natural environment. This includes the city's character and setting and internationally, nationally and locally significant nature conservation sites, green corridors and areas with an important recreation function;
- ii. ensure accessibility to public transport and services;
- iii. are suitable in terms of vehicular access and road safety including internal space for adequate parking and turning;
- iv. ensure that development does not have an undue impact on the residential amenity of current residents and future occupiers, including leading to unacceptable levels of congestion, pollution and air quality; and
- v. appropriately manage flood risk.

In addition, proposals will be expected to:

- vi. provide adequate provision for storage, recreation space, amenity provision and utility services;
- vii. ensure that the size and density of pitches/plots **are in accordance with** have regard to best practice guidance;
- viii. incorporate appropriate landscape proposals to have a positive influence on the quality and amenity of the development;

- ix. ensure that residents living nearby are not unduly affected by noise, disturbance or overlooking; and
- x. ensure future occupiers would not be subject to significant adverse environmental impacts.

Any permission granted for a Travelling Showpeople development will be subject to a condition limiting occupation to Travelling Showpeople, as appropriate.

Explanation

5.36 Key evidence including the Equality and Human Rights Commission report Inequalities Experienced by Gypsy and Traveller Communities (2009) suggests that today Gypsies and Travellers are the most marginalised and disadvantaged of all minority groups nationally, suffering the greatest inequalities across a range of indicators.

5.37 Planning Policy for Traveller Sites (2015 2023) introduced a revised the definition for Travellers which states that households that do not travel and have not ever travelled for work purposes fall outside the planning definition of a Traveller. In light of the revised definition, the Council updated the evidence that informed the City of York Gypsy and Travellers Accommodation Assessment (2022) and the resulting pitch requirements are set out in table 5.3 commissioned consultants to undertake an update of the Gypsy, Traveller, and Showpeople Accommodation Assessment completed in 2013. As part of this update, Gypsy, Traveller and Showpeople households completed a revised survey which could be used to analyse their travel patterns and to conclude whether or not they fall into the revised definition of Travellers.

5.38 Table 5.3 overleaf is taken from the City of York Gypsy and Travellers Accommodation Assessment Update (2017) and summarises the number of households in York which do/do not meet the definition

Table 5.3: Pitch needs for Gypsy and Travellers 2022-2038 Meeting the Revised Definition of a Traveller

Delivery Status	Pitch Requirements
Meet Planning Definition (including undetermined)	12
Do not meet Planning Definition (including undetermined)	26
Total	38

Households in York	GTAA ¹	SHMA ²	Total
Households that meet the planning definition (incl. 10% of unknown need)	3	0	3
Households that do not meet the planning definition (incl. 90% of unknown need)	0	44	44
Total	3	44	47
Showpeople households that meet the planning definition	3	0	3
Total	3	0	3

¹ GTAA — Gypsy and Traveller Accommodation Assessment

² SHMA — Strategic Housing Market Assessment

5.39 In accordance with Government guidance set out in the NPPF (2012) and Planning Policy for Traveller Sites (2015), the Council is required to identify a supply of specific, deliverable Gypsy, Traveller and Travelling Showpeople sites sufficient to provide five years' worth of sites against their locally set targets to meet accommodation needs of these groups who meet the revised definition in York.

5.40 It is recognised that Gypsies and Travellers and Travelling Showpeople have different needs and that the two different groups should not be located on the same areas of land. Gypsy and Traveller and Travelling Showpeople provision has its own specific terminology. Gypsy and Traveller provision is expressed in 'pitches' on sites whereas Travelling Showpeople provision is expressed as 'plots' on sites often called a 'yard'. Nationally, pitch/plot sizes range from 200 m² to 500 m². An upper measurement of 500 m² has been used in the allocation of sites to allow final design to Sites will be designed to accommodate all of the requirements set out in design guidance, including landscaping, play space and access arrangements. Space has will also been taken into account for equine grazing which is a much needed provision in York. Final pitch sizes will ultimately be a matter for detailed planning applications to determine.

5.40a The Council is committed to investing in each of its owned and managed traveller sites to ensure that current and future residents are not exposed to unsatisfactory living conditions. Following adoption of the plan the Council will undertake an early site search within the terms of PPTS and assess any options that emerge as potential alternative sites. This work will be undertaken as part of a comprehensive package of actions developed and progressed in collaboration with the gypsy and traveller community to ensure that existing inequalities are properly addressed.

5.41 ~~Three Two~~ plots for Travelling Showpeople ~~have has~~ been identified for the first 5 years of the plan period at The Stables, Elvington, ~~with a further 1 plot in the same yard for the future expansion of the existing family in year 2032~~. The nature of Travelling Showpeople's work, requires level hard standings and covered sheds for the maintenance and storage of large fairground rides. For this reason, applications for yards in existing and allocated employment sites will be supported where the provision will not compromise the employment land supply.

5.42 ~~The suitability of the location of any further sites for Gypsies, Travellers or Travelling Showpeople which come forward during the plan period will be determined in accordance with criteria i – v of Policies H5 and H6. These consider the natural and historic environment, access to public transport and services, road access and congestion, flood risk and amenity. The development of the allocated sites and any further sites that come forward during the plan period will be determined in accordance with Policies H5 and H6 criteria vi – x. These consider the provision of storage and recreation space, amenity provision, size and density of pitches/plots, landscaping of the site, amenity of nearby residents and future occupiers of the site.~~

5.42 The suitability of sites not allocated for Gypsies, Travellers or Travelling Showpeople in this Local Plan will be assessed against the locational principles within criteria i-v of Policies H5 and H6 (Part C) as appropriate. All development proposals (including those forming part of a strategic allocation) will need to demonstrate that the site's design and layout observes the principles within criteria vi-x of Policies H5 and H6, as appropriate.

Where proposals seek to provide a commuted sum in lieu of either on or off-site pitch provision, applications will need to comprehensively demonstrate the following:

1. That the design parameters (vi – x in part C of Policy H6) cannot be satisfactorily achieved through evidence of a site and masterplan appraisal (which should include layout and capacity assessments as well as a demonstration of all reasonable attempts to overcome any site constraints); and,
2. That there are no available sites which would be suitable for the number of pitches required. Evidence should include an appraisal of sites on the market at the time of the application with clear justification for their rejection.

Committed sums will be calculated on the basis that costs are met in full including, where appropriate, land purchase, professional fees, construction, and operating costs.

5.43 A condition will be attached to any permission to ensure that the sites remain in use by Gypsies and Travellers or Travelling Showpeople, as appropriate and the number of pitches and plots are retained to ensure a supply to need demand.

Delivery

- Key Delivery Partners: City of York Council, Developers, Housing Charities, Gypsy, Roma, Traveller and Travelling Showpeople stakeholders
- Implementation: Planning applications and strategic site masterplans

